

Allegheny County Council

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

Tuesday, December 1, 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**
- V. Proclamations/Certificates**

5242-09 Proclamation honoring the Children's Museum of Pittsburgh for receiving the 2009 National Medal of Museum and Library Service from the Institute of Museum and Library Service.

Sponsors: Rich Fitzgerald, Chuck Martoni, Jim Burn, Joan Cleary, Matt Drozd, Jim Ellenbogen, Michael Finnerty, Nick Futules, Vince Gastgeb, Amanda Green, Bob Macey, Jan Rea and John DeFazio

5243-09 Proclamation congratulating Pittsburgh Public Schools for receiving a grant award from the Bill and Melinda Gates Foundation.

Sponsors: Rich Fitzgerald, Jim Ellenbogen, Amanda Green and William Russell Robinson

5244-09 Certificates of Achievement awarded to the Shady Side Academy girls' golf team for winning WPIAL and PIAA championships.

Sponsors: Jim Burn

5245-09 Certificates of Achievement awarded to the Shady Side Academy girls' field hockey team for winning a WPIAL championship.

Sponsors: Jim Burn

5246-09 Certificates of Achievement awarded to the Springdale High School girls' soccer team for winning a WPIAL championship.

Sponsors: Jim Burn and Nick Futules

5247-09 Certificates of Achievement awarded to the CCAC South baseball team for winning its fourth consecutive WPCC and PCAA championships.

Sponsors: Bob Macey, Chuck Martoni and William Russell Robinson

5249-09 Certificates of Achievement awarded to the Mt. Lebanon High School boys' soccer team for winning a WPIAL championship.

Sponsors: Vince Gastgeb

5250-09 Proclamation honoring the 140th anniversary of Chatham University.

Sponsors: Rich Fitzgerald and Jim Ellenbogen

To be entered into the Record

[5252-09](#) Certificates of Achievement awarded to the West Allegheny High School girls' volleyball team for winning a WPIAL championship.

Sponsors: Michael Finnerty

To be entered into the Record

[5253-09](#) Certificate of Achievement honoring Cody A. Perrett of Boy Scout Troop 504 for earning the rank of Eagle Scout.

Sponsors: Nick Futules

To be entered into the Record

[5255-09](#) Proclamations honoring Leonard Brennan and Earl Hendricks of Verona Borough Council for their dedicated service to the community.

Sponsors: Nick Futules

To be entered into the Record

[5256-09](#) Proclamations honoring Allan Kennedy of Oakmont Borough Council for his dedicated service to the community.

Sponsors: Nick Futules

To be entered into the Record

[5257-09](#) Certificates of Achievement awarded to the Mt. Lebanon High School girls' volleyball team for winning a WPIAL championship.

Sponsors: Vince Gastgeb

To be entered into the Record

[5258-09](#) Certificate of Recognition honoring the 50th wedding anniversary of John and Patricia Sperhac.

Sponsors: Bob Macey

To be entered into the Record

[5259-09](#) Certificate of Recognition honoring the 50th wedding anniversary of Richard and Shirley Kociban.

Sponsors: Bob Macey

To be entered into the Record

[5260-09](#) Certificate of Recognition celebrating the 100th birthday of Helen Reed.

Sponsors: Bob Macey

To be entered into the Record

[5261-09](#) Certificates of Recognition honoring Brentwood School District schools for receiving Keystone Achievement Awards.

Sponsors: Joan Cleary

To be entered into the Record

VI. Public Comment On Agenda Items

VII. Approval of Minutes

[5262-09](#) Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on November 4, 2009.

VIII. Presentation of Appointments

[5236-09](#) Communication from Chief Executive Dan Onorato submitting his recommendation of Stephan A. Broadus for appointment to the Human Relations Commission of the County of Allegheny for a term to expire on December 31, 2010.

Sponsors: Chief Executive

[5270-09](#) Approving the reappointment of Michael Louik to serve as a Member of the Accountability, Conduct and Ethics Commission for a term to expire on December 3, 2014.

Sponsors: John DeFazio

IX. Unfinished Business

Committee on Budget and Finance - Second Reading

[5179-09](#) 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.

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

Legislative History

11/4/09	County Council	Referred
11/10/09	Committee on Budget and Finance	Affirmatively Recommended
11/17/09	County Council	Held

5180-09

A 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, 2010 and ending December 31, 2010.

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

Legislative History

11/4/09	County Council	Referred
11/10/09	Committee on Budget and Finance	Affirmatively Recommended
11/17/09	County Council	Held

5181-09

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, 2010 and ending December 31, 2010.

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

Legislative History

11/4/09	County Council	Referred
11/10/09	Committee on Budget and Finance	Affirmatively Recommended
11/17/09	County Council	Held

5182-09

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting the Grants Budget, Special Accounts Budget, and Agency Fund Budget, by setting forth appropriations to pay said expenses during the fiscal year beginning January 1, 2010 and ending December 31, 2010.

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

Legislative History

11/4/09	County Council	Referred
11/10/09	Committee on Budget and Finance	Affirmatively Recommended
11/17/09	County Council	Held

5215-09

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #20-09).

Sponsors: Chief Executive

Legislative History

11/17/09	County Council	Referred
11/24/09	Committee on Budget and Finance	Affirmatively Recommended

X. Liaison Reports**XI. New Business - Ordinances & Resolutions**5237-09

An Ordinance authorizing the extension of the term of Ordinance No. 57-07-OR, enacted December 18, 2007, allowing the Department of Public Works to take certain actions on behalf of County Council with respect to the issuance of highway occupancy permits, the grant of certain licenses, rights of entry and easements, and the amicable acquisition of certain real estate affecting County public work projects and other matters for calendar years 2008 and 2009.

Sponsors: Chief Executive

5238-09

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

Sponsors: Chief Executive

5264-09

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.

Sponsors: Nick Futules, Bob Macey and Matt Drozd

5239-09

Resolution of the County of Allegheny authorizing the issuance of tax and revenue anticipation notes in the aggregate principal amount of \$50,000,000; providing for the date, interest rate, maturity date and place of payment in respect of the notes; accepting a proposal for the purchase of the notes; providing for the security of the notes; authorizing the proper officers to execute and deliver the notes; authorizing and directing the preparation, certification and filing of the proceedings with the Department of Community and Economic Development; appointing a paying agent and registrar; approving a form of note; and repealing inconsistent resolutions.

Sponsors: Chief Executive

5240-09

A Resolution approving a Project for the benefit of UPMC, doing business as the University of Pittsburgh Medical Center ("UPMC"), to be financed by the Allegheny County Hospital Development Authority by the issuance of the Authority's tax-exempt refunding bonds, to be issued in one or more series, in a principal amount not to exceed \$1,175,000,000, 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

[5241-09](#) A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #21-09).

Sponsors: Chief Executive

[5265-09](#) A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, directing the County Solicitor to undertake a challenge to the tax exempt status of all parcels owned by UPMC within Allegheny County, consistent with the terms of the Institutions of Purely Public Charity Act, 10 P.S. §371 et. s

Sponsors: Chuck McCullough

[5266-09](#) A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, directing the County Solicitor to undertake a challenge to the tax exempt status of all parcels comprising the UPMC Braddock hospital site, consistent with the terms of the Institutions of Purely Public Charity Act, 10 P.S. §371 et. s

Sponsors: Chuck McCullough

[5272-09](#) A Resolution of the County of Allegheny authorizing the distribution of certain assets of the Allegheny County Economic Development, Community Infrastructure and Tourism Board to the Redevelopment Authority of Allegheny County, as agent for the County of Allegheny; ratifying and adopting all actions of the Allegheny County Economic Development, Community Infrastructure and Tourism Board as actions of Allegheny County; appointing the Redevelopment Authority of Allegheny County as agent for Allegheny County for the purpose of administering the FY 2007-08 funds provided for use in the County under the Pennsylvania Race Horse Development and Gaming Act and previously accepted by the County; and approving an Agency Agreement with the Redevelopment Authority of Allegheny County regarding the FY 2007-08 funds.

Sponsors: Rich Fitzgerald, John DeFazio, Michael Finnerty, William Russell Robinson and Bob Macey

[5273-09](#) A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, establishing a “bond embargo” as County policy regarding bond issuances requiring the approval of Allegheny County Council for the benefit of UPMC.

Sponsors: Chuck McCullough

XII. New Business - Motions

[5267-09](#) Motion of the Council of Allegheny County amending the Rules of Council for Allegheny County Council to provide for the availability of a copy of Robert's Rules of Order and the Rules of Council for each Council Member at every Regular Meeting.

Sponsors: Chuck McCullough

[5268-09](#)

Motion of the Council of Allegheny County pulling Bill No. 5205-09, amending and conforming Article 210 of the Administrative Code entitled "Assessment Standards and Practices" to: comply with the Pennsylvania Supreme Court's decision in Clifton, et al. v. Allegheny County and Pierce, et al. v. Allegheny County by providing a methodology to equalize base year values through periodic, computer assisted, countywide reassessments; phase-in increases to property assessments so as to protect property owners from the undue financial burden of such increases; and to preclude the County and local taxing bodies from obtaining "windfall" property tax revenues as a result of any adjustments to the base year system, from committee for an immediate final vote.

Sponsors: Chuck McCullough

[5269-09](#)

Motion of the Council of Allegheny County to establish a means of convening a working group, with representation from the Executive and Legislative branches of County of Allegheny, to analyze and work toward a cooperative solution to the issue of tax exemptions for nonprofit entities.

Sponsors: Nick Futules, Michael Finnerty and William Russell Robinson

[5271-09](#)

Motion of the Council of Allegheny County censuring Council Member Chuck McCullough for remarks made during the course of the November 4, 2009 Regular Meeting of Council which, in the judgment of Council, violate the standards established by the Allegheny County Ethics Code.

Sponsors: Michael Finnerty

XIII. Notification of Contracts[5263-09](#)

Communication from County Manager Jim Flynn submitting a summary of Executive Actions relating to contracts for the month of October, 2009.

Sponsors: County Manager

XIV. Public Comment on General Items**XV. Adjournment**