

Allegheny County Council

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

Wednesday, July 5, 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.

- I. **Call To Order**
- II. **Pledge of Allegiance**
- III. **Silent Prayer or Reflection**
- IV. **Roll Call**
- V. **Proclamations/Certificates**

2683-06 Proclamation honoring the life and legacy of Ms. Ruth Walter Brenyo, a long-term Board Member of the City-County Task Force on Disabilities, and a lifelong pioneer and leader in the community of people with disabilities.

Presented

2684-06 Proclamation recognizing Mr. John L. Kovach, Jr. for his life-long civic contributions which have enhanced the quality of life for all residents of Allegheny County.

The sponsor requested that the proclamation be held because Mr. Kovach was unable to attend the meeting to accept it. It will be presented at a later date.

Held

2685-06 Proclamation honoring Mr. John L. Kovach, Jr. for his extraordinary efforts to build the South Park Flag Retirement Plaza, the first of its kind in Allegheny County.

The sponsor requested that the proclamation be held because Mr. Kovach was unable to attend the meeting to accept it. It will be presented at a later date.

Held

2686-06 Certificate of Recognition awarded to Captain Carl Toscolani and Officer Joseph Signorella of the Brackenridge Police Department for their quick life-saving actions during structure fires.

Presented

2687-06 Proclamation recognizing the accomplishments of Mr. James R. Barthen during his 27 years with the Port Authority and thanking him for his public service upon the occasion of his retirement.

Presented

2688-06 Certificate of Achievement presented to Brentwood High School student Ms. Taylore Libby for her outstanding academic record, athletic ability, and leadership.

Presented

- 2689-06** Certificate of Achievement recognizing Mr. Richard Chilton upon earning the rank of Eagle Scout, scouting's most distinguished honor.
Read
- 2690-06** Proclamation celebrating the 100th Anniversary of the University of Pittsburgh Medical Center Braddock and recognizing the hospital's dedication to serving the community.
Read
- 2691-06** Certificate of Achievement awarded to Pine-Richland High School Varsity Hockey Team for winning the 2006 PIHL Class AA Pennsylvania Cup.
Read
- 2692-06** Certificate of Achievement awarded to Shaler Area Senior High School Softball Team for winning the 2006 PIAA Class AAAA Softball Championship.
Read
- 2693-06** Certificate of Achievement awarded to Keith Moss for winning the Boys' Division Championship of the 83rd Annual National Marbles Tournament in Wildwood, New Jersey
Read

VI. Public Comment On Agenda Items

VII. Approval of Minutes

- 2678-06** Motion to approve the Minutes of the Regular Meeting of County Council held on June 6, 2006.
A motion was made that this matter be Passed. The motion carried unanimously.

VIII. Unfinished Business

Committee on Budget and Finance - Second Reading

- 2644-06** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the County to enter onto a new lease agreement for premises it currently occupies in the County's portion of the City-County Building.
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 Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Nerone
Not present: 1 - Council Member Gastgeb

2661-06

An Ordinance authorizing the incurring of lease rental debt not to exceed an aggregate amount of \$2,750,000 by entering into a debt service reserve fund replenishment guaranty agreement. Ordinance of the County of Allegheny, Pennsylvania (the "County") determining to incur debt in an aggregate amount not to exceed \$2,750,000 in connection with a project to be undertaken by the Allegheny County Industrial Development Authority (the "Authority") on behalf of Residential Resources, Inc., Residential Resources Southwest, Inc. And Residential Resources Development Corporation; determining that such debt shall be incurred as lease rental debt to be evidenced by a debt service reserve fund guaranty agreement (the "guaranty") by the County relating to the authority's lease revenue bonds, series of 2006 (Residential Resources Inc. Project), to be authorized and to be issued by said authority; briefly describing the project; authorizing and directing the preparation, certification and filing of the debt statement, the borrowing base certificate to be appended to the debt statement, and other appropriate documents required by the local government unit debt act [53 Pa.C.S.A §8001 et seq.]; issuing, upon receipt of approval of the Pennsylvania Department of Community and Economic Development, the guaranty; authorizing delivery of the guaranty to the trustee under a trust indenture; specifying the amount of the guaranty obligations of the County pursuant to the guaranty; guaranteeing replenishment of the debt service reserve fund in an aggregate amount not to exceed \$2,750,000 and making certain covenants with respect thereto; authorizing the execution and delivery of a reimbursement agreement and related documents; and providing for proper officers of this county to take all other required, necessary or desirable related action in connection with said project.

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 Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Nerone
Not present: 1 - Council Member Gastgeb

2662-06

A Resolution ratifying certain year-end transfers pursuant to Section 805.03 of the Administrative 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 Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Noes: 1 - Council Member Gastgeb
Not present: 1 - Council Member Nerone

2664-06

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

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 Parks - Second Reading**2645-06**

An Ordinance of the Council of the County of Allegheny authorizing the County of Allegheny to acquire by condemnation, if necessary, from Pittsburgh and Western Mining Company, its successors or assigns, as their interest may appear, all the vein of coal known as the Pittsburgh vein, together with mining rights, underlying that certain one hundred twenty-seven (127) acres, more or less, of surface situate in North Fayette Township, Allegheny County and Commonwealth of Pennsylvania, as more particularly described in the deed dated May 27, 1924, from Pittsburgh Coal Company to Pittsburgh and Western Mining Company as recorded in the Recorder of Deeds of Allegheny County, Pennsylvania in Deed Book Volume 2236, page 97, and to take 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: 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**2663-06**

A Resolution of the Council of the County of Allegheny authorizing pursuit of a Tax Increment Financing Plan in Moon Township, Allegheny County, Pennsylvania.

The Administration requested that the bill be held until such time as the developer successfully demonstrates that they have attained total site control for the proposed development.

Held

Special Committee on Property Assessments - Second Reading**2638-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending portions of Article 207 to clarify the rules and regulations of, and provide requested guidance to, the Board of Property Assessment Appeals and Review and to make the rules and regulations consistent with a base year valuation system of real property assessment.

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 Drozd, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald
Noes: 1 - Council Member Fawcett
Absent: 1 - Council Member Nerone
Not present: 1 - Council Member Gastgeb

IX. Liaison Reports

President Fitzgerald discussed his trip to Charlotte to explore intergovernmental cooperation in that city as it relates to the County's efforts.

X. New Business - Ordinances & Resolutions**2679-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the Department of Administrative Services, Division of Purchasing and Supplies and Division of Elections to conduct an Internet auction of approximately three thousand two hundred and fifty (3250) surplus mechanical lever voting machines and to sell the approximate three thousand two hundred and fifty (3250) surplus mechanical lever voting machines to the highest bidder(s).

A motion to waive the second reading on the bill was unanimously approved

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 Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald
Noes: 1 - Council Member Fawcett
Absent: 1 - Council Member Nerone
Not present: 2 - Council Member Gastgeb and Council Member Rea

2680-06

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the donation of a John Deere Gator cart to the Morningside Baseball Association.

Referred to the Special Committee on Government Reform

2681-06 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, Authorizing the County Manager to Enter into a Lease Agreement with the Mon Valley Express Drum and Bugle Corp for the Use of Exhibit Building #8 in South Park.

Referred to the Committee on Parks

2694-06 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance No. 07-06, the existing schedule of facility and recreational rates and fees for the use of County recreational and park facilities.

Referred to the Committee on Parks

2682-06 A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2006 (Submission #07-06).

Referred to the Committee on Budget and Finance

2695-06 A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Chief Executive to take action to reduce global warming pollution levels in Allegheny County by meeting or exceeding the Kyoto Protocol target for the United States, which calls for a reduction of greenhouse gas emissions by seven percent (7%) below 1990 levels by 2012.

A motion to waive the second reading on the bill was unanimously approved

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 Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald
Absent: 1 - Council Member Nerone
Not present: 2 - Council Member Gastgeb and Council Member Rea

XI. New Business - Motions

XII. Notification of Contracts

2696-06 Communication from County Manager Jim Flynn submitting a summary of Executive Actions relating to contracts for the months of April and May, 2006.

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

XIII. Public Comment on General Items

XIV. Adjournment