

Allegheny County Council

*County of Allegheny
436 Grant Street
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Agenda Synopsis

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.

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

Roll Call: Present: Council Member Burn, Council Member DeFazio, 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 Cleary
Phone: Green

V. Proclamations/Certificates

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

Presented

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

Presented

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

Presented

4791-09 Certificate of Achievement honoring Natalie Ferraro for receiving the Gold Award from the Girl Scouts.

Presented

4792-09 Proclamation honoring Lanny Frattare's career in sports broadcasting.

Presented

4793-09 Certificate of Achievement recognizing Thomas Stephen Waruszewski for reaching the Eagle Scout ranking.

The meeting was called to order at 5:00 PM

Read

4794-09 Certificates of Achievement recognizing six boy scouts of Troop 184 for reaching the Eagle Scout ranking.

Read

- [4795-09](#) Certificate of Recognition honoring Brentwood Cares for their efforts to send care packages to soldiers serving overseas.
Read
- [4796-09](#) Certificate of Achievement honoring South Allegheny Middle School for receiving the “Schools to Watch” Award.
Read
- [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.
Read
- [4798-09](#) Certificates of Achievement recognizing the Sewickley Academy boys basketball team for winning the WPIAL Class A championship.
Read
- [4799-09](#) Certificate of Recognition honoring Lee Barth's 100th birthday.
Read
- [4800-09](#) Certificate of Achievement honoring wrestler Zack DeLuca of Penn Hills for capturing the Pennsylvania Junior Championship.
Read
- [4801-09](#) Certificate of Recognition honoring broadcaster Steve Blass' 50th anniversary with the Pittsburgh Pirates.
Read
- [4802-09](#) Certificate of Recognition honoring the 50th wedding anniversary of Mr. and Mrs. Kass.
Read
- [4803-09](#) Certificate of Achievement honoring Vince Provenza for reaching the rank of Eagle Scout.
Read
- [4804-09](#) Certificate of Recognition honoring John Tarka and Jack O'Malley for receiving distinctive awards from the Allegheny County Labor Council.
Read
- [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.

Read

4810-09

Certificate of Recognition honoring Bridget Byrne for being named 2009 Ms. Smiling Irish Eyes.

Read

4813-09

Proclamation declaring April 28, 2009 as “Workers Memorial Day” in Allegheny County.

Read

4814-09

Proclamation declaring April 24, 2009 as “Workers Memorial Day” in the Philadelphia area.

Read

4815-09

Proclamation declaring May 1, 2009 as “Workers Memorial Day” in Johnstown.

Read

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.

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

4807-09

Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on March 17, 2009.

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

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.

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

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.

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

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.

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

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.

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

Committee on Budget and Finance - Second Reading

4698-09

A Resolution of the County of Allegheny amending the 2009 Capital Budget for Allegheny County.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Noes: 1 - Council Member Gastgeb
Absent: 1 - Council Member Cleary

4746-09

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

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

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

Votes: Yes: 4 - Council Member Drozd, Council Member Gastgeb, Council Member McCullough and Council Member Rea
Noes: 10 - Council Member Burn, Council Member DeFazio, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Green, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

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

Votes: Yes: 14 - Council Member Burn, Council Member DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary
Not present: 1 - Council Member McCullough

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.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary
Not present: 1 - Council Member McCullough

4742-09

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

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary
Not present: 1 - Council Member McCullough

4743-09

An Ordinance authorizing the County of Allegheny to sell a 0.787± 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.

Withdrawn at the request of the Chief Executive

Withdrawn

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.

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 DeFazio, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Green, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Cleary

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.

Referred to the Committee on Health & Human Services

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.

Referred to the Committee on Government Reform

4811-09

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

Referred to the Committee on Budget and Finance

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.

Referred to the Committee on Economic Development & Housing

XII. Public Comment on General Items

XIII. Adjournment

The meeting adjourned at 6:45 PM