

# **Allegheny County Council**

*County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6495  
Fax (412) 350-6499*



## **Agenda Synopsis**

**Tuesday, June 20, 2006**

**5:00 PM**

**\*\*\*Revised - 06-19-06\*\*\***

**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](http://www.county.allegheny.pa.us/council).*

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

*13 Members present (2 by phone)*

**V. Proclamations/Certificates**

**2643-06** Certificate of Recognition recognizing Pastor Kelvin Walker for his Worship & Pastoral Care and wishing him well as he departs Allegheny Center Alliance Church to join a campus ministry.

**Presented**

**2653-06** Certificate of Achievement congratulating Sto-Rox High School's Softball Team for winning the 2006 WPIAL AA Softball Championship.

**Presented**

**2646-06** Certificate of Achievement congratulating the 2006 Mt. Lebanon High School Hockey Team for winning the PIHL Class AAA Pennsylvania Cup Championship.

**Read**

**2647-06** Certificate of Achievement congratulating the 2006 Mt. Lebanon High School Baseball Team for winning the WPIAL Class AAAA Baseball Championship.

**Read**

**2648-06** Certificate of Achievement congratulating the 2006 Mt. Lebanon High School Girls' Lacrosse Team for winning the WPIAL Championship.

**Read**

**2649-06** Certificate of Achievement congratulating the 2006 Upper St. Clair High School Boys' Tennis Team for winning the WPIAL/McDonald's Boys' Class AAA Team Tennis Championship.

**Read**

**2650-06** Certificate of Achievement honoring Michael Seese upon earning the rank of Eagle Scout, scouting's most distinguished honor.

**Read**

- [2651-06](#) Certificate of Achievement congratulating Fox Chapel High School Boys' Volleyball Team for winning the 2006 WPIAL Boys' Volleyball Championship.  
**Read**
- [2652-06](#) Certificate of Achievement congratulating Sewickley Academy for winning the 2006 WPIAL and PIAA AA Boys' Team Tennis Championship.  
**Read**
- [2654-06](#) Certificate of Achievement congratulating Langley High School's Baseball Team for winning the 2006 City League Baseball Championship.  
**Read**
- [2655-06](#) Certificate of Achievement congratulating Carrick High School's Softball Team for winning the 2006 City League Softball Championship.  
**Read**
- [2656-06](#) Certificate of Achievement congratulating Pine-Richland for winning the 2006 WPIAL AAA, and the PIAA State Baseball Championship.  
**Read**
- [2657-06](#) Certificate of Achievement congratulating North Allegheny for winning the 2006 WPIAL AAAA Softball Championship.  
**Read**
- [2658-06](#) Certificate of Achievement honoring the 2006 Golden Apple Award Winners, recognizing ten teachers at Catholic schools in the Diocese of Pittsburgh.  
**Read**
- [2659-06](#) Community Citation of Recognition congratulating the 2006 Allegheny County Marbles Championship Winners.  
**Read**
- [2660-06](#) Proclamation recognizing the 100th Anniversary of the Borough of Springdale and joining in the celebration scheduled for July 3-8, 2006.  
**Read**

## **VI. Public Comment On Agenda Items**

*None*

## **VII. Presentation of Appointments**

- [2665-06](#) Communication from Chief Executive Dan Onorato submitting his

recommendation of Jacques L. Moye, Sr. for appointment to the Allegheny County Sanitary Authority for a term to expire on December 31, 2007.

**Referred to the Committee on Appointment Review**

**2666-06**

Communication from Chief Executive Dan Onorato submitting his recommendation of Hugh Pollock for appointment to the Redevelopment Authority of Allegheny County for a term to expire on May 23, 2009.

**Referred to the Committee on Appointment Review**

**2667-06**

Communication from Chief Executive Dan Onorato submitting his recommendation of Dusty Elias Kirk for appointment to the Regional Asset District Board for a term to expire on December 31, 2007.

**Referred to the Committee on Appointment Review**

**2668-06**

Communication from Chief Executive Dan Onorato submitting his recommendation of Derek E. Uber for appointment to the Allegheny County Housing Authority for a term to expire on December 31, 2010.

**Referred to the Committee on Appointment Review**

**2669-06**

Communication from Chief Executive Dan Onorato submitting his recommendation of Dr. James H. McLemore for appointment to the Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31, 2008.

**Referred to the Committee on Appointment Review**

**2670-06**

Communication from Chief Executive Dan Onorato submitting his recommendation of Dr. Charles J. Martoni for reappointment to the Allegheny County Port Authority for a term to expire on December 31, 2010.

**Referred to the Committee on Appointment Review**

**2671-06**

Communication from Chief Executive Dan Onorato submitting his recommendation of Senator Jay Costa, Jr. for reappointment to the Community College of Allegheny County Board for a term to expire on December 31, 2011.

**Referred to the Committee on Appointment Review**

## **VIII. Unfinished Business**

### **Special Committee on Government Reform - Second Reading**

**2599-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing acceptance of a donation of personal property for use by the County.

**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 Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald

### **Committee on Budget and Finance - Second Reading**

#### **2607-06**

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2006 (Submission #05-06).

**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 Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald

### **Committee on Economic Development & Housing - Second Reading**

#### **2603-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, granting authority to the County of Allegheny to convey its interest in one (1) parcel of property situated in the Borough of Braddock that is jointly owned by the County of Allegheny, Borough of Braddock and the Woodland Hills School District to the Redevelopment 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: 12 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald

#### **2606-06**

A Resolution of the Council of the County of Allegheny authorizing pursuit of a Tax Increment Financing plan in Mount Lebanon Municipality, Allegheny County, Pennsylvania.

**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 Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald

### **Executive Committee - Second Reading**

#### **2536-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the placement of certain ordinances of general application of Allegheny County enacted prior to the adoption of home rule and all ordinances

of general application of Allegheny County enacted subsequent to the adoption of home rule into a single ordinance to be known and designated as the Code of Ordinances of Allegheny County, accepting, approving, adopting, ordaining and enacting as the Code of Ordinances of Allegheny County that compilation of previously enacted ordinances of general application of Allegheny County, as revised, organized and consolidated into chapters, articles and sections by General Code Publishers Corporation, providing for the continuation of all previously adopted County ordinances, repealing and saving from appeal certain legislation not included in the Code of Ordinances, and providing for the proper maintenance of the Code of Ordinances, and providing for penalties for the altering or the tampering with any chapters, articles and sections of the Code of Ordinances

**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 Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald

#### 2425-06

Motion of the Council of Allegheny County adopting Rules of Council for Allegheny County Council

**A motion was made that this matter be Passed. The motion carried by the following vote:**

**Votes:** Yes: 12 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald

### **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.

*Will be placed on the July 5, 2006 Regular Meeting Agenda*

**Held**

## **IX. Liaison Reports**

*None*

## **X. New Business - Ordinances & Resolutions**

#### 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.

**Referred to the Committee on Budget and Finance**

**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.

**Referred to the Committee on Parks**

**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.

**Referred to the Committee on Budget and Finance**

**2662-06**

A Resolution ratifying certain year-end transfers pursuant to Section 805.03 of

the Administrative Code

**Referred to the Committee on Budget and Finance**

**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.

**Referred to the Committee on Economic Development & Housing**

**2664-06**

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

**Referred to the Committee on Budget and Finance**

**XI. New Business - Motions**

**2672-06**

Motion of the Council of Allegheny County requesting that the Governor and General Assembly revisit the appropriate provisions of state law and recreate the requirement that all motorcycle riders wear helmets in Pennsylvania.

**Referred to the Committee on Public Safety**

**2673-06**

Motion of the Council of Allegheny County amending the Rules of Council for Allegheny County Council.

**A motion was made that this matter be Passed. The motion failed by the following vote:**

**Votes:** Yes: 3 - Council Member Drozd, Council Member Gastgeb and Council Member Rea  
Noes: 7 - Council Member Burn, Council Member Cleary, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni and Council Member Robinson  
Absent: 3 - Council Member DeFazio, Council Member Nerone and President Fitzgerald  
Not present: 2 - Council Member Caldwell and Council Member Fawcett

**XII. Public Comment on General Items**

*3 speakers*

**XIII. Adjournment**