

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 1, 2008

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**
- V. Proclamations/Certificates**

3868-08 Proclamation declaring April 2008 "Fair Housing Month" in Allegheny County.

Sponsors: Rich Fitzgerald, Chuck Martoni, William Russell Robinson, Nick Futules, Bob Macey, Vince Gastgeb, Michael Finnerty and Joan Cleary

3869-08 Proclamation honoring the late Staff Sgt. Patrick Kutschbach.

Sponsors: Chuck McCullough, Vince Gastgeb, Chuck Martoni, Nick Futules, William Russell Robinson, Matt Drozd, Jan Rea, Michael Finnerty, John DeFazio, Jim Ellenbogen and Bob Macey

3870-08 Proclamation declaring April 2, 2008 "Tobacco Free Allegheny- Kick Butts Day" in Allegheny County.

Sponsors: Michael Finnerty

3888-08 Proclamation declaring April 2008 "Jazz Appreciation Month" in Allegheny County.

Sponsors: William Russell Robinson

3871-08 Certificate of Achievement recognizing the South Park Senior High School Girls' Basketball Team for winning the WPIAL Class AA Championship.

Sponsors: Joan Cleary

3872-08 Certificate of Achievement recognizing the Hampton High School Girls' Basketball Team for winning the WPIAL Class AAA Championship.

Sponsors: Jan Rea

3873-08 Certificate of Achievement recognizing the Upper St. Clair High School Girls' Basketball Team for winning the WPIAL Class AAAA Championship.

Sponsors: Vince Gastgeb and Chuck McCullough

3874-08 Certificate of Achievement recognizing the Central Catholic High School Boys' Basketball Team for winning the WPIAL Class AAAA Championship.

Sponsors: Rich Fitzgerald

3875-08 Certificate of Recognition honoring Sgt. Otis DiCerbo for being named the Mon Yough Area Council of PTA/PTSA's 2008 Teacher of the Year.

Sponsors: Bob Macey

To be entered into the Record

3876-08

Certificate of Recognition congratulating the Central Volunteer Fire Company of Elizabeth Township for their recent accomplishments, including obtaining the Department of Health QRS Certification and Voluntary Rescue Service-Advanced Level.

Sponsors: Bob Macey

To be entered into the Record

3877-08

Certificate of Recognition congratulating the 2007-2008 graduates of the Local Government Academy's Newly Elected Officials Course.

Sponsors: Chuck Martoni

To be entered into the Record

3878-08

Proclamation recognizing Officer Lenny Mesarchik for being named the Forest Hills 2008 Citizen of the Year by the Woodland Progress.

Sponsors: Chuck Martoni

To be entered into the Record

3879-08

Proclamation recognizing Charlene Hrvnak for being named the Plum 2008 Citizen of the Year by the Advance Leader.

Sponsors: Nick Futules

To be entered into the Record

3880-08

Proclamation recognizing The Coalition of Labor Union Women- Pittsburgh Chapter's Man of the Year, Jack Shea, and Woman of the Year, Jean Friday.

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

To be entered into the Record

3881-08

Certificate of Recognition congratulating Tom and Barb Grimm of McKeesport, who recently celebrated their 50th anniversary.

Sponsors: Bob Macey

To be entered into the Record

3882-08

Proclamation recognizing Thomas R. Solomich upon the occasion of his 35th anniversary with the Rothman Gordon Firm.

Sponsors: Rich Fitzgerald

To be entered into the Record

3883-08

Proclamation declaring April 4, 2008 "Melvin Pollock Day" in Allegheny County.

Sponsors: Chuck Martoni

To be entered into the Record

[3884-08](#) Certificate of Recognition honoring Vigilant Hose Company No. 1 of Port Vue upon the occasion of its 100th anniversary and recognizing those members who have achieved 25 and 50 years of service with the organization.

Sponsors: Bob Macey

To be entered into the Record

VI. Public Comment On Agenda Items

VII. Presentation of Appointments

[3863-08](#) Appointment - Approving the appointment of Allison Burgan to serve as a Member of the Council of Friends (Hartwood) for a term to expire on April 1, 2010.

Sponsors: Jan Rea

VIII. Unfinished Business

Committee on Budget and Finance - Second Reading

[3843-08](#) A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #04-08).

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
3/25/08	Committee on Budget and Finance	Affirmatively Recommended

[3844-08](#) A Resolution of the County of Allegheny approving certain Inter-Departmental Transfers in the Operating Budget for the fiscal year beginning January 1, 2008 and ending December 31, 2008.

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
3/25/08	Committee on Budget and Finance	Affirmatively Recommended

Committee on Economic Development & Housing - Second Reading

[3712-08](#) An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, granting authority to the County of Allegheny (the "County") to assign its interest in certain real estate tax liens to Redevelopment Authority of Allegheny County ("RAAC") which the County acquired in the settlement of an action brought by GLS Capital, Inc.

Sponsors: Chief Executive

Legislative History

2/5/08	County Council	Referred
3/27/08	Committee on Economic Development & Housing	Affirmatively Recommended

3842-08

An Ordinance Authorizing the County of Allegheny to acquire the Riverton Railroad Bridge and approaches over the Monongahela River, between City of Duquesne and City of McKeesport, from the Union Railroad Company, for the Steel Valley Trail.

Sponsors: Chief Executive

Legislative History

3/18/08	County Council	Referred
3/27/08	Committee on Economic Development & Housing	Affirmatively Recommended

3796-08

A Resolution Approving a Project for the benefit of Carnegie Mellon University (the "University") to be financed by the Allegheny County Higher Education Building Authority by the issuance of the Authority's tax-exempt or taxable bonds, to be issued in one or more series, in the aggregate principal amount not to exceed \$135,000,000 including required reserves (if any) and costs of issuance, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Bonds (hereinafter defined), and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania.

Sponsors: Chief Executive

Legislative History

3/4/08	County Council	Referred
3/27/08	Committee on Economic Development & Housing	Affirmatively Recommended

IX. Liaison Reports**X. New Business - Ordinances & Resolutions**3885-08

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 4, entitled "Finances," through the creation of a new Chapter 491, entitled "Community College of Allegheny County Appropriations," in order to provide a mechanism for adjusting the County's annual budgetary appropriation to the Community College of Allegheny County in order to keep pace with rising inflationary costs.

Sponsors: William Russell Robinson and Chuck Martoni

3886-08

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 4, entitled "Finances," through the creation of a new Chapter 491, entitled "Community College of Allegheny County Appropriations," in order to provide a mechanism for allocating a portion of certain revenues received by the County under the terms of the Pennsylvania Racehorse Development and Gaming Act, 4 P.S. §1101 et. seq., as a supplemental appropriation to the Community College of Allegheny County.

Sponsors: William Russell Robinson and Chuck Martoni

3887-08

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," through the creation of a new Article 705, entitled "Parks," in order to provide a mechanism for exploring and accomplishing the privatization of one or more of the County Parks.

Sponsors: Matt Drozd

3864-08

A Resolution ratifying certain year-end transfers pursuant to Section 805.03 of the Administrative Code.

Sponsors: Chief Executive

3865-08

A Resolution approving a project for the benefit of Duquesne University of the Holy Spirit (the "University"), to be financed by the Allegheny County Higher Education Building Authority by the issuance of the Authority's tax-exempt or taxable bonds, to be issued in one or more series, in the aggregate principal amount not to exceed \$35,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Bonds (hereinafter defined), and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania.

Sponsors: Chief Executive

3866-08

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #05-08).

Sponsors: Chief Executive

3867-08

A Resolution of the County of Allegheny amending the 2008 Capital Budget for Allegheny County.

Sponsors: Chief Executive

[3889-08](#) A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly to amend the Local Option Small Games of Chance Act, 10 P.S. §311 et. seq., in order to classify all liquor licensees as "Eligible Organizations" for the purposes of obtaining licenses to operate small games of chance.

Sponsors: Nick Futules and William Russell Robinson

[3890-08](#) A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly and Governor to enact a statewide ban on smoking in public places with all deliberate speed.

Sponsors: Joan Cleary

XI. New Business - Motions

[3891-08](#) Motion of the Council of Allegheny County pulling Bill No. 3677-08, establishing an annual Roberto Clemente Day in Allegheny County, from committee for an immediate final vote.

Sponsors: Chuck McCullough

[3892-08](#) Motion Expressing the Sense of Council of Allegheny County urging the General Assembly to undertake the amendment of 53 P.S. §8601, governing taxation for public transportation, and 4 P.S. §1407, governing the uses by counties of the second class of revenues distributed from the Pennsylvania Gaming Economic Development and Tourism Fund, in order to provide counties of the second class with the flexibility necessary to effectively manage their budgetary position while not overburdening the owners of taxable property.

Sponsors: Chuck McCullough

[3893-08](#) Motion Expressing the Sense of Council of Allegheny County, supporting the amendment of Act 55 of 1997, the Institutions of Purely Public Charity Act, by Senate Bill 1328 in order to authorize the imposition of an essential services fee and a limited real estate tax to properties that are otherwise exempted from real property taxation.

Sponsors: Rich Fitzgerald, Jim Burn, Nick Futules, William Russell Robinson, Chuck Martoni and Chuck McCullough

[3894-08](#) Motion of the Council of Allegheny County amending the Rules of Council for Allegheny County Council to clarify the Rules pertaining to decorum in Council's meetings.

Sponsors: Bob Macey

XII. Public Comment on General Items

XIII. Adjournment