

Allegheny County Council

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

Tuesday, December 6, 2005

5:00 PM

Regular Meeting, Fourth Floor, Gold Room

County Council

*Rich Fitzgerald, President; Chuck Martoni, Vice-President; Joan Cleary,
John DeFazio, Dave Fawcett, Ron Francis, Brenda Frazier, Vince Gastgeb,
Jay Jabbour, Edward Kress, Rich Nerone, Doug Price, Jan Rea, William
Russell Robinson, and Eileen Watt*

*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 website: www.county.allegheny.pa.us/council.*

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

14 Members present

V. Certificates of Election**2249-05**

Communication from the Return Board of Allegheny County submitting a Certificate of Election certifying that at the Special Election held on the eighth day of November, 2005, Richard Nerone was duly elected to the Office of Member of County Council, District #12 - To Fill Unexpired Term, in the County of Allegheny, Commonwealth of Pennsylvania.

Received and Filed

2250-05

Communication from the Return Board of Allegheny County submitting a Certificate of Election certifying that at the Special Election held on the eighth day of November, 2005, Edward J. Kress was duly elected to the Office of Member of County Council, District #3 - To Fill Unexpired Term, in the County of Allegheny, Commonwealth of Pennsylvania.

Received and Filed

VI. Proclamations/Certificates**2231-05**

Proclamation congratulating Saint Sebastian School Junior Varsity Football Team for winning the Junior Varsity 2005 Diocesan Championship.

Presented

2232-05

Proclamation honoring the life and legacy of Monsignor Charles Owen Rice on International Human Rights day December 10, 2005.

Presented

2247-05

Proclamation recognizing National Family Week and the importance of families in building strong and healthy communities and honoring the National Alliance for Children and Families and its local partnering organization, the Penn State Cooperative Extension in Allegheny County and their partners for helping families create a better future for our County.

Presented

[2248-05](#) Proclamation recognizing and commending Chatham College and the Rachel Carson Institute for teaching students the importance of environmental responsibility and educating the public about the life of Chatham graduate Rachel Carson.

Presented

[2251-05](#) Proclamation honoring William "Chip" Kirk, III on the occasion of his receipt of the Congressional Award Program's Gold Medal for community service, personal development, exploration and physical fitness.

Presented

[2225-05](#) Proclamation recognizing and congratulating thirty-five law enforcement officers from the Turtle Creek Police Department for being awarded to the Honor Roll, and to the Turtle Creek Police Department as a whole for their dedication and commitment to upholding the law and protecting our citizens.

Read

[2226-05](#) Proclamation congratulating the ten individual recipients of the 2005 South Side Local Development Company Volunteer Recognition Award for their exceptional contribution to enhancing the South Side neighborhood in various program areas including housing, education, health and social services, community development, job training, crime prevention, and community participation.

Read

[2227-05](#) Proclamation recognizing and congratulating twenty-seven individual recipients of the 2005 Greenfield Organization Community Service or Community Group Award for their outstanding contribution to the Greenfield neighborhood and enhancing the quality of life for its citizens and the community as a whole.

Read

[2228-05](#) Certificate of Achievement awarded to Andrew Robert Dockan, Troop #366, in recognition of earning the rank of Eagle Scout, scouting's most distinguished honor.

Read

[2229-05](#) Certificate of Achievement awarded to Nathan Cole Rubright, Troop#366, in recognition of earning the rank of Eagle Scout, scouting's most distinguished honor.

Read

[2230-05](#) Proclamation recognizing and honoring Mr. Lamonte Wilson, Fire Chief of the Allegheny County Airport Authority, for his 30 years of dedicated public safety services, protecting both lives and property and commending him for his

significant contribution to the citizens of Allegheny County.

Read

VII. Public Comment On Agenda Items

VIII. Approval of Minutes

[2233-05](#) Motion to approve the Minutes of the Regular Meetings of Council held on October 18 and November 1, 2005.

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

IX. Presentation of Appointments

[2238-05](#) Appointment - Approving the appointment of Phillis LaRue Daniel Lavelle to serve as a Member of the Property Assessment Appeals & Review Board for a term to expire on December 31, 2008.

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

X. Unfinished Business

Committee on Appointment Review - Second Reading

[2172-05](#) Appointment - Approving the appointment of Dr. Susan Gove to serve as a Member of the Children, Youth and Families Advisory Board for a term to expire three years from the approval date of this appointment.

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

[2173-05](#) Appointment - Approving the appointment of Linda Ehrlich to serve as a Member of the Children, Youth and Families Advisory Board for a term to expire three years from the approval date of this appointment.

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

[2175-05](#) Appointment - Approving the reappointment of Laurie Mulvey to serve as a Member of the Community Services Advisory Council for a term to expire on December 31 2006.

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

[2176-05](#) Appointment - Approving the reappointment of Cynthia Moore to serve as a Member of the Community Services Advisory Council for a term to expire on December 31 2006.

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

[2177-05](#) Appointment - Approving the reappointment of Tamara Dudukovich to serve as a Member of the Community Services Advisory Council for a term to expire on

December 31 2006.

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

2178-05

Appointment - Approving the reappointment of Dr. Karen Plavan to serve as a Member of the Drug and Alcohol Planning Council for a term to expire on May 8, 2008.

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

2179-05

Appointment - Approving the reappointment of Kenneth Walker to serve as a Member of the Drug and Alcohol Planning Council for a term to expire on May 8, 2008.

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

2180-05

Appointment - Approving the reappointment of Alexander Dow to serve as a Member of the Community Services Advisory Council for a term to expire on November 1, 2007.

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

2181-05

Appointment - Approving the appointment of Laura Zinski to serve as a Member of the Community Services Advisory Council for a term to expire on December 31, 2007.

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

2182-05

Appointment - Approving the appointment of Zetta Murphy to serve as a Member of the Mental Health/Mental Retardation Advisory Council for a term to expire three years from the approval date of this appointment.

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

2183-05

Appointment - Approving the reappointment of Dr. Heidi Feldman to serve as a Member of the Mental Health/Mental Retardation Advisory Council for a term to expire on July 31, 2008.

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

2184-05

Appointment - Approving the appointment of Eva Bednar to serve as a Member of the Mental Health/Mental Retardation Advisory Council for a term to expire three years from the approval date of this appointment.

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

2216-05

Appointment - Approving the reappointment of Jerry Speer to serve as a Member of the Property Assessment Appeals & Review Board for a term to expire on December 31, 2008.

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

Committee on Budget and Finance - Second Reading

2212-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing the tax levy upon all real property subject to taxation within the limits 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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

2206-05

A Resolution of the County of Allegheny approving certain Inter-Departmental Transfers in the Operating Budget for the fiscal year beginning January 1, 2005 and ending December 31, 2005.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

Enactment No: 50-05-RE

2207-05

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budgets for 2005 (Submission #19-05).

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

2217-05

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting an Operating Budget pursuant to Article IV, §2 and Article VII, §4 of the Home Rule Charter, by setting forth appropriations to pay the expenses of conducting the public business of Allegheny County and for meeting debt charges for the fiscal year beginning January 1, 2006 and ending December 31, 2006.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

2218-05

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting a Capital Budget pursuant to Article IV, §2 and Article VII, §4 of the Home Rule Charter by setting forth appropriations to pay the expenses for capital expenditures during the fiscal year beginning January 1, 2006 and ending December 31, 2006.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

2219-05

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting the Grants, Special Accounts, and Agency Fund Budgets, by setting forth appropriations to pay said expenses during the fiscal year beginning January 1, 2006 and ending December 31, 2006.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

Committee on Public Works - Second Reading**2197-05**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, changing the name of the 9th Street Bridge within the City of Pittsburgh to the Rachel Carson Bridge.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

Committee on Health and Human Services - Second Reading**1916-05**

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, requesting that the Pennsylvania General Assembly take steps to remedy the wage disparity that has arisen between County and other mental health and mental retardation workers by providing funding for a cost of living adjustment for County mental health caregivers in the Commonwealth's 2005-2006 budget.

Referred to the Committee on Health & Human Services

2082-05

A Resolution of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Watt and President Fitzgerald

Absent: 1 - Council Member Price

Not present: 1 - Council Member Robinson

2083-05

A Resolution of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald

Absent: 1 - Council Member Price

XI. Liaison Reports

None

XII. New Business - Ordinances & Resolutions**2234-05**

Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing the parameters under which the County administration may enter into discussions regarding the cooperation of the City of Pittsburgh and Allegheny County in the performance and exercise of certain governmental functions, defining "intergovernmental cooperation," and providing for the adoption of ordinances to enter into intergovernmental cooperation agreements pursuant to the General Local Government Code, 53 P.S. § 2301 et. seq. (hereinafter the "Code").

Referred to the Special Committee on Government Reform

2235-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the County to enter into a purchasing Services Agreement with the City of Pittsburgh under the Pennsylvania Intergovernmental Cooperation Act for the purpose of jointly cooperating in the performance and exercise of certain governmental functions in the area of providing purchasing services.

Referred by Chair to the Special Committee on Government Reform

2236-05

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budgets for 2005 (Submission #20-05).

Referred to the Committee on Budget and Finance

2239-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing facility and recreational rates and fees for the use of County recreational and park facilities effective January 1, 2006.

Referred to the Committee on Parks

2240-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance No. 14-01, approved February 6, 2001, broadening the qualifications of the Longtime Senior Citizen Owner/Occupant Tax Relief Program, by providing for a thirty percent (30%) discount on the gross or face amount of Allegheny County real property taxes.

Referred to the Committee on Budget and Finance

2241-05

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly, the Governor, Congress, and the United States Department of Justice to examine the possibility and potential means of adjusting the schedule by which compliance with Section 301 of the Help America Vote Act will be enforced.

Second reading waived. 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 Cleary, Council Member DeFazio, Council Member Fawcett, Council Member Francis, Council Member Frazier, Council Member Gastgeb, Council Member Jabbour, Council Member Kress, Council Member Martoni, Council Member Nerone, Council Member Rea, Council Member Robinson, Council Member Watt and President Fitzgerald
Absent: 1 - Council Member Price

2242-05

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the formulation of policies governing the sale of sponsorship, endorsements, naming rights, and/or advertising on or pertaining to County-owned bridges in order to generate revenue for the County.

Referred to Ad Hoc Committee on Naming Rights

Referred to the Special Committee

2243-05

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the formulation of policies governing the permitting of vendors conducting sales on the Roberto Clemente Bridge, as well as for permitting the closure of the Clemente Bridge for various events.

Referred to the Special Committee on Government Reform

2252-05

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania,

establishing program guidelines for Allegheny County's Public Art Program, as established under Ordinance No. 39-05.

Not on original agenda. Motion approved to place bill on the agenda.

Referred to the Executive Committee

XIII. New Business - Motions

2244-05

Motion expressing the sense of Council of Allegheny County supporting the efforts of United States Representative Michael Doyle to preserve Medicaid benefits for Americans through House Bill 4223, the "Medicaid Preservation Act of 2005."

Referred to the Special Committee on Government Reform

2245-05

Motion expressing the sense of Council of Allegheny County urging the General Assembly to abolish straight party voting in elections held in Pennsylvania.

Referred to the Special Committee on Government Reform

2246-05

Motion expressing the sense of Council of Allegheny County, urging the Allegheny County Chief Executive to select new 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.

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

XIV. Notification of Contracts

2237-05

Communication from County Manager Jim Flynn submitting a summary of Executive Actions relating to Contracts for the month of October, 2005.

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

XV. Public Comment on General Items

XVI. Adjournment

The Meeting adjourned at 8:15 PM