



Legislation Details (With Text)

**File #:** 2009-1423      **Version:** 3

**Type:** Ordinance      **Status:** Passed Finally

**File created:** 5/21/2009      **In control:** Committee on Finance and Law

**On agenda:**      **Final action:** 6/30/2009

**Enactment date:** 6/30/2009      **Enactment #:** 16

**Effective date:** 6/30/2009

**Title:** Ordinance adopting and approving the implementation of the Amended Recovery Plan, dated May 20, 2009, 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 Amended Recovery Plan.

**Sponsors:**

**Indexes:** ACT 47 RECOVERY PLAN

**Code sections:**

**Attachments:** 1. 2009-1423.DOC, 2. 2009-1423 VERSION 2.DOC, 3. Bill 2009-1423 VERSION 3 Amended Recovery Plan 6-30-09.pdf

Date	Ver.	Action By	Action	Result
6/30/2009	3	Mayor	Signed by the Mayor	
6/30/2009	3	City Council	Passed Finally, As Amended	Pass
6/30/2009	3	City Council	AMENDED BY SUBSTITUTE	Pass
6/24/2009	2	Committee on Finance and Law	AMENDED	Pass
6/24/2009	2	Committee on Finance and Law	Affirmatively Recommended as Amended	Pass
6/17/2009	1	Committee on Finance and Law	Held in Committee	Pass
6/10/2009	1	Committee on Finance and Law	Held for Cablecast Post Agenda	Pass
6/9/2009	1	Committee on Hearings	Public Hearing Held	
5/28/2009	1	Committee on Hearings	Post Agenda Held	
5/21/2009	1	Committee on Finance and Law	Held for Cablecast Post Agenda	Pass
5/21/2009	1	Committee on Hearings	Public Hearing Scheduled	
5/21/2009	1	City Council	Read and referred	
5/21/2009	1	City Council	Waived under Rule 8	Pass
5/21/2009	1	Committee on Finance and Law	Held for Cablecast Public Hearing	Pass

Presented by Mr. Peduto

Ordinance adopting and approving the implementation of the Amended Recovery Plan, dated May 20, 2009, 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 Amended Recovery Plan.

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 has operated pursuant to the Recovery Plan for five years; and

WHEREAS, the Department and the Coordinator have determined that the adoption of an Amended Recovery Plan, reflecting progress made since 2004 and addressing in particular 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 an Amended Recovery Plan filed with the City Clerk on May 20, 2009; and

WHEREAS, the Council of the City of Pittsburgh has determined that it is in the City's best interest to adopt the Amended Recovery Plan at this time.

**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 Amended Recovery Plan for the City of Pittsburgh as prepared and submitted by the Coordinator on May 20, 2009, including subsequent amendments thereto, if any, pursuant to the Act, as amended. The Council of the City of Pittsburgh hereby approves the implementation of the Amended Recovery Plan for the City of Pittsburgh as prepared and submitted by the Coordinator on May 20, 2009, including subsequent amendments thereto, if any, 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 Amended Recovery Plan.

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

**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.

SEE 06-30-09 PDF ATTACHMENT FOR FINAL VERSION