



Legislation Details (With Text)

File #: 2014-0508 **Version:** 2
Type: Ordinance **Status:** Passed Finally
File created: 6/3/2014 **In control:** Committee on Finance and Law
On agenda: **Final action:** 6/24/2014
Enactment date: 6/24/2014 **Enactment #:** 12
Effective date: 6/30/2014

Title: Ordinance adopting and approving the implementation of the Second Amended Recovery Plan, dated May 30, 2014, as revised, prepared by the Recovery Plan Coordinator pursuant to the Municipalities Financial Recovery Act and authorizing and instructing the City Solicitor and/or City Clerk to prepare for enactment, adoption and execution any Ordinances, Resolutions, Agreements and other documents necessary for the implementation of The Second Amended Recovery Plan, as revised.

Sponsors:

Indexes: ACT 47 RECOVERY PLAN

Code sections:

Attachments: 1. 2014-0508 ACT 47 PLAN.pdf, 2. 2014-0508 ACT 47 PLAN VERSION 2 FINAL.PDF

Date	Ver.	Action By	Action	Result
6/30/2014	2	Mayor	Signed by the Mayor	
6/24/2014	2	City Council	AMENDED	Pass
6/24/2014	2	City Council	Passed Finally, As Amended	Pass
6/18/2014	1	Standing Committee	AFFIRMATIVELY RECOMMENDED	Pass
6/17/2014	1	Committee on Hearings	Public Hearing Held	
6/4/2014	1	Standing Committee	Held for Cablecast Public Hearing	Pass
6/3/2014	1	City Council	Read and referred	
6/3/2014	1	City Council	Waived under Rule 8	Pass

Ordinance adopting and approving the implementation of the Second Amended Recovery Plan, dated May 30, 2014, as revised, prepared by the Recovery Plan Coordinator pursuant to the Municipalities Financial Recovery Act and authorizing and instructing the City Solicitor and/or City Clerk to prepare for enactment, adoption and execution any Ordinances, Resolutions, Agreements and other documents necessary for the implementation of The Second Amended Recovery Plan, as revised.

WHEREAS, upon petition duly filed with the Commonwealth of Pennsylvania, Department of Community and Economic Development (hereinafter "Department") pursuant to the Municipalities Financial Recovery Act, Act 47 of 1987 (hereinafter "Act"), the City of Pittsburgh was declared a financially distressed municipality on December 29, 2003; and

WHEREAS, the Act provides that a Plan Coordinator be appointed for distressed municipalities and that a Recovery Plan be prepared by the Coordinator; and

WHEREAS, Eckert Seamans Cherin & Mellott, LLC and Public Financial Management were appointed as the Plan Coordinator (hereinafter "Coordinator") on January 28, 2004; and

WHEREAS, the Coordinator prepared in accordance with the Act the Recovery Plan, and on June 11, 2004, filed the Recovery Plan with the City Clerk; and

WHEREAS, on June 29, 2004, the Council of the City of Pittsburgh enacted Ordinance No. 10 of 2004 adopting the Recovery Plan; and

WHEREAS, on June 30, 2004, the Mayor of the City of Pittsburgh approved Ordinance No. 10 of 2004; and

WHEREAS, the City operated pursuant to the Recovery Plan for five years; and

WHEREAS, in 2009 the Department determined that the adoption of an Amended Recovery Plan, reflecting progress since 2004 and addressing in particular the City's legacy costs, was consistent with the objectives of the Act and in the best interest of the City; and

WHEREAS, the Coordinator, after consultation with the City's Administration and Council, prepared an Amended Recovery Plan filed with the City Clerk on May 20, 2009; and

WHEREAS, the Council of the City of Pittsburgh determined that it was in the City's best interest to adopt the Amended Recovery Plan; and

WHEREAS, on June 30, 2009, the Council of the City of Pittsburgh enacted Ordinance No. 16 of 2009 adopting the Amended Recovery Plan; and

WHEREAS, the City operated pursuant to the Amended Recovery Plan for five years; and

WHEREAS, the Department has determined that the adoption of a Second Amended Recovery Plan, reflecting progress since 2009 and continuing to address the City's legacy costs, is consistent with the objectives of the Act and is in the best interest of the City; and

WHEREAS, the Coordinator, after consultation with the City's Administration and Council, has prepared a Second Amended Recovery Plan filed with the City Clerk on May 30, 2014; and

Whereas the City and the Coordinator have agreed upon certain revisions to the Second Amended Recovery Plan as filed on May 30, 2014 and these revisions dated June 20, 2014 (“the revisions”) are attached to this ordinance; and

WHEREAS, the Council of the City of Pittsburgh has determined that it is in the City's best interest to adopt the Second Amended Recovery Plan, **as revised.**

Be it resolved by the Council of the City of Pittsburgh as follows:

Section 1. The Council of the City of Pittsburgh hereby adopts the Second Amended Recovery Plan for the City of Pittsburgh as prepared and submitted by the Coordinator on May 30, 2014, including ~~subsequent amendments thereto, if any,~~ **the revisions** pursuant to the Act, as amended. The Council of the City of Pittsburgh hereby approves the implementation of the Second Amended Recovery Plan for the City of Pittsburgh as prepared and submitted by the Coordinator on May 30, 2014, including ~~subsequent amendments~~

~~thereto, if any,~~ **the revisions** pursuant to the Act, as amended.

Section 2. The City Clerk and/or City Solicitor are hereby authorized and instructed to prepare for adoption any necessary related ordinances, resolutions, agreements and other documents and revisions to ordinances, resolutions, agreements and other documents necessary to implement the Second **Amended** Recovery Plan, **as revised**

Section 3. The Mayor and other appropriate City officials are authorized and instructed to execute any and all documents necessary to implement the Second Amended Recovery Plan, **as revised**.

Section 4. In the event that any provisions, section, sentence, clause or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, and the remaining provisions shall remain in full force and effect.

Section 5. All Ordinances or parts of Ordinances not in accord with this ordinance are hereby repealed insofar as they conflict hereby.

Section 6. This ordinance shall take effect immediately upon its enactment.