

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Charles J. Martoni	-	President, District 8
Nick Futules	-	Vice President, District 7
John P. DeFazio	-	Council-At-Large
Heather S. Heidelbaugh	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Michael J. Finnerty	-	District 4
Vince Gastgeb	-	District 5
John F. Palmiere	-	District 6
Robert J. Macey	-	District 9
William Russell Robinson	-	District 10
Barbara Daly Danko	-	District 11
James Ellenbogen	-	District 12
Amanda Green Hawkins	-	District 13

Allegheny County Courthouse
Fourth Floor, Gold Room
436 Grant Street
Pittsburgh, Pennsylvania 15219

Tuesday, February 21, 2012 - 5:00 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
429 Forbes Avenue, Suite 1300
Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

James Flynn - County Manager
Joseph Catanese - Director of Constituent Services
Jared Barker - Director of Legislative Services

PRESIDENT MARTONI: The Council meeting of February 21st will come to order. Please rise for the Pledge of Allegiance, followed by silent prayer or reflection.

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT MARTONI: Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Here.

MR. CATANESE: Ms. Danko?

MS. DANKO: Here.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Present.

MR. CATANESE: Fifteen (15) members present.

PRESIDENT MARTONI: First on our agenda, we have the pleasure and the privilege of having our Chief Executive, Rich Fitzgerald, to address us.

CHIEF EXECUTIVE FITZGERALD: I see we have the three-minute timer on, so I'm ready to go. Thank you, Mr. President and members of Council. It's kind of strange to be standing on this end of the podium to address you, but for my quarterly address, I'm glad to be here. And

there's some major issues we're dealing with in the first six weeks or seven weeks of the new year, but let me start with talking about a little bit of good news. And I think the good news is how economically we are doing here in western Pennsylvania and Allegheny County. There was a report out last week, it was in The Post-Gazette, that Allegheny County ranked fourth in the nation in 2011 in job growth, and that's something we can all be very, very proud of, that we've worked on over the years. And also, since the great recession began in 2008, we are the only urban district, the only urban community in which our downtown occupancy rate is higher now than it was at the beginning of that time, so --- in addition to other statistics that I could talk about. So economically, we seem to be doing very well vis-à-vis the rest of the country, two points below the national average in unemployment rate. Again, job growth being better than other parts.

But we have a couple things that are on our agenda together that could threaten that momentum and some of the progress we've made, and I'm going to hit on both of them tonight, one being the property reassessment and the other being the looming cuts when it comes to transit. Let me talk about assessments first, because that kind of hit at the very beginning. And obviously, I briefed you and told you what I had done very early on, stopping the 2012 numbers from becoming in effect this year. And what we have seen is basically that the system has been taken over by the Judge. He's now running the operation, and the County Manager and OPA Manager and the Chief Assessment Officer. And the county --- or the company who we're contracted with all report to the Judge.

So it's incumbent upon me and all of you to help people against this system. And it's interesting as the numbers have gone out. I think we've seen the city numbers go out. The Mon Valley and eastern suburbs numbers went out a couple of weeks ago. The South Hills numbers probably were landing today. I think they went out Friday or Saturday. They're up on the web so people can see their numbers in the South Hills. And the North Hills and eastern (sic) suburbs will be going out in about the next ten days.

It's interesting to note that the folks who brought the suit against the county to force the reassessment were hoping to help the poorer communities

and cause assessments to go up in the more affluent communities. And what we're seeing --- we don't have all the numbers yet because, again, the North Hills and western suburbs haven't gone out. But what we're seeing is that nothing has really changed. In fact, in some cases it's getting worse. Some of the poorer communities are getting hit worse than they were before the reassessment. And the problem with that is if you live in some of those poorer communities and your house goes from, say, \$15,000 up to \$40,000 or \$50,000, you may not have the resources to be able to fight that. You might not have access to the same type of lawyers or appraisers or real estate professionals that can help you fight that, where somebody who lives in a \$700,000, \$1,000,000 home often has the ability to fight an unfair reassessment.

So what we're going to be doing, and obviously, working with all of you, is we're going to be setting up meetings in every County Council district. I know Amie from my office has been in contact with you, trying to figure out places where we can have these meetings. And the meetings will be kind of twofold, to kind of hear what people have to say about their reassessments but also to help people, to have people from the Administration who can help folks who really need some assistance in dealing with this reassessment. My numbers that I've seen already show that 35,000 people have already filed for informal and formal appeals, with basically a third of the county going out. So we may see that 100,000 figure that we all --- some of us that were there back in 2001, 2002 saw.

But let me just give you a couple highlights of what you can tell your constituents to help people. The remaining municipalities will all be out by March 2nd, so everybody should have theirs in a little over a week. Informal reviews can be done online, so you can tell people that they can do their work online. The appeal deadline is April 2nd, so if anybody is in doubt, we urge people to file the appeal. They can always withdraw it. But if April 2nd comes and goes and they haven't filed their appeal, they lose that opportunity for another year.

One of the things we're going to be doing is holding the appeal sessions, the appeal hearings in remote sites. We know that people don't like to come downtown and pay to park and fight the traffic, et cetera, so we are going to be holding formal and informal appeals at our Kane Regional Centers, all four of them. I think we're

already set up with, I think, Glen Hazel, and Scott we're set up right now, and we're working on Ross and McKeesport. And the reason we've got to use the Glen Hazel --- the Kanes is because we need to be wired into the county's computer system. So we've had great offers from municipal buildings and other places who have offered us sites. But the problem is that we really can't use them because our assessor --- the hearing's officers can't hook up their computers to the operation. We're also possibly looking at our Lexington site for maybe some weekend and evening hours once the people are gone. Again, we're trying to get a place where people can park for free and have access to do so. So we're trying to make it as easy as we can.

And again, I mentioned that those town hall meetings that we're going to have in every County Council district, we're going to have people there to help them, where they can go, maybe, in the back room or off into a side room and really sit down with their assessment and go over how to --- you know, how to look at data, make data corrections, how to view comparables, how to go through that process.

We also continue to fight the fact that we're the only county that has to go through this. We did get the one-year reprieve, and we're still working with our Legislature to try to get a moratorium on singled-out counties. Again, my position, I think, probably is similar to a lot of you, is that there should be a reassessment on a regular basis, but it should be done statewide, the way every single state does it. We're the only state that's doing this county-by-county system, and our competitors around us, our neighboring counties, some of them haven't done it since the late '60s. So that puts us at a competitive disadvantage where it comes to our real estate values.

Let me move on to transit very quickly. As I indicated, you know, when it comes to our economic growth, we've done pretty well the last few years, especially considering where we've been over the last 25 or 30 years. And to see growth in places like downtown Pittsburgh with employment and Oakland is terrific. The unfortunate part of that is about 50 percent of the people who come to downtown Pittsburgh every day use transit to get here. And if we have a 35-percent cut on top of the cuts we had

over the past few cycles, I think it's going to really put this economy in jeopardy.

Over the last couple of cycles, the Port Authority has cut 30 percent of their bus routes, so basically they are at 70 percent of the capacity they were a number of years ago. But even with that, they've maintained 94 percent of the ridership. So with 70 percent of the service, we're maintaining 94 percent of the ridership we had a few years ago. So it shows that there were some inefficiencies in the system, and some of them have been wrung out of the system. The Port Authority also has reduced their administrative and overhead costs, personnel by 30 percent over the last few years and have now become the fourth most efficient system in the country when it comes to administrative costs. The riders have kind of pitched in and done their part over the last couple cycles. Their fares have gone up, three fare increases over the last few years, so they're pitching in.

We have begun negotiations with the union, with Local 85. I've sat in on a session or two, and my staff has also been in there, so --- that contract is not up until July, the end of June, early July, but we've begun those negotiations early, trying to show the state and show, you know, Harrisburg that we're willing to come together and make some of the tough choices we're willing to do. But a 35-percent cut is just going to be --- it goes a little bit too deep. There will be communities in this county that will not have bus service if those cuts go into effect. The shortfall is about \$65,000,000 right now, so ---.

You know, I went to Harrisburg a couple of weeks ago for the Governor's budget address. I came out of it. You know, I was kind of optimistic. I think the Governor realizes and his statements indicated that there is a problem with transportation. He indicated when he put a Transportation Commission together that there was a problem. They came up with some good solutions. I think his commission came up with some workable solutions that I support. And I think he supports it, too, if I read what he's saying right, that he wants to meet the Legislature kind of halfway and they all come together.

I'll be honest with you. This is one issue that I have seen absolute unanimity in coming together and supporting the business community, labor, community

groups, churches, the faith-based groups, academia, you name it. I wasn't at this meeting, but there was a meeting a week ago in which you had the Allegheny Conference and Occupy Pittsburgh sitting at the same table, agreeing with each other. So think about those two groups coming together and working together. But that's kind of the broad base of support that we have here. This isn't an us versus them, city versus suburb, rich versus poor. This is everybody pulling together, realizing how this needs to happen. We'll continue to work with our delegation, both sides, meeting with the House and the Senate, Democrats and Republicans, city and suburb, and there does seem to be a broad base of support with that.

Also tonight, I wanted to introduce, and I know you've all met him, but our new solicitor, Andy Szefi, who I'm going to be sending over. He's on the agenda tonight. Andy's a resident of Mount Lebanon, a partner with Goehring, Rutter and Boehm. And I'm very excited to have Andy join our Administration. So I know a lot of you had a chance to meet him, and he'll be staying around if you have any questions for him later on.

We put together some vision teams, and you've all been invited to participate in that. The steering committee is almost done. We've got a lot of the chairs in place. Just talking about some of the policies moving forward that I would like to implement in my Administration. We're expecting to have some preliminary reports in a few months, probably late spring or early summer.

I wanted to hit on just a couple of other priorities. The Human Relation Commission that Councilwoman Danko sits on, I issued an Executive Order, one of the first things I did early on in my Administration, in which we are going to provide domestic partner benefits to same sex couples in Allegheny County. We're working through that right now, putting that in place. So that's moving forward.

I have instructed the Airport Authority, and they will be going out in the next meeting --- Dennis Davin is here, who sits on the Airport Authority. We're going to be going out for RFP to take a look at mineral extraction and mineral royalties dealing with coal and dealing with Marcellus Shale out at our airport and some of the lands that we can develop to try to get some revenues into the county and into the airport.

So with that, that was just a couple of the highlights. Mr. President, I'll open up to any questions that any members of Council might have.

PRESIDENT MARTONI: Any questions? Yes?

MR. MACEY: Thank you, Mr. President and members of Council and Chief Executive Fitzgerald. I was at a meeting last night with some people from Chevron, and they said that there's a moratorium on Marcellus Shale in Allegheny County. Would you like to elaborate on that, please?

CHIEF EXECUTIVE FITZGERALD: That's absolutely not true ---

MR. MACEY: That's right.

CHIEF EXECUTIVE FITZGERALD: --- unless you guys passed something I wasn't aware of, but no. And you know my position on this. I stated it pretty clearly when I was on Council and then during the campaign. I think we need to take a look at drilling for Marcellus Shale. I think we need to do it responsibly. I think once we do identify an area that we're going to do it potentially, like the airport, what I would like to do is, you know, put the RFP out and get the best deal we can for the taxpayers, obviously, bring that to you. As members of Council, you guys hold meetings on it and then also hold hearings out in the community which would be impacted, you know, wherever it might be.

So no, there is no moratorium in Allegheny County. I view that as really one of the areas where economically we can really grow. And I get contacted, you know, almost on a daily basis from these companies, some of which you never heard of before, that are wanting to come here and move here because of Marcellus Shale, the cracker plant, you know, out in Beaver County just being one of those big areas. So no, I don't want to do that in any way, so we're certainly willing to work with them.

PRESIDENT MARTONI: Thank you. Mr. Finnerty? I'm sorry. I didn't see you.

MS. HEIDELBAUGH: Thank you. County Executive Fitzgerald, thank you for coming here today and speaking with us. I have a couple of questions. On the second item that you mentioned, property reassessments, I understand this was in a previous administration, but could you explain to us on Council and especially me, who happens to be new on Council, when the numbers were coming in from the company that the county hired, in the affluent

areas, was there a process by which those numbers came into the county and their --- the department checked those numbers? Can you describe that for us?

CHIEF EXECUTIVE FITZGERALD: I don't know if I have the answer to that. I might want to ask somebody from OPA. I think once the numbers --- my sense is that the company who was hired generates the numbers and out they go. I don't know that there's any check, if you will. I think that's what the informal --- what's that?

MS. LIPTAK: We'll get the information.

CHIEF EXECUTIVE FITZGERALD: Okay.

MS. LIPTAK: We'll follow up. I'll follow up with you personally to make sure you get the information that you need.

MS. HEIDELBAUGH: Thank you, Ms. Liptak, because I think that what all of us are concerned, on both sides of the aisle, is that a company that we hired produced numbers in affluent neighborhoods that may not reflect the true assessment, thereby causing those who are less affluent to, in fact, pay more, which was the original basis of the lawsuit. We want accurate numbers all the way around. And what I'm concerned about is that we didn't have the opportunity to get those numbers in and to check them.

And then my second question is really a corollary to that, because I think that I've heard you speak publicly about looking at the contract and what rights we have in regard to the quality of the workmanship that the reassessment company performed for the County of Allegheny. And I'm not really asking --- even though I'm a lawyer, I'm not really asking you to get a legal opinion, but is there an effort under way to look at the terms of the contract and to make a judgment about whether all the terms of the contract were met in terms of quality of work?

CHIEF EXECUTIVE FITZGERALD: Number one, yes. I think that's something we --- is definitely something we're doing. I understand the Controller is also taking a look at the contract. For those of us, Councilwoman, who have kind of been through this before, we kind of had the same thing with Sabre Systems ten years ago, although at that time I think we spent \$40,000,000. So we got \$40,000,000 for things that didn't work right. I guess the better is that we didn't spend quite that much, but it's still a bad situation.

The fact is, if we spend that kind of money to do this reassessment --- and you're right. The numbers come out seemingly inaccurate all across the county, as we've seen right now. Poor neighborhoods, middle-class neighborhoods, upper-scale neighborhoods, upper-class neighborhoods, it just doesn't seem right. And now we're spending all this money for a bad product and, you know, we're not paving one road, we're not running one bus line, we're not --- you know, we're not developing economic development sites in brownfields and producing jobs. That's my frustration. I know it's a frustration I share with you as well. It is something we will take a look at. I don't think it's anything that those of us who have been through this before didn't predict and say it was going to happen. I think it was why we blocked it --- or I tried to block it so vehemently, because I kind of could see this coming, and here it is. So yeah, we'll take a look at that.

MS. HEIDELBAUGH: And then the last corollary on that line of questioning is, if the Supreme Court ruling abides and we are required to reassess regularly, have you given any consideration to putting in place in government a team of individuals, along with Council, that would try to prohibit, going forward, the sorts of problems that we had under Sabre --- even though I wasn't on Council, I was obviously a taxpayer in Allegheny County --- and the kinds of problems that we've had in this reassessment, sort of putting together a group of individuals that can negotiate hard with another reassessment company if we have to do this again so that we don't have these problems?

CHIEF EXECUTIVE FITZGERALD: Well, I don't have a problem doing that, but my problem is, if we're doing it regularly, as you --- to use your term, and our counties surrounding us are not, it puts us at a competitive disadvantage. I am of the opinion that we can't get it right because it's so subjective. You can get it, maybe, better than somebody else, but it is so subjective. Any three people could look at a property and probably come up with three different numbers.

The real problem, I think, people have is because of the percentage of tax that the property tax burden allows. Other states don't use property tax to the degree that we do, to fund education, to fund county government and to fund local government. So the fact is, our property tax, being such a burden so high, that when

you have a reassessment out of whack, it makes people even madder. You know, when your property taxes go from, say, \$12,000 a year to \$18,000 a year, that's a big number. If you were in another state, you might be paying \$3,000. You go to \$3,000 to \$4,000, you might not have the same kind of angst that we seem to have here in Pennsylvania.

MS. HEIDELBAUGH: I understand your point, but I guess what I'm saying is that if we are stuck with a bad situation, perhaps there's a lot of people in our community who have some --- I hear it on talk radio --- who have some ideas about how we can better the system, instead of, sort of, you know, doing what we keep doing. I just wanted to ask Jen if you --- because I represent the entire county --- if I could have Amie let me know where all these meetings are, because I'd like to attend them as the Councilperson-at-large.

CHIEF EXECUTIVE FITZGERALD: No problem. And I think they'll all be on the website. I'm sure they'll all be. But we'll certainly send you notification, as well.

MS. HEIDELBAUGH: Thank you, sir. And then my last question regards the airport. As you know, I hold a particular interest and I've spoken to you about Marcellus Shale drilling at the airport. And in your remarks today, sir, you indicated that you were going to issue an RFP, and I was trying to write notes quickly here, for revenues into the county, and I think you said, and the airport.

CHIEF EXECUTIVE FITZGERALD: And the airport, yes.

MS. HEIDELBAUGH: And my question, sir, is, do we have a final opinion yet? Do we know whether the resources that we might get from Marcellus Shale at the 9,000 acres can be split between the county and the airport or if it can only stay at the airport, or if it can all go to the county? Do we know that yet?

CHIEF EXECUTIVE FITZGERALD: That is still to be determined. And I think we have an agreement right now between Council, the Administration and the Airport Authority, kind of all working together, saying that when we get these revenues, we'll put them in escrow until we get that ruling. I think most members of Council, when I served here, we kind of agreed with that 50 percent. Fifty (50) percent to the airport, 50 percent to the county --- to the county taxpayers. Because I think there is a case to be made for some of that revenue to help lower the cost at the airport to make us more competitive

when it comes to flights. I didn't really touch on that, but that's one of the high priorities, is getting more flights into --- direct flights from Pittsburgh to other cities, again, to help our economy, help us become more competitive when it comes to our business community.

MS. HEIDELBAUGH: My last comment, and then I thank you very much for all of your very candid and helpful answers, is that this Councilperson's opinion in regard to the 50-50 is if the FAA should determine that those revenues must stay at the airport, my opinion would be that we proceed and we not hold up, so that we can garner the good economic benefit and at least enhance the airport through infrastructure or other means, because we so desperately need it here in Allegheny County for further economic development. Thank you very much.

CHIEF EXECUTIVE FITZGERALD: Duly noted, and we'll all work together on what we do with the revenues.

MS. HEIDELBAUGH: I appreciate that.

CHIEF EXECUTIVE FITZGERALD: Let's try to get this first, and then we'll figure out how to spend it.

PRESIDENT MARTONI: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. How you doing, Rich?

CHIEF EXECUTIVE FITZGERALD: Good to see you, Mike.

MR. FINNERTY: First of all, I only have two questions. I'm just a teacher, not a lawyer.

CHIEF EXECUTIVE FITZGERALD: Teach me something.

MR. FINNERTY: One of them has to do with, I believe it's Tyler Technology, which has done ---

CHIEF EXECUTIVE FITZGERALD: The parent company of CLT. Correct.

MR. FINNERTY: --- the reassessment. And a number of us on Council, Councilman Macey, Councilman Futules, have asked, how are they getting these assessments? Our people are asking continually when we go places, how could they do this? And we have not got an answer how they do this, and I think it's very important. And what's really frustrating is that I read in the paper, I think it was today, that that how is going to be released to an attorney named Driscoll but is not released to us when it was asked for. This has been going on for at least three weeks. I think this kind of frustrates everybody on Council because we're the people on the ground --- I'm sorry. We're the people on the ground that

contact our constituents more than anyone else in the county, I would figure. I know I do. And I don't have an answer for it. So I really would appreciate it if you would give a directive to somebody so that all Council people will know exactly how this company went about this so we can say something to our people in regard to this instead of saying I don't know, because we look like buffoons going around, and we don't know.

CHIEF EXECUTIVE FITZGERALD: No, I think you're right, and I have no problem with having --- you know, let's release all the information, certainly, to all members of Council and the public at large. I think we should be as visible and as transparent as we could. I certainly don't have anything to hide. I think it's a mistake. I think they didn't do it right, so I'm certainly not withholding anything. Again, you got to remember, it's been taken out of our hands, so to speak.

MR. FINNERTY: Right.

CHIEF EXECUTIVE FITZGERALD: The Judge is in charge of everything, and he's making the orders to the company, Tyler --- CLT under Tyler and OPA and the Chief Assessment Office, et cetera. But I agree with you. Put it all out there. Give everybody the information.

MR. FINNERTY: Yeah. Finally he's going to do that since the attorney ---.

CHIEF EXECUTIVE FITZGERALD: I don't know that we'll understand it, like, looking at all the --- you know, the mathematical algorithms and formulas. But at least put it out there. Somebody will understand it.

MR. FINNERTY: Yeah, put it out there so somebody can --- I'm not saying I'm going to understand it, either.

CHIEF EXECUTIVE FITZGERALD: Yeah. I get you.

MR. FINNERTY: But at least I can say, hey, this is it.

CHIEF EXECUTIVE FITZGERALD: Right.

MR. FINNERTY: And another thing in regard to assessment. I've had a number of meetings with a lot of people in regard to this, and I really look at the informal appeal and say to myself, is this worth even going to? For example, my thought --- and I might be wrong and probably am wrong. But my thought on an informal appeal, I'd go there --- and I just got my assessment today and it went up \$50,000, but that's not unexpected. But if I went to an informal appeal and said

that --- you know, you say my house has four bedrooms and it only has three. And you say that my house has a fireplace and it really doesn't have a fireplace, but it does; all right? But anyhow, if I go to an informal appeal and the person I'm talking to agrees with --- that that's right, you can see that there's no chimney on your house, will my assessment be reduced or do I have to still go to a formal appeal? Now, that's my question for these people that ask me. They say, should I bother with an informal appeal? Should I bother going there?

CHIEF EXECUTIVE FITZGERALD: My suggestion to people --- and when they ask me that, I say, yes, I think you should do it twice because, number one, it can be a daunting and scary process for people to go through. So when you go to an informal and a formal, you get two chances. You know, if you forget something the first time --- people get nervous. They forget to mention something, whether it be with a comparable or whether it be something wrong with their house that they didn't mention. If they forget it in the informal, they --- oh, yeah, I'll remember that next time. So it also gives you two chances where, if you get it lowered on the informal, you can cancel your formal. So again, you get two chances to ---.

MR. FINNERTY: You can actually cancel ---?

CHIEF EXECUTIVE FITZGERALD: You can always cancel your formal appeal, yes.

MR. FINNERTY: And you're done?

CHIEF EXECUTIVE FITZGERALD: And you're done, yes. So I always advise people, schedule one. Then if you decide later on that you don't want to do it or, for whatever reason, you're satisfied, then you're finished. But if you don't file it and the deadline passes, then you've lost that opportunity. So I would always encourage people, particularly like the case you brought up, if you don't have a fireplace, the bedrooms are wrong, et cetera, you know, you want to make those corrections. And you can do that even online. And we're going to even --- you know, people that don't have computers, we're going to have people out at these sessions that can show people and help people do this. People from our staff will be out there going through this process. So it's a tough process, Mike --- Councilman. You know, I wish we wouldn't have to do it. But all we can do is try to help

people the best way we can to navigate the system. But my advice would be to do it twice, informal and formal.

MR. FINNERTY: Okay. Well, I understand the first conclusion you made because the second time you take a test, you always do a little better.

CHIEF EXECUTIVE FITZGERALD: Exactly. That's a good analogy.

MR. FINNERTY: And I can see that reason. But at the same time, some of these people have a lot of problems getting there. And I don't want to put it on them to go down there and just for --- you know, take it one time and then take it again type of thing. I also have stated exactly what you stated, to make sure that they get that formal appeal in before April 2nd so that they can withdraw it if they want to. But you've got to make that time or you lose a year. Thank you very much, Mr. President.

PRESIDENT MARTONI: Mr. Gastgeb.

MR. GASTGEB: Thank you, President Martoni. Welcome, Chief Executive. I'm used to just looking to my right or left, and now you're over here. I'm going to make a comment because, you know, you said two things that I have to agree with you on. A, the Court is really deciding many of the questions, roads, the travel, whatever you want to say in this situation, not so much us. And because of that, I'm not sure courts were designed to run an assessment from A to Z like we're seeing now. So not only do we not have information as to why, but I actually think the process is breaking down. And I'll give you two examples.

I've been on record saying that, you know, it's not so much I'm against having regular assessments. I just think it's not too much to ask to have them done right. And when numbers came out from the city initially --- I'll call them the bad numbers because we're having lots that are worth \$1,000 on a hillside, now they're \$100,000. And it wasn't an anomaly. It kept going on and on. And to prove that, I think 35,000 people, you know, they wouldn't be appealing if it was something minor. Now we're on the other end of the spectrum with bad numbers where --- you know, I would think the plaintiffs and why we're doing this to begin with is the inequity. The communities, maybe, of lesser means, were over-valued, and we're trying to get some

equity. But now we're seeing that may not even be happening.

So you know, we have a situation, in my opinion, that's going from bad to worse. And the same people who were saying a year ago, nine months ago, let's do the assessment, things will work out --- you and I have been here a long time. They don't seem to work out. You know, my community just got the numbers today. You know, we appear to be --- at first blush to be in the same position we were before. The South Hills may be under-assessed. So you know, the inequity is continuous.

And my question is, I'm looking, really, at the contract side of this. We have a company --- and you're right. It was Sabre before, and today it's a different one. What's in the contract? Because to me, something's amiss. It's not getting done. If we could agree, at least partially that the numbers just don't seem to be accurate, what's in the contract that compels some sort of work product that we can say we're getting our money's worth? That's my first question. My second question is, how much did we pay to date and how much are we obligated to pay if the work product isn't correct?

CHIEF EXECUTIVE FITZGERALD: Well, let me ask --- well, we've got a role for our new solicitor. It can be his first assignment, is what to look at when it comes to the contract. And I don't know if there's anybody --- the County Manager ---. How much did we pay, Jim, to date; do you know, to CLT?

MR. FLYNN: I think about \$6,000,000.

CHIEF EXECUTIVE FITZGERALD: Out of the --- is \$11,000,000 the total number? Is that ---?

MR. FLYNN: The contract is about \$7,500,000, I think.

CHIEF EXECUTIVE FITZGERALD: Okay. So we paid \$6,000,000 out of \$7,500,000, so most of it has been paid, I guess.

MR. GASTGEB: Okay. Well, I mean, again, if you're paying for a professional service, you would hope to get it, so that's kind of where I'm going. I don't mean to put words in anybody's mouth, but I think we're in a situation. Now, you and I are going to meet at the South Hills and go through a town hall meeting, and we're going to walk people through what their choices are. And Mr. Finnerty has a great question. We want to make sure we're giving them the best we can do. But we're asking

people to go through two appeals. Two appeals. And maybe they have to come down here and pay for parking twice because the burden's on them to try to attempt to get the number more accurate by them coming in, instead of getting the number right the first time. So I think our biggest service right now is the customer service, because we're trying to fix something that appears to be broken.

CHIEF EXECUTIVE FITZGERALD: No, I agree. And one of the things we'll shortly be doing in the South Hills is holding --- the sessions can be done at the Scott Kane so they won't have to go quite as far. But it is a burden. You're right. To go through it once is a burden. To go through it twice is a double burden. And that's what's frustrating to me about this whole system, is we're spending taxpayer dollars to have taxpayers sue taxpayers --- appeal. That's basically what an appeal is. It isn't we're suing. And then you've got school districts and municipalities showing up with taxpayer dollars expended against county taxpayer dollars to host the hearing officers. Again, we're not getting any infrastructure done, any economic development, one human service dollar. All the money we're wasting on this. And I know, you know, you guys do the budget. It's very frustrating.

MR. GASTGEB: And I'll just close by saying that if we could say even that's partially true, and all these routes that were taken takes us to the end of the day, and we still have the same inequality that we did prior to when it started, it's very frustrating.

CHIEF EXECUTIVE FITZGERALD: It is. I agree. We're on the same page.

PRESIDENT MARTONI: Mr. Futules?

MR. FUTULES: Thanks for coming down, Rich. I'm having a hard time talking. I have two items. One's a question and one's more or less a plea concerned about the transit. When we talk about the transit cuts, is it going to --- what's it going to do to the ACCESS percentages? There could be some cuts with that to handicapped people that need transportation as well?

CHIEF EXECUTIVE FITZGERALD: There will be, yeah. The cuts will be across the board, so there will be people --- and some of the rules and regulations will change as to how close you have to live near the bus line. And of course, if the bus lines change, some places won't have the bus lines they used to have. There will be a lot

of people that will be inconvenienced. And the frustrating part about dealing with transit in that way is, you know, we ask people, you know, to go to work, to do the right thing, get up every day, go to work and work hard. And for some people, their only way to get there is by bus. So when we pull that rug out from under people, we're denying people the ability to get and make a living and support their family. And then what are they going to do? Go on assistance, go on other things, unemployment, et cetera, that, you know, the taxpayers have got to pick up. So I just think it's shortsighted if we cut out our transit system.

MR. FUTULES: And I agree. And I want to make sure the people realize that that does involve the ACCESS as well as the regular bus lines. And my second part is --- and I had this conversation with Amie. We're doing one appeal per district. And if time allows, I would like to ask if we could have more than one appeal per district.

CHIEF EXECUTIVE FITZGERALD: You mean one town hall meeting?

MR. FUTULES: Yes, appeal meeting, because our districts are rather large. If you take my district as an example, it takes 45 minutes to drive across it by scheduling it in Penn Hills. But I certainly represent the other side of the river. I feel they should have some sort of a meeting as well. Hopefully, if we could coordinate extra meetings if we have time, I'd like to see that happen.

CHIEF EXECUTIVE FITZGERALD: That's something we could take a look at. I don't have a problem with doing -- you know, because I know. I had this conversation with others. Councilman Burn and I were talking. His district is way up one way in the valley and then another way up into the North Hills. Those folks don't necessarily all go to the same meeting, so it is something we could take a look at.

MR. FUTULES: Yeah. I don't know if you were actually going to put together any map for us to view where the actual meetings will be or a list of all of the locations.

CHIEF EXECUTIVE FITZGERALD: That shouldn't be too tough.

MR. FUTULES: People in our district can go to, maybe, Mr. Burn's district to get to the meeting, because it may be closer.

CHIEF EXECUTIVE FITZGERALD: Yeah, yeah.

MR. FUTULES: You know, that's something I'd like to see.

CHIEF EXECUTIVE FITZGERALD: Yeah. Someone could take a look at that.

MR. FUTULES: That's all. Thanks.

PRESIDENT MARTONI: Amanda?

MS. GREEN HAWKINS: Thank you. I have a question about the same sex partner benefits, if there were any estimates about how many people would take advantage of that and perhaps any cost to the county for that.

CHIEF EXECUTIVE FITZGERALD: We don't have the numbers of what it would be. Our estimate is that the cost would be minimal, that there's not, you know, much of a cost to do, doing that. And it's similar to what every other institution in corporate America has been doing, Fortune 500 companies, our academic institutions, non-profits, et cetera. So I don't have an estimate on that. It's difficult to gauge. But we've been told it won't have much of an impact on the budget.

MS. GREEN HAWKINS: And just to follow up, when were those made effective, the opportunity to take advantage ---?

CHIEF EXECUTIVE FITZGERALD: They're in place, kind of, now. But what we have to do, with so many different collective bargaining units, even though it's a new benefit and nobody would say no, it still has to be, quote, negotiated or accepted. So we've got to go through that process. But we're hoping by the end of the first quarter, that most of the employees will be able to avail themselves of that.

MS. GREEN HAWKINS: Thank you.

PRESIDENT MARTONI: Mr. Drozd?

MR. DROZD: Thank you, Mr. President. It's good to see you again.

CHIEF EXECUTIVE FITZGERALD: It's good to see you, Councilman.

MR. DROZD: I've seen you numerous times in the past three to four weeks at different functions. My question --- I have a poignant question. I do have a broker's license in Pennsylvania. I know commercial, industrial and residential. Now, there's issues that are involved not only what we're seeing in Allegheny County --- and it's not directed at you, Mr. Chief

Executive. I know you feel and you share our concerns. What's happening is it's going to push people more so out of the county. They're looking at those figures and comparing those figures. It's worse than anything we can imagine. I mean, I was down at the river and met a gentleman --- I like to meet my constituents and pass my card out. He came up and he says, I've got a company in SouthPointe. We're looking to relocate. We will not look at Allegheny County. That was his point. The taxes are too high. So we're getting that type of feedback, and those signals are being sent out there all the time when you see these assessments. People look and say, oh, maybe I should look somewhere else or in the border. That's what we're faced with.

One thing that concerns me is this. I have a motion up, and you might be aware of it. We don't direct the PAAR Board. Okay? We can't direct the assessments. All we can do is appoint half of the PAAR Board, and they're doing their best under the circumstances, and you appoint the other half. So when we had this hearing on the committee as the --- about my motion --- and the motion reads that --- somewhat, that the people that are --- I went through the appeals process, by the way, the informal. Nice lady, nice person, terrific person. But when I came in, my first question to me was, what do you have? What do you have that says that your property's not worth this? There wasn't anything --- and no fault of hers --- offered from her part. Well, what do you base yours on? You see? If you're going to ask me for mine, three years in comparison, which many people don't have in Allegheny County, I want to see what you have. Where did you get your figures?

My fellow Councilman said --- you know, I joined in that. In fact, I wanted to put something in writing to ask that question to the assessments, but our staff is overburdened right now. So there's no, you know, what do you call it, reciprocity in this case. And I hope I used --- you know, I stumble with it. But there isn't. You know, they don't reveal to us, how did they get that figure? And we see so many disparities. I see four lots, whatever, four contiguous lots. Two triple, one quadruples, one's cut in half. I hear out in the strip, commercial/industrial property, they paid \$8,000 to \$10,000 three to four years ago, maybe not even that. They get a \$125,000 assessment.

Something's wrong with this. And we have to look at the process. We have to take these people to task that are doing it and have to check and validate that what they do are, in fact --- and I agree with you, a lot of this is subjective. But we've got to narrow that subject down to more of an objective assessment as possible. We've got to be able to tell people more that goes out, what's out there and what they can do. And it can't be all done by electronic e-mail or by Internet. The problem is we have a lot of seniors that don't have access or don't even know how to access the Internet. And when they get it, they don't even know they got an increase, unfortunately, some of them, because some of them have some issues. And I don't know how to deal with that. They try to deal with that without a legal counsel, but it says, well, are we just --- are we not including everybody, inclusive rather than exclusive?

So we've got a lot of issues here. As important as the assessment process is the appeal process, and we've got to fix it. We have to fix it. And we still have to look at how we fix the assessments. I'll tell you right now, I don't believe they should have gone out. What I've seen and sampled in these assessments --- and I've got a broker's license. They should never have went out. They should be questioned. I think everybody joins me on that. My fellow Council members join me on that. And I know you do, too, Mr. Chief Executive. It should have never gone out. But we were forced with the Legislature. So those are my concerns. I think we have to look at that.

The other thing I was really dismayed about is when the PAAR Board was the only one that came to our committee meeting. It wasn't the assessors. They didn't come. And they looked at us and we looked at them. And they said, you know what? We're in the same boat as you. We don't know how all this is arrived at either. No fault of theirs. They didn't know, either. They didn't have the answers. They didn't have any answers that we could even come to any solutions. So I held my motion in Councilwoman Green's committee so we can dig at this. We have to get to the answers and solutions to this. We can't just sweep it under the carpet. We've got to go and we've got to be proactive on this. Okay?

Now, lastly, I'll ask you this on the Port Authority, because you brought up the two points, and I thank you for doing that. Those are two key areas within

our county besides the budget process. Have we looked at --- are we going to look at ---? What I understand --- I've been told time and time again. I wonder if any discussions were had with the Legislators about the Mass Transit Act itself, where we can utilize those small buses at less starting rates than the big buses on those routes, because Mr. Bland --- you know, we could probably serve all the people in Allegheny County. Look at the buses. Most of them are empty during the day in off-peak hours. If we could drive the smaller buses, less costly drivers --- and I'll say it there and now. We would save tons of money. We could support everybody. We could supply the transit to everybody in this county and then some, at the same amount of money. So the Mass Transit Act, I've been told time and time again, has to be dealt with, Mr. Fitzgerald. We have to look at that.

And secondly, maybe we have to look at --- and I know we had some look at, you know, using a bus service out --- you know, privatization. It does work. It works in Colorado. It works in New Jersey. Have we looked at that? We need to look at that.

And lastly, I'd say we need to --- going real quick back, maybe we might --- again, I'm throwing a lot on you. I know you join in our vote. I'm not pointing the finger at you. I point the thumb at me, too, when I say this. I hope you realize it. The last thing is that I think we have to take Sabre Systems and do a benchmark with what's happening now and try to compare and try to get some, you know, validations there to see what's happening, because I'm really concerned about these assessors. I don't know, you know, where they are, how they're qualified. I don't know if people are looking on screens and not going out. From what I see, I think a lot of that is happening. You know how they do an assessment too? They'll go out and they'll take the wheel, round footage and then take the square footage. And man, they can be off on that, because you don't know how much square footage sometimes are in the stories and all that. So there are a lot of issues here, comparing us to other parts of the country. We've got to get that --- and I agree with my Council members. We've really got to get some answers on this. And I think you do, too, and you want it, too.

And I know your hands, in many ways, are tied. It must be because it's at arm's length. You know what

I'm saying? But maybe some way we can dig. We can bring it by our authority as appointing --- appointments. That's all. I'll leave it at that. I thank you for your openness and, you know, wanting to get this out in the open. We really need to do that.

CHIEF EXECUTIVE FITZGERALD: You threw a lot at me, there, Matt.

MR. DROZD: Yeah, I sure did. I sure did. I apologize for that.

CHIEF EXECUTIVE FITZGERALD: Let me start over.

MR. DROZD: Maybe you can just answer the rest the next time you come to Council. How's that?

CHIEF EXECUTIVE FITZGERALD: Maybe I'll just do a thumbnail sketch of a few of them.

MR. DROZD: You go ahead.

CHIEF EXECUTIVE FITZGERALD: You hit on something that, really, we haven't talked about much, and that's commercial properties. And it was interesting when the first batch of numbers went out in the city. There were some stories about some of the downtown properties. And one of the out-of-town developers --- I think they were from New York City, from Rugby Realty --- the gentleman from that company said, you couldn't do more damage to your downtown business district if you tried. And that really stuck with me, that somebody would say that, because one thing that I think business --- that I've learned business likes to have is predictability and stability. They don't want to know that the numbers can gyrate up or down, particularly up. So I think when we don't have stability in the system, that's when people walk away and say, you know what? I'm just going to go to Butler County, who hasn't had a reassessment since 1969, or Westmoreland County since --- you know, 30 years ago. So those are some of the things that we're dealing with.

And you know, again, I go back to statistics because they bear out where we've been. You know, the last five years, the nation's average property value went down 3.8 percent during the housing crisis. But Allegheny County's went up 9.5. You know, in that same time, we went up. Last year we went up almost five percent because we brought stability into the system where people were willing to invest. But when they think their taxes could double or triple, even if they don't, if their neighbors do, they feel like, I got away with it this year, but what about next time around? I might not be so lucky, so I'd

rather stay in an area where they don't do that. That's why I talk about the competitive disadvantage, so I agree with you. I think we need to take a look at that.

Onto mass transit, I'm not sure about the Act that you've --- I'll take a look at that. I think that's more part of the negotiation and collective bargaining. But your general point is right. If we can use the smaller buses and be more efficient when it comes to fuel, pay rate, et cetera, that might be a way to save money. I don't know. It's not going to get \$65,000,000. I mean, I haven't done the numbers, but I can tell you it's not going to come anywhere near that kind of a number. But it is a way that we continue to make things more efficient and make things more effective.

The third point is on the privatization. We're probably just going to disagree. I think the one in the North Hills kind of proved that. They ran a system. They ran it for a few months, and it just didn't --- it didn't generate money, because one thing about private business is private business can decide which customers they want to serve. If they have an unproductive or unprofitable customer, they don't have to give --- they don't have to do service with them. They don't have to do business with them. In government, we don't have that same opportunity. We can't say, well, that route out there is poor people, and we don't make money on that route. We're not going to serve them. We're just going to serve the rich people. Whether it be human services or whatever services we provide, in government, we don't have that same option, nor should we. So it's just a different model than we have with the private sector.

MR. DROZD: And you know, it's not --- I'm not proposing total privatization. I'm talking about blending it. We need to blend it. And you know, maybe that model didn't work, but there's been models that say to bring people --- and it will bring more people into inner city shopping or to use the outlying suburban or the outlying county bus service to bring in. And there is the Mass Transit Act. It's really oversaw by the Legislature, is what I understand. And it was posed to me by some people within the Port Authority that that really needed to be changed to untie their hands to do more in negotiation process. People that are in the system, they can be grandfathered. I'm not saying to take anything away from anybody. But I'm saying it's a new ballgame on new hires.

It's got to be a new ballgame. We've got to look outside the box, you know, and I've even proposed --- you know what? Bankrupt the system and start over again. Really. And all those companies, we can have the same God blessed argument every year in Allegheny County. And we're going to have it next year and the year after unless we really take and look outside the box and take some dramatic, proactive steps to do this. And it's going to take courage to do it and do it the right way. It's got to be, or else we're going to fail. We are going to fail in mass transit.

In this county, we don't have any more money. I don't see anybody --- we wring our hands every time at budget process. And I'm going to tell you right now we can't afford to continue to go this route. We've got to make some drastic changes, and we can do it without interfering, infringing upon existing contracts what's in the grandfathered stage. But it's a new ballgame for new hires. It should be. And that's what it's got to be. They've got to stand up and bite the bullet along with us, They've got to do it. Otherwise, it's going to be a problem.

And there are a lot of people --- I'll tell you. I'll grant you, there are a lot of people in those schools out there that are coming out right now that can't find jobs. I see them every day. I see them every day. I left one today, young kids. And I ask them, what are they going to do when they grow up? And a lot of them --- some of them are unsure. I'm just thinking, what are they going to do? So a lot of kids coming out of there that would love to have those jobs, those kind of jobs at a reasonable rate. Reasonable is what I'm saying, you know. I'm not here to negotiate a contract. I'm here that we've got to say --- we've got to do something about it. It's time to start looking at it. Again, please understand, I'm not pointing a finger. I point the thumb. But if I don't say it --- you know, if I don't say it, nothing's going to get done. And I'll say it. I'll stand up right on those steps and say it. Thank you.

PRESIDENT MARTONI: Thank you, Mr. Drozd. Jim?

MR. ELLENBOGEN: Am I still awake? Thank you for being here, Mr. Chief Executive. I just have something that maybe you would ask your staff to help me with, and I just have a comment. Do you remember the smoking ordinance?

CHIEF EXECUTIVE FITZGERALD: I do.

MR. ELLENBOGEN: Yeah. Well, there's well over 2,000 LCB licenses in Allegheny County, and I've had numerous complaints of --- from bar/restaurants that follow the rule and, you know, they don't allow any smoking, while there are a lot of restaurants and bars that, while they're serving full menus, they're smoking it up pretty good. I've seen it three or four times just myself in the last month. I tried to find out who actually even enforces that. My first reaction was to go to the Health Department, and they referred me to some group, Tobacco something or other. Tobacco-Free Allegheny? Well, I called them, and they told me that, well, you have to go online. I said, well, what if you don't have a computer? Well, I don't know. We'll have to get back to you. Which, you know, they never got back to me. But the thing I'd like to know, if you'd ask your staff or if somebody could find out, if this actually is enforced or --- and who does it, because like I said, it's really not fair to the businesses who are playing by the rules while there are a lot of them that just aren't. So I would appreciate some help, because I seem to have run into a stone wall here.

CHIEF EXECUTIVE FITZGERALD: We'll find out. I'd like to find out, you know, what citations have been issued. We can maybe get that information over the last year. Are there any establishments that seem to run afoul or ---?

MR. ELLENBOGEN: I actually have a couple places myself, because I saw it myself. When people had brought it to my attention, I went and witnessed it myself, so ---.

CHIEF EXECUTIVE FITZGERALD: We'll get that information.

MR. ELLENBOGEN: Yeah, I appreciate it. The other thing I wanted to say, probably to the public, is that a lot of these problems are being thrown at you, Port Authority, the assessments, these kinds of things, or many of them, are more than 30, 40 years old, and you kind of --- they all kind of piled up and now they're kind of put in your lap. One thing that I'm very impressed with is your accessibility to not only this Council but to your constituency. You got back to me personally on many things, that I was actually surprised, no matter what hour, how hard you work. Your staff members, Ms. Liptak,

Ms. Downs, Ms. Dietz, stellar. I mean, those folks --- you couldn't have picked three better people.

And the point I want to get across is, I never felt that there ever was that kind of working relationship from us and across the hall that we needed to really, you know, solve these kind of problems. And I'm very confident that the way you've opened up your office and the way that you've communicated with us, that I think a lot of these things --- it's going to be better for the public in the cooperation and the spirit. And I know I appreciate it, and I know a lot of my constituents --- that you've already done things and went out of your way, which literally stunned me, because I figured it would get passed down to some supervisor and you, yourself would actually do it. I don't think the public actually realizes just how many hours you put into this, and I know I appreciate it. And I'm sure as we go on, everybody else ---. I think that that kind of cooperation is what we need to actually solve these problems, and I thank you.

CHIEF EXECUTIVE FITZGERALD: Thank you, Councilman. Well, one of the things that I will say is, you know, having sat in those seats that you sat in for 12 years, I feel like I'm one of you. So I do feel like, you know, I owe --- you know, maybe because I'm the first one from Council that's been on this side of the hallway, you know, how hard you guys work and how difficult it is sometimes, particularly being time. You're in work all day. You're not here in the courthouse. You're not accessible to some of the things that those of us who are here all day do. So you know, I've certainly directed the staff to make sure that they get back to you guys, get back to the men and women on Council with information. And we'll continue to do that. I'm not going to say every time. We may slip up once in a while. We'll try not to. But you know, having sat in that seat for all those years, I kind of feel your pain, as they say.

MR. ELLENBOGEN: I mean, I go back to Staisey and Foerster. That's how long I've been here. So I've never seen anybody take a personal interest in so many of these things. And just like Councilman Finnerty said, you know, we hear probably more than anything because, you know, we're the ones down on the street. And the fact that you reach out for our opinions and that, I think it shows a lot to your character and how hard you do work, and I thank you.

CHIEF EXECUTIVE FITZGERALD: Thank you, Councilman.

PRESIDENT MARTONI: Thank you, Mr. Fitzgerald.

CHIEF EXECUTIVE FITZGERALD: Thank you, Mr. President and members.

MR. FUTULES: One more comment.

CHIEF EXECUTIVE FITZGERALD: I was just getting ready to go. It had to be Futules. I was this close.

MR. FUTULES: Okay, everybody. I think I figured it out. The Judges told us that we have to reassess, and we did. Does he oversee the appeals process, too?

CHIEF EXECUTIVE FITZGERALD: Yeah, I think ---.

MR. FUTULES: Does he determine who wins and loses?

CHIEF EXECUTIVE FITZGERALD: No, I hope not, because I think that PAAR Board that is put in place, the Property Appeals --- Property Assessment Appeals and Review Board, as Councilman Drozd indicated, you Council members pick four of them. I, as County Executive, pick three of them. And I think we've tried to pick members who support our, you know, base year philosophy of property assessment and giving people breaks. And one last thing. We won't be sending lawyers in to fight the taxpayers, so I hope school districts and municipalities follow our lead. But I will not be directing our lawyers to go in and fight against ---.

MR. FUTULES: So we're in control of the appeals?

CHIEF EXECUTIVE FITZGERALD: That might be a little bit strong of a word, but I think we're going to try to influence the appeals as best we can to help the taxpayers. Let's say it that way.

MR. FUTULES: The way that I see it, if we have control, all we do is tell everybody, you win. Problem solved.

CHIEF EXECUTIVE FITZGERALD: Shh.

PRESIDENT MARTONI: Mr. Drozd.

MR. DROZD: Before you put that right foot in front of your left foot and you walk out of here, just a real quick point. And this is not for you. It's for all of us. One of the points that was brought up, the PAAR Board does an admirable job, what they have to work with. They don't have much staff, they said, yet the workload has increased tremendously. The other factor they said

the second time, and I agree with them, they need someone on that Board and we've got to find, is an appraiser. They do not have --- they have people that have broker licenses, but they do not have, you know, a certified appraiser. We've got to find somebody for that. That's important. Thank you.

PRESIDENT MARTONI: Thank you.

CHIEF EXECUTIVE FITZGERALD: Thank you. Uh-oh, Councilman Palmiere has one.

PRESIDENT MARTONI: One more.

MR. PALMIERE: I'm sorry. I'm sorry.

CHIEF EXECUTIVE FITZGERALD: That's all right, Councilman.

MR. PALMIERE: I just wanted to ask you, is there any possibility of having the appeals process delayed or --- and stretch it out a little longer so people ---? Because one of the complaints I've been hearing mostly is that people aren't going to have ample time to really appeal. Is there any possibility of working on anything to possibly do that?

CHIEF EXECUTIVE FITZGERALD: Well, that's kind of state law, the April 2nd --- or it's actually March 31st, but I think March 31st is on a weekend. So that's the reason it's on the 2nd. Again, that's the control of the Judge who set those dates. I think people at least have time to file their appeal. The concern I would have is if you file your appeal, and then a week later you're scheduled, that's where you don't have enough time. You always have the ability to go back and ask for at least one delay and possibly others. So if your deadline is, say, next Wednesday, I would call and say, you know what? I haven't had time to put information together. I've hired an appraiser. That appraiser is going to be coming back with some, you know, evidence that can help me with my appeal. So they do have that option. If you run into anybody who's had that problem, please call our office, and we'll try to help them.

MR. PALMIERE: Thank you very much.

PRESIDENT MARTONI: Thank you, Mr. Fitzgerald.

CHIEF EXECUTIVE FITZGERALD: All right. Mr. President, thank you. Thank you for being so gentle on my first time through.

PRESIDENT MARTONI: We always welcome you here. Thank you.

(Applause.)

PRESIDENT MARTONI: We have proclamations and certificates. Why don't we wait just a few minutes? Because I have an impression that there's going to be a lot of people leaving right now.

SHORT BREAK TAKEN

PRESIDENT MARTONI: Proclamations and certificates. 6753-12.

MR. CATANESE: Proclamation honoring the Pittsburgh Chapter of the American Heart Association for its efforts to raise awareness in our region of heart disease, and naming February as American Heart Association Month in Allegheny County. Sponsored by Council Members Rea, Danko, Green Hawkins, Futules, DeFazio.

MS. DANKO: Okay. I think we have someone here, Karen Colbert, or do you say Colbert (changes pronunciation)?

MS. COLBERT: Colbert.

MS. DANKO: Come on up. Ms. Colbert is the head of communications for the American Heart Association, Pittsburgh Chapter. Every year, heart disease takes the lives of over half a million Americans and remains the leading cause of death in the United States. And we are currently in American Heart Month, and we've recognized the Heart Truth, a national awareness campaign that urges women of all ages to know their risk for heart disease, and National Wear Red Day, which was held on February 3rd, but I decided today was good, too.

And this month we remember the steps each of us need to take to reduce the risk of heart disease and recommit to better heart health. And I also want to note that we know heart disease is gender-neutral. Men and women both have to deal with this disease. And I would like to give our guests a chance to say a few words before we do the proclamation.

MS. COLBERT: Thank you very much. On behalf of the American Heart Association, first I would like to thank Councilman --- Councilwoman Jan Rea for sponsoring, along with Councilwoman Barbara Daly Danko and Councilwoman Amanda Green Hawkins. And I'm sorry.

MS. GREEN HAWKINS: That's Jan.

MS. COLBERT: Okay. I just want to get everybody's name right.

MS. DANKO: And Nick Futules.

MS. COLBERT: Okay. Thank you all. I just wanted to say that it's no accident that heart disease ---

American Heart Month is being recognized in February when we have Valentine's Day and the symbol is of the heart. But the American Heart Association really encourages everyone to take care of their health all year round.

And real quickly, I just wanted to say, since 1924, the American Heart Association has been fighting heart disease. And so with a lot of the scientific research that we've been doing lately, we also want to be proactive and prevent heart disease. In fact, did you know that heart disease can be 80 percent prevented, 80 percent, if you follow seven simple steps? I'm going to tell you these real quick. Get active, control your cholesterol, eat better --- these all sound familiar, I bet --- manage your blood pressure, lose weight, reduce your blood sugar and stop smoking. And by following these life simple seven, you can reduce your risk of heart disease drastically, and it's on our website. And I just really appreciate the opportunity to be here, and we appreciate your proclamation. Thank you.

(Applause.)

MS. DANKO: Now you get to hear me read the proclamation.

Whereas, cardiovascular disease is the nation's leading cause of death and costliest disease, with direct and indirect costs estimated to be \$297.7 billion.

And whereas, the Pittsburgh Chapter of the American Heart Association is committed to fighting heart disease and stroke throughout southwestern Pennsylvania.

And whereas, through programs and events such as My Heart, My Life, Heart Walk, Go Red for Women and Wear Red Day, the association is empowering citizens to lead healthier lives and enjoy peace of mind while preventing heart disease and stroke, diseases with the highest death tolls in the United States.

And whereas, the American Heart Association's 2020 impact goal seeks to improve the cardiovascular health of all Americans by 20 percent, while reducing deaths from cardiovascular diseases and stroke by 20 percent through research, population and community level interventions, public health and policy measures.

And whereas, through the association's efforts, countless lives in our region have been saved.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, commends the Pittsburgh Chapter of the American

Heart Association for raising awareness of heart disease and stroke and for advocating for healthier lifestyles and workplaces. For their efforts, this Council names February 2012 as American Heart Association Month in Allegheny County. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 6754-12.

MR. CATANESE: Proclamation recognizing the Community College of Allegheny County Big Read Program and declaring March 4th, 2012 Big Read Day in Allegheny County. Sponsored by Council Members Martoni, Robinson, Futules, DeFazio.

MR. ROBINSON: Thank you, Mr. President and members of Council. As you know, not often enough, we recognize reading. Reading and writing. And certainly, this is an opportunity for us to recognize some folks who are working in an effort to make sure that more people in our county are reading and a part of the Big Read Day, which is March 4th, 2012. We want to thank the 76 organizations nationwide who are partaking in this \$1,000,000 Big Read grant from the National Endowment of the Arts. And certainly, our community college is one of those organizations.

The Big Read Program is geared towards communities across the nation and seeks to inspire people to renew a love of reading, particularly among hesitant readers. Yeah, some of us are hesitant readers, hesitant to read, maybe because we simply don't have the time, but we do have a love of the written word and a certain integrity of a word that is written. The 2012 Big Read Novel is Their Eyes Were Watching God by Zora Neale Hurston. Rush out to your local bookstore or library. Get that book and start reading.

Whereas, the Community College of Allegheny County is one of 76 organizations nationwide to receive a grant as part of the Big Read Project of the National Endowment for the Arts. The grant will support CCAC's second community partnership focusing on discussion of a novel and its theme.

Whereas, the Big Read is designed to restore reading to the center of American culture by asking communities to come together to read and discuss one book.

And whereas, CCAC is fortunate to have many committed non-profit partners. Among them are the August

Wilson Center for African-American culture, the Kelly-Strayhorn Theater, the Shuman Juvenile Detention Center, the State Correctional Institution of Pittsburgh and Renewal, Incorporated. Also included among these are many of our local schools and libraries.

And whereas, the 2012 Big Read is Zora Neale Hurston's novel, Their Eyes Were Watching God. Lucy Anne Hurston, niece of Zora Neale Hurston, will give the keynote address at this year's kickoff event at the August Wilson Center for African-American Culture.

Now, therefore, be it resolved that Allegheny County Council does hereby declare March 4th, 2012 as Big Read Day in Allegheny County. We commend CCAC and all of their supporters and contributors for helping to make the Big Read Project a success. And while this is sponsored by Dr. Martoni, our president, and myself and Councilman Futules, we certainly do so on behalf of all of our colleagues.

We have some guests who are here with us. I'm going to ask them to come forward and tell us who they are. And we need to know how diligently the college, the community college, the people's college is working on our behalf. So we'll start right here. Introduce yourself and tell folks about the Big Read Project.

DR. EVANS: Okay. Thank you. First of all, I'd like to thank Chuck Martoni and Councilman Bill Robinson and Councilman Futules for sponsoring these proclamations. We're very honored to receive this. I'll make a few comments. My name is Barbara Evans. I'm the associate dean out at the South Campus at the Community College of Allegheny County and I'm also a project director for the Big Read.

As Mr. Robinson said, we started --- this is our second initiative. We started in 2010 but we didn't receive funding, so this is the first time that we received funding. And so we're just really thrilled to get this proclamation. And actually, this program will allow us to go into the community and do outreach and do things that a community college is supposed to do. We're bringing education to life. We're personifying the mission of the community college.

Just to give you an example of some of the program initiatives under this program, we'll be going into the prison and work with the inmates and get them actively engaged with the novel. For the month of March,

we go into Shuman Detention Center four times, once a week, to put the students in groups and work with them to do hands-on activities with the novel. So this project moves across demographics, age groups, young people, old people and so forth. And so it really gives us an opportunity to work with all our partners. We have about 20 partners. As was mentioned, we have about eight school districts, three libraries and community-based organizations that were mentioned. So I want to give some other people here the opportunity. We also thank Chuck Blocksidge for his role in providing this proclamation as well. We're very humbled, and we thank you for this opportunity.

DR. NEWKIRK: Hello. My name is Charlene Newkirk. I'm the campus president at CCAC South Campus. We're really delighted for this opportunity. As you know, there's a reduction in federal funds for arts, and this opportunity came to us and we decided to jump on it because we wanted to instill a love of reading in the people in the Pittsburgh area. As far as I know, we're the first group in Pittsburgh ever to get this grant, so we're really excited about that. There were only about 20 programs for the Big Read, and you can go to the CCAC website for more information. On behalf of the trustees and Dr. Johnson, we're really delighted to have this opportunity. Thank you.

DR. ARCHEY: Good evening. I thank Council for recognizing us on our Big Read Program. I'm Mary Frances Archey, the Vice President for Learning and Student Development. The Big Read Program is one opportunity for CCAC to give our students some project-based learning. That is where students actually have the opportunity to learn something in the classroom and go out and apply it in his community. It also supports our interest in working with ex-offenders and others who need access to higher education, so thank you.

DR. BLOCKSIDGE: Well, there's not much that I can add with respect to the program. However, I certainly am grateful for the support that we received from County Council over the years and County Executive Rich Fitzgerald, who has been over to the college several times since taking office. And we've always had a long history of working closely with County Council, and we certainly want that to continue. And this is just one event that we

feel brings some recognition to the college, as well as to the county. So thanks again for your support.

MR. ROBINSON: Certainly, Mr. Futules --- Councilman Futules and Councilman Martoni have taken a great interest in this Big Read Project. That's why they've joined me and I've joined them, to ask the rest of you to make sure that we continue to emphasize reading, one of the options to gain information, a lot of technical options, but reading, reading a book, reading a newspaper is still very much important, particularly for our young people and folks who aspire to learn more about life. I want to thank everybody who's here. It is now picture time.

(Pictures taken.)

PRESIDENT MARTONI: 6755-12.

MR. CATANESE: Proclamation honoring Community College of Allegheny County alumni Ms. Frances Kralosky Dice for her service to the college and Allegheny County. Sponsored by Council Members Martoni, Robinson, Futules and DeFazio.

MR. ROBINSON: Thank you, Mr. President and members of Council. For those of you who did not hear Dr. Blocksidge previously announce who he is, let me just quickly say that Dr. Blocksidge has brought a lot of knowledge from government and education to the college and certainly is interacting day in and day out with our governmental officials. And we certainly thank him for his involvement in all our programs and the recognitions that we do throughout the college. Dr. Charles Blocksidge.

Now, Dr. Martoni and I and Councilman Futules have the distinct honor and pleasure of continuing a tradition which we started here a couple years ago, and that is in conjunction with the college, the trustees, the administration, the alumni association, of identifying persons who attended CCAC, people who are out in our community contributing, folks that represent that 96, 97 percent of the college graduates who are still here in our county. I think that speaks legions about the strength of this county, that so many people utilize the people's college and remain in this community.

Today we're going to be honoring Frances Kralosky Dice, a 1968 graduate. She graduated when she was a little girl --- a little girl from the community college. She worked for the college for 36 years, and she

served on various boards and committees. And we always like to see her. She is a significant financial contributor to the health of the college. And I don't say that to embarrass her or put anyone else on the spot. But when we need people to step up, ordinary people who live in our county and graduated, Fran and her family are always there, and I thank her personally for that.

Whereas, Ms. Frances Kralosky Dice, a 1968 graduate of the Community College of Allegheny County, has exemplified the definition of a dedicated citizen of our great county with her demonstration of professional, civic and community leadership.

Whereas, for 36 years, Ms. Dice has been a dedicated employee of CCAC, providing unwavering assistance to the school, first as the director of registration at the Allegheny Campus from 1975 to 1999, then as the assistant dean of academic services, supervising registrar functions and articulation agreements since 1999.

Whereas, Ms. Dice has served as Chair of the CCAC Internal Comprehensive Campaign through the Office of College Services and is a Board member of CCAC's Women's Council. Ms. Dice has also served on the College Alumni Board for many years and now as Board member.

Whereas, Ms. Dice and her husband established and endowed the Frances and Roger Dice Scholarship, which provides financial assistance to a student in the early education and child development program at CCAC.

Whereas, for 20 years, Ms. Dice devoted herself as a trustee for the Hampton Community Library, helping to secure the library's non-profit status, acquire physical space and purchase materials.

Now, therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby commends Ms. Frances Dice for her lifetime of service to the Community College of Allegheny County. Her impact on this community and her commitment to Allegheny County and its citizens serves as an inspiration to us and to all. Let's give her a big hand for that.

(Applause.)

MR. ROBINSON: The mic is yours.

MS. DICE: I had prepared remarks, but in essence, I want to --- I am honored and humbled by this recognition. I thank all of you on County Council but especially to those gentlemen behind me, Councilmen

Robinson, Martoni and Futules --- Futules (changes pronunciation). CCAC has been in my life throughout my adult life. It became available at the time I was graduating from high school. It allowed me to become a full-time traditional student when the other option would have been attending evening school on a part-time basis. Several years later, I returned to the college as a young professional. It was a wonderful place to work. It was a growing institution. It was growing in terms of enrollment and the diversity of programs and services. It has been an exciting opportunity as I've worked with other alumni who have had experiences much like mine. The college was there when they needed that opportunity.

I have truly enjoyed working with the alumni. And we as a group are very, very much grateful for the direct support you've provided to the Alumni Board. We are now very proud of our accomplishments as the membership in the Alumni Association has grown. The alumni are coming back to events. They're reconnecting with the college. We are extremely excited that this summer the Alumni Board will be publishing the first CCAC Alumni Directory. That will become available in July. It will allow even more people to connect, that maybe they've been on Facebook, LinkedIn, but this will be a very tangible way where alumni can connect with each other.

Having worked with this group, I know firsthand there's so many people out there who owe a lot to CCAC, to Allegheny County. They want to connect with each other. They want to network. But mostly, they want to support the institution. They want to advocate for the college, and they want to help the students of today. Thank you for all you've done to give us the means to connect those people. Thank you.

MR. ROBINSON: Give her another hand.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 6685-12.

MR. CATANESE: The remainder of the proclamations will be read into the record.

6685-12. Certificates of Achievement honoring the University Prep football team for winning the 2011 Pittsburgh City League Championship. Sponsored by Councilman Robinson.

6756-12. Proclamation declaring February 2012 as Allegheny County Teen Dating Violence Awareness and Prevention Month. Sponsored by Councilman Martoni.

6757-12. Proclamation honoring the Center for Victims of Violence and Crime for creating proactive programs that impact our community and for holding its annual Peace It Together Community Initiative Reception and Peace Partners Awards Ceremony. Sponsored by Councilman Robinson.

6758-12. Proclamation commending Cribs for Kids and declaring March 7th, 2012 to be Celebrate and Share Women of Achievement Day in Allegheny County. Sponsored by Council Members Robinson and Danko.

6759-12. Proclamation congratulating WQED-TV and WQED Multimedia's director of programming and host of QED Cooks, Mr. Chris Fennimore, upon his 100th episode of the cooking show QED Cooks. Sponsored by Councilman Robinson.

6760-12. Proclamation recognizing the 2012 honorees of the Prayer Breakfast of Champions hosted by First AME Church of Clairton. Sponsored by Councilman Palmiere.

6761-12. Proclamation congratulating Mr. Ralph W. Gilbert, Jr. upon his retirement from HDR Engineering, Incorporated. Sponsored by Council Members Finnerty and Futules.

6762-12. Certificates of Recognition honoring police officers who are retiring from the Allegheny County Police Department. Sponsored by Council Members Drozd, Futules and Rea.

6763-12. Certificates of Recognition congratulating the new lifetime members of the Hilltop Hose Company Number 3. Sponsored by Council Member Burn.

6764-12. Certificate of Achievement honoring Mr. Ronald William Phillips upon earning the rank of Eagle Scout. Sponsored by Council Member Gastgeb.

PRESIDENT MARTONI: Public comment on agenda items.

MR. CATANESE: We have none.

PRESIDENT MARTONI: Presentation of appointments. 6765-12.

MR. CATANESE: Communication from Chief Executive Rich Fitzgerald submitting his nomination of Andrew F. Szefi to serve as County Solicitor. Sponsored by Chief Executive.

PRESIDENT MARTONI: Is Andrew here? Come on up, Andrew, to the mic. I just want to know if anybody has any questions for Andrew. All right. Okay. What we need to do is we have to have a motion to waive the second reading in order to make the appointment tonight.

MR. ELLENBOGEN: I'll make the motion.

MR. MACEY: Second.

PRESIDENT MARTONI: Moved and second.

Questions? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. Okay. Now 6765-12. Joe, read it again.

MR. CATANESE: Communication from Chief Executive Rich Fitzgerald submitting his nomination of Andrew F. Szefi to serve as County Solicitor. Sponsored by the Chief Executive.

PRESIDENT MARTONI: I think this could be --- do we have a motion?

MR. ELLENBOGEN: Second.

PRESIDENT MARTONI: Second. Question?

Question?

MR. DROZD: Yeah, a quick question. You know, you're here, so I don't want you to be bored without thinking anyone cares. I just want to see what your perception is of who you represent within this county. I'd just like to hear it, just generally. What's your thoughts on this position and how you feel.

MR. SZEFI: Sure. The County Solicitor is the head of the County Law Department and represents the County of Allegheny, not the Chief Executive, not Council, but the County of Allegheny.

MR. DROZD: So you feel and you commit to the fact that you will be bipartisan between across the hall and this office, to be totally bipartisan?

MR. SZEFI: Bipartisanship has nothing to do with the role that I have. I am a lawyer. I advise my client, the County of Allegheny, through its elected officials. That's correct.

MR. DROZD: So for the record, you are going to be bipartisan? That's what I like, and I commend you on that. I like what you had to say in the meeting. I want you to know that. And I think you'll do a good job.

MR. SZEFI: Thank you.

PRESIDENT MARTONI: Joe, would you call the roll? Oh, I'm sorry. I didn't see you. I apologize.

MS. HEIDELBAUGH: That's okay. Well, I would disagree respectfully with my colleague, Mr. Drozd, that what you're trying to tell us, which I would agree with, is that despite your registration, despite your own political philosophy, you're going to read the law and you're going to provide your opinion in a way that is reflective of what your belief is as to the law, and politics will have nothing to do with it.

MR. SZEFI: Correct. Did I misstate that before in response to Mr. Drozd's question?

MS. HEIDELBAUGH: No. I was agreeing with you.

MR. SZEFI: That is correct. Okay. Yeah, that is correct.

MR. FINNERTY: That's what you said.

PRESIDENT MARTONI: Go ahead, Mr. Drozd.

MR. DROZD: Yeah, real quickly. No, you misinterpreted my --- what I asked, my fellow Council lady. No. I just like the idea that you're going to be --- you know, that's all I'm asking you, you know. I'm not talking about politics. I don't know politics. I don't know any party affiliation. I don't care. I really don't. So I like what you said in the meeting and I look forward to working with you and serving with you and serving the people of Allegheny County, serving our fellow people that reside in our county, as well as the people that --- our colleagues that work and serve within Allegheny County. I always use the word serve. Thank you, sir.

MR. SZEFI: Thank you.

PRESIDENT MARTONI: Mr. Futules?

MR. FUTULES: Once we vote you in, I just want to welcome you aboard. And I'd also like to thank Mr. Wojcik for his service here at the county, which you'll be replacing him. And thank you for your service with us. I appreciate your being here. Thank you.

MR. FINNERTY: Mr. Martoni?

PRESIDENT MARTONI: Yes.

MR. FINNERTY: I'd like to second that also and thank you, Michael, for your service. We appreciate all your advice.

PRESIDENT MARTONI: Jim?

MR. ELLENBOGEN: Yeah, the same thing. I'd just say, Mike, you look pretty good after everything you went through.

PRESIDENT MARTONI: Okay. That's it? No more questions? Roll call, Joe.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Yes.

MR. CATANESE: Mr. DeFazio?

(No response.)

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: Yes.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes 14, noes 0. Confirmed.

PRESIDENT MARTONI: Congratulations.

MR. SZEFI: Thank you.

(Applause.)

PRESIDENT MARTONI: 6704-12.

MR. CATANESE: Approving the appointment of Susan Goughler to serve as a member of the Council of Friends, Harrison Hills Park, for a term to expire on February 7th, 2014. Sponsored by Council Member Burn.

PRESIDENT MARTONI: Mr. Burn?

MR. BURN: Thank you, Mr. President and members of Council. Move for approval.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question?
I think we can do a voice vote on this. All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. Okay.
Thank you. 6751-12 and 6752-12. I think we can take
those two together and vote.

MR. CATANESE: Approving the appointment of
Albert M. Geniviva and Janice T. Geniviva to serve as a
member of the Council of Friends Organization, Hartwood
Acres, for a term to expire on February 21st, 2014.
Sponsored by Councilwoman Rea.

PRESIDENT MARTONI: Ms. Rea?

MS. REA: Thank you, Mr. President. Move to
approve 6751-12 and 6752-12.

MR. ROBINSON: Second.

PRESIDENT MARTONI: Moved and second. Question?
All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. The
next will go to the Appointment Review Committee, the next
number ordinance, 6766-12 and 6767-12.

MR. CATANESE: Approving the appointment of
Dusty Elias Kirk and Jackie Dixon to serve as a member of
the Regional Asset District Board for a term to expire on
December 31st, 2015. Sponsored by the Chief Executive.

PRESIDENT MARTONI: That goes to Appointment
Review. 6768-12, 6769-12, 6770-12, 6771-12 and 6772-12.

MR. CATANESE: Approving the appointment of
Regina E. Jones-Dailey, Laura Richeson Zinski, Dr.
Oladoyin Desalu, Cynthia Moore, Alexander M. Dow, to serve
as members of the Community Services Advisory Council for
a term to expire on December 31st, 2015. Sponsored by the
Chief Executive.

PRESIDENT MARTONI: Okay. That would go to
Committee on Appointment Review. 6773-12, 6774-12,
6775-12, 6776-12, 6777-12, 6778-12, 6779-12, 6780-12 and
6781-12.

MR. CATANESE: Approving the appointment of Dr.
Mary Carrasco, Ward Garner, Dr. Helen Cahalane, Dr. Diego
Chaves-Gnecco, Linda Andrews Ehrlich, Dr. Susan Grove, Dr.
Georgia C. Hernandez, Avis B. Katovsky and Michelle M.
Figlar to serve as members of the Children, Youth and
Family Advisory Committee for a term to expire on December
31st, 2015. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Goes to Committee on Appointment Review. 6782-12, 6783-12, 6784-12, 6785-12, 6786-12.

MR. CATANESE: Approving the appointment of Eva Bednar, Richard Jevon, Dr. James H. McLemore, Kurt Kondrich and Elizabeth Malley to serve as a member of the Allegheny County Mental Health/Mental Retardation Advisory Board for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT MARTONI: To Committee on Appointment Review. 6787-12, 6788-12 and 6789-12.

MR. CATANESE: Approving the appointment of Theresa D. Edwards, Dynise Long, Valerie J. Ketter to serve as members of the Drug and Alcohol Planning Council of Allegheny County for a term to expire on December 31st, 2014. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Committee on Appointment Review. 6792-12.

MR. CATANESE: Approving the appointment of Edmund H. Sperling to serve as a member of the Allegheny County Board of Property Assessment Appeals and Review for a term to expire on December 31st, 2014. Sponsored by Councilman Gastgeb.

PRESIDENT MARTONI: Committee on Appointment Review. Unfinished business. Committee on Economic Development and Housing, second reading. 6728-12.

MR. CATANESE: A resolution of the County of Allegheny authorizing the acceptance of the Fiscal Year 2011-12 distribution from the Pennsylvania Gaming Economic Development and Tourism Fund for the restricted purpose of distribution to a community infrastructure development fund of a county of the second class, to fund construction, development, improvement and maintenance of infrastructure projects through Allegheny County Economic Development, Community Infrastructure and Tourism Fund, established and administered by the Redevelopment Authority of Allegheny County, as agents for the County of Allegheny; appointing the Redevelopment Authority of Allegheny County as agent for the County of Allegheny for the purpose of administering the Fiscal Year 2011-12 funds provided for use in the county under the Pennsylvania Race Horse Development and Gaming Act; and approving an Agency Agreement with the Redevelopment Authority of Allegheny County regarding the Fiscal Year 2011-12 funds. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Amanda?

MS. GREEN HAWKINS: Thank you. This was referred to committee by the Economic Development and Housing Committee. Members present were myself, Councilman Futules, Councilman Macey, Councilman DeFazio and Councilman Gastgeb. And we know these as gaming funds. That's what we call them. And the \$6.6 million was something that we received over the past few years. And again, we're just wanting to set up an Agency Agreement so that the Redevelopment Authority of the county can get these funds and disburse them for improvement and maintenance of various infrastructure projects. Move for approval.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question?

Roll call.

MR. CATANESE: Mr. Burn?
(No response.)
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. DeFazio?
(No response.)
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes 13, noes 0. The bill passes.

PRESIDENT MARTONI: 6729-12.

MR. CATANESE: A resolution approving a project to be financed by the Allegheny County Higher Education Building Authority, the Authority, by the proposed issuance of the Authority's revenue bonds, notes and/or other obligations, collectively the Bonds, in an aggregate principal amount not expected to exceed \$130,000,000, and the loan of such proceeds to Carnegie Mellon University, a Pennsylvania non-profit corporation, the Borrower, provided that the taxing power of the County of Allegheny, Pennsylvania, the County, shall not be obligated in any way with respect to the Bonds, and declaring the financing of such projects as desirable for the health, safety and welfare of the people of Allegheny County. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Amanda?

MS. GREEN HAWKINS: Thank you. Again, this was discussed in the Economic Development and Housing Committee by members of the committee on February 16th. Present, again, were myself, Councilman Futules, Councilman Macey, Councilman DeFazio, Councilman Gastgeb, recognizing the importance of CMU as an asset to this region, and we move that it be moved up to full Council with an affirmative recommendation. Move for approval.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question? Roll call. Question?

MR. FUTULES: It's not a question. I just want to reflect that Mr. Finnerty was also present at the meetings.

MS. GREEN HAWKINS: Yes, indeed, he was. He wasn't a member of the committee, which is why I did not mention his name, but yes, indeed, he was. We appreciate his attendance. Thank you.

PRESIDENT MARTONI: Hearing no questions, roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

(No response.)

MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes 13, noes 0. The bill

passes.

PRESIDENT MARTONI: Committee on Public Works, second reading. 6722-12.

MR. CATANESE: An ordinance authorizing the extension of the term of Ordinance Number 43-09-OR, enacted December 15, 2009, 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, right of entry and easement, and the amicable acquisition of certain real estate affecting county public works projects and other matters for calendar year 2010 and 2011. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you, Mr. President and members of Council. The committee met on February 15th, and this was sent to the full Council with affirmative recommendation, and I move this ordinance.

MR. FINNERTY: Second.

PRESIDENT MARTONI: Moved and second. Question?
Roll call.

MR. CATANESE: Mr. Burn?
(No response.)
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. DeFazio?
(No response.)
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes 13, noes 0. The bill

passes.

PRESIDENT MARTONI: 6723-12.

MR. CATANESE: Authorizing the County of Allegheny to sell a 0.3235-acre parcel of land for the sum of \$30,732.50 to Parkway Parks Associates, and further authorizing the refund to the Pennsylvania Department of Transportation of the sum of \$30,732.50, representing the Parkway Park Associates Parcel 211, approving donation credit for construction of Settler's Cabin Interchange. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Macey?

MR. MACEY: Thank you, Mr. President and members of Council. The committee met on February 15th, and this piece of land is very central to the Settler's Cabin Interchange. At that meeting, this was moved forward to the full Council with affirmative recommendation. I so move this.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question?
Roll call.

MR. CATANESE: Mr. Burn?
(No response.)
MR. CATANESE: Ms. Danko?
MS. DANKO: Aye.
MR. CATANESE: Mr. DeFazio?
(No response.)
MR. CATANESE: Mr. Drozd?
MR. DROZD: Aye.
MR. CATANESE: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. CATANESE: Mr. Finnerty?
MR. FINNERTY: Yes.
MR. CATANESE: Mr. Futules?
MR. FUTULES: Yes.
MR. CATANESE: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. CATANESE: Ms. Green Hawkins?
MS. GREEN HAWKINS: Aye.
MR. CATANESE: Ms. Heidelbaugh?
MS. HEIDELBAUGH: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. CATANESE: Ms. Rea?
MS. REA: Yes.
MR. CATANESE: Mr. Robinson?
MR. ROBINSON: Aye.
MR. CATANESE: Mr. Martoni, President?
PRESIDENT MARTONI: Yes.
MR. CATANESE: Ayes 13, noes 0. The bill

passes.

PRESIDENT MARTONI: Liaison reports. Do we have any liaison reports? Mike, do you ---?

MR. FINNERTY: I don't have a liaison report, but I'd like to mention something as a personal privilege.

PRESIDENT MARTONI: Yes, please.

MR. FINNERTY: I understand that we hired two people. I believe, number one, that is against the policy of this Council. I think that a committee cannot establish policy. It must be established by Council as we look out and see that a vote by this Council should be necessary to hire somebody. We're not hiring a temp, and it's been done before. And the committee rules should apply to committees, which means that they should have --- say it stated that they recommend these people to be hired, and they should be voted on by the full Council, as it was done for John Mascio, as it was done for Joe Catanese. There's a completely different, completely different idea going here when you're hiring a temp, as we did with Matt and we did with Lori and we did with Katie, I believe. And I can't remember the other gentleman who didn't work out.

MR. FUTULES: Matt.

MR. FINNERTY: No, I don't know the guy's name. But anyhow, this is what should be going on. In our rules, it gives that committee no authority to hire somebody. That's all I'm telling you. You can read it. It's true. We have past practice here that has been done, and I'm not saying that I'm going to vote for these people, not at all. I'm just saying you cannot, as a committee, establish policy. Policy is established by 15 people that sit here, 15 people, and you need 8 votes. Now, that's my position. I think it's atrocious, atrocious that an Executive Committee would hire somebody without every one of these Council people knowing that happened. And I, for one, didn't know it happened, and I don't know about anybody else. But the thing of it is that when you hire somebody in the positions that we just hired --- and we shouldn't have hired them because we didn't hire them.

MR. FUTULES: That's correct. You didn't.

MR. FINNERTY: Excuse me. Don't interrupt me again. Mind your manners. I have the floor.

MR. FUTULES: Go ahead.

MR. FINNERTY: And you can have your chance when you get it. But this is an important thing, that a committee shouldn't establish policy for Allegheny County Council. It should go by the committee rules, which say how you go about the process. I've been a chairman of Health and Human Services. I've been a chairman of

Economic Development and now chairman of Transit. And I know that I cannot establish policy. I can recommend to the full board, as any committee can. And it is called the Executive Committee. That's my position on this. I think you have to look at it and say to yourself --- and I don't have the Charter with me, but I have read it, the rules. And the rules do not give you that authority. Thank you.

MR. FUTULES: My turn?

PRESIDENT MARTONI: Please do.

MR. FUTULES: Well, according to what I was told, you're wrong. The Executive Committee has the authority to hire personnel without taking it to the full Council for any vote. We can elaborate that with our Solicitor at this time if you're having ---.

MR. SZEFI: Yeah. I do have the Rules of Council, and it does say under executive committees --- and I'll read the language. It says, the Executive Committee shall also be charged with making recommendations and approving actions regarding personnel matters. The term here approving actions meaning final actions is our interpretation of the rule.

MR. FUTULES: Does it say any time that we have to take it to a full Council for personnel?

MR. SZEFI: No.

MR. FUTULES: Never? Well, that's where I stand. I was told by our Solicitor. That's why there was no vote.

MR. FINNERTY: If I could interject, Mr. President?

PRESIDENT MARTONI: Yes, please.

MR. FINNERTY: It's been past practice to vote. And it says, for approval.

MR. FUTULES: Since when?

MR. FINNERTY: Since John Mascio was hired.

MR. FUTULES: You're talking 10, 12 years ago. We're talking about the last five or six hires.

MR. FINNERTY: How are we going to do this, Mr. President? Are we going to argue ---?

PRESIDENT MARTONI: One at a time.

MR. FINNERTY: Thank you.

PRESIDENT MARTONI: You've got the floor.

MR. FINNERTY: I appreciate that. All right? It doesn't matter if it was 50 years ago. That's the way it was done. And that's a matter of past practice that it

was voted on by the full Council. Now, you can't change past practice. You can't make policy. And that's the way committees are. They recommend.

MR. FUTULES: Did you just not hear him?

MR. FINNERTY: Excuse me. You don't have the floor. Until you're recognized by the president, do not speak.

MR. FUTULES: Shut up.

PRESIDENT MARTONI: He has the floor.

MR. FINNERTY: No, you're the one that should shut up. I have the floor.

MR. FUTULES: Go ahead. Keep talking.

MR. FINNERTY: It's a shame that you don't know parliamentary procedure. But the thing of it is that we're looking at a past practice. It has been done. And it says in that, for approval. And it says that. And it's an interpretation. An interpretation means that we have to go to past practice, as far as I know. And I'm not an attorney. I'm just a teacher. But I negotiate labor contracts. And that is saying to you that past practice dominates the situation, because it's not specifically said. It's an interpretation. And all I'm saying to you is we, as a Council, set policy, not any committee or committee chair or five or six people. It takes a majority vote on that subject. That's the way I interpret it.

And it's been done before. We've hired interns, and we didn't do that. That's entirely different. This isn't an intern we're hiring. And it should be coming to full Council with a recommendation, like any other committee that sits up here does, not people just all of a sudden taking over some kind of power struggle, because it is policy for 15 seated people of Allegheny County to sit and vote to make policy, not change it willy-nilly. Thank you.

PRESIDENT MARTONI: You're next?

MR. FUTULES: Yeah, sure.

PRESIDENT MARTONI: Do you want to say something?

MR. FUTULES: Yeah, sure. In the past years, we have hired employees here for our staff, and I have never seen it come to a Council for a vote, not while I've been on here for the last four years. And I had the conversation with Jack Cambest, and the interpretation was that the Executive Committee does the hiring, and we are

charged with that duty. Not one time does it say that we have to come before this entire Council and vote on it. Okay? Now if you feel some injustice has been done, we can talk about it another time. But I think this is inappropriate. This is a personnel matter and nothing that we should be discussing on the floor at a Council meeting, because it does not pertain to the Council of Allegheny County. It is a personnel matter, the people that we hire here. And our Executive Committee agreed to hire these particular people, and you were a part of some of it. You walked out on part of it, throwing your arms and being like a baby because you didn't have a vote. And that's --- I've still got the floor. You can shut up for now because I've got the floor; remember? Got it?

MR. FINNERTY: Go ahead.

MR. FUTULES: I'm not done.

MR. FINNERTY: I didn't attack you.

PRESIDENT MARTONI: Let's keep it civil, guys.

Okay?

MR. FUTULES: Now, I'm going to finish because I don't want to hear it no more. If you feel we've done something wrong, then you have a case with our lawyers and anybody else. If you feel we shouldn't have hired somebody, knock yourself out. Maybe you want to file a lawsuit. Go ahead. But I'll tell you right now, those two people got hired. And they got hired because the Executive Committee met, voted and we did it. Now, if you don't like it, you can reflect it on us for the persons that we hired. And that's the end of it.

PRESIDENT MARTONI: Let me give someone else an opportunity to speak. Okay?

MR. FINNERTY: Yeah. I won't say a word. I did not attack him personally. I think that somebody else took it personally.

PRESIDENT MARTONI: I tried to get these in order, and I think it was Heather, Jan ---.

MR. ELLENBOGEN: Wait a minute. Oh, I'm sorry.

PRESIDENT MARTONI: No. They had their hand up a long time ago, Jim. Long time ago.

MS. HEIDELBAUGH: Mr. Chairman, we're at the liaison reports part of the agenda. And at the last Council meeting, there was --- at the liaison reports, I asked a simple question. And I remember my colleague, Mr. Finnerty, told me that I wasn't allowed to ask a question, that we were on liaison reports, and that was all that we

were to be talking about. So I would like a ruling from the chair that in this portion of the agenda on liaison reports, is it supposed to be reports from the liaisons or is this an opportunity for all of us to bring up any matter that we want and to talk about it? Because if that's what the rules are, I'll follow those rules. I just want to know what they are.

PRESIDENT MARTONI: Okay. I think I'm the one at fault here.

MS. HEIDELBAUGH: I don't think so, Dr. Martoni.

MR. FINNERTY: No, you're not.

MR. ELLENBOGEN: Point of personal privilege.

Can I say something?

PRESIDENT MARTONI: Wait, wait. Let me try to do this. Get some order here. We all want to talk, but then we have ---. I did my best to keep some order, and I wrote it down. I have Heather, I have Jan Rea and I have Jim. Is that okay? I did the best I could to try to keep the order. Okay. Jan?

MS. REA: I've been here 12 years, and I think at one time all Council voted. Other times when hires were made, we did not. But I do think as long as I've been here for 12 years, you know, the president I defer to and also the vice president of Council, because it was his responsibility to make hires, recommend hires and to help us in that respect. So I'm just going to say that I appreciate what the vice president did under these circumstances, and I believe that is his responsibility in the Executive Committee. And I don't think anybody was slighted in the process or --- I feel --- you do, Mr. Finnerty. But I think the reality of it is you certainly have a voice. But I think that this is something we've done in the past. This isn't anything that has not been done in the past. As vice president of Council, if there are issues and an office handles it --- and personnel is his responsibility. That's my understanding of how we are organized. Thank you.

PRESIDENT MARTONI: That has been our past practice, right or wrong. It may need corrected, but that has been the past practice.

MR. FINNERTY: Something like that.

PRESIDENT MARTONI: Okay. Jim?

MR. ELLENBOGEN: Right. And first of all, to answer Councilman Heidelbaugh's question, it has been past practice in the four and a half years that I've been here

to --- for the president to either allow anyone to talk about anyone during liaison reports or before public comment. So as long as I've been here, that's past practice.

Now, what I'm going to say is probably going to rile everybody, but you know what? Thirty-five (35) years I've been in politics. I know power politics when I see it. Now, in the very least, in terms of cooperation, legally, I'm sure that you are right. I'm sure you guys wouldn't do anything that was wrong. But from a moral perspective, the way I see it, that's not in the spirit of cooperation. It's not in the spirit of trying to unify people and try to get things done. It's pure power politics.

Now, I work another job all day. I don't have the ability to be at some of these committee meetings at three o'clock because I have other people I have to feed other than myself, and put through college. That being said, I know absolutely nothing about who these people are. Now, as a courtesy, in the spirit of cooperation, I think more should have been done, maybe even give us an opportunity to interview them.

You know, I'm not disparaging anybody, but I know a power move when I see one. And there's nobody on this Council, except maybe Bill, who's been doing this as long as I have. You know, Councilman Finnerty is absolutely right on a moral issue here. On a legal issue, you guys have the issue. But you know what? If that's the way everybody wants to play, believe me, you ain't got no cherry with me. Thank you.

PRESIDENT MARTONI: Nick?

MR. FUTULES: Jim, I'm not sure if you're unaware of it. During the hiring process, I asked all Council members to come and listen to the people, interviews, to see them in person. And I asked for your comments at all times. This was very transparent. Now, as far as the Executive Committee, they're the ones that have a vote, just like any other committee, the Budget Committee, Economic Development, Public Works. And no matter what, the committee has the vote. But I listened to the people that came to the interviews, and I took some of their advice, and we went with it. And when it came down to hiring that person, the committee made a decision because we were charged to do so as that rule said we were.

We didn't try to hide it from anybody, Jim. It was very transparent. And the members that did show up, the ones that were able to come saw the candidates and they saw everybody's résumés. And in fact, they may have been e-mailed out to everybody, too. I hope they were. A decision was made.

I'm terribly sorry that anybody thinks that we've done you any injustice. There's no power struggle here, believe me. Becoming the vice president and having to hire two important people in our office is not a very easy task. We had help from our staff to get the résumés together. This was a very difficult process, and I certainly hope that the people that this committee did hire will represent us and do a very good job at it.

And I hope that for all purposes, that we haven't offended you or any other member of this Council. I thought I was doing my job as the chairman of the committee. And in the future, we can discuss any future goings on. But that's the way I saw it, and that's why I asked for a legal opinion from our Solicitor before, and I didn't think that we had to come to a full Council to vote on an employee because it does not pertain to the county. This is a personal matter, and the personnel should stay personal. We just brought this public, but we hired some people that were highly qualified for this position.

MR. ELLENBOGEN: Mr. Vice President?

MR. FUTULES: And like I said, I'm sorry. If I offended anyone or this committee as a whole offended any Council members, I apologize.

MR. ELLENBOGEN: You know, I don't know if it was a Freudian slip, but it was a personnel decision. You said it was a personal decision.

MR. FUTULES: It's personnel.

MR. ELLENBOGEN: Well, you said personal.

MR. FUTULES: Sorry.

MR. ELLENBOGEN: So my point is this. It's morally not right for all of us to be able to work with someone that we don't even know who they are or what they're about. And I appreciate the fact --- I did get that e-mail. But again, I work a full-time job and I could not --- I have the floor, gentlemen. The point is, in the spirit of cooperation, it's morally bankrupt. I mean, you know, in all due respect, Mr. Vice President, it's morally bankrupt. It is. You know, like I said, I've been around this a long time. You know, it's my

understanding that you even recommended who was going to be interviewed. Maybe some of us would have thought, well, maybe somebody else might have been interviewed.

If it had just been, you know, a clerk or a secretary or something, I'd say, well, you know what? That's not that big of a deal. But you know, somebody in the capacity to replace, God rest him, John Mascio, I mean, I think that in the very least, it should have been exercised a lot more, because that's somebody that --- you know, if it would have been Jared or would have been Joe, people that we work with every day, I would have liked to at least have an opportunity, other than not being able to go to that meeting, to be able to say, hey, you know --- and talk to them or what not.

MR. FUTULES: You could talk to them.

MR. ELLENBOGEN: Nick, you're not listening to me, you know. I didn't say that. I said if you were. But for the importance of the positions that were hired, I just don't think, from a spirit of cooperation, it was the right thing to do and the right way to go. And you know what? Mike's right about one thing. You know, I was elected by the people of District 12, and Mike was elected by the people next to him. You know, we are all, in my eyes, equal. And if that's the way it's going to be played here, then that's the way I'll play it. And anybody that knows me --- and Bill, you've known me, what, how many years?

MR. ROBINSON: Thirty-five (35).

MR. ELLENBOGEN: That's right. And I'll play any way you guys want to play it. But just remember, you started it.

PRESIDENT MARTONI: Let's move on. Mike?

MR. FINNERTY: Thank you. I just want to say I'm not in any way saying that I would not have voted for the people that were hired. I never said that. I don't say that at all. In fact, I'd gladly vote for both of them. That's not the point. The point of the matter is that a committee is making policy, and that shouldn't happen. It should not be making policy. As was said about committees, committees vote on things and then it's brought out before the full Council, which is what should have been done. It doesn't say in our rules any specific thing. It's an interpretation. As our Solicitor has said, it's his interpretation. That means somebody else has another interpretation.

And in regard to hires, since they have to be made, every one of those hires were hired as interns and put on our staff just like Lori, right now, is on our staff, and she's an intern. We did not have to vote on an intern. The idea of that, and I think everybody knows, was to have an intern because we needed one. We needed somebody to be doing this work. At the same time, if they worked out and were good, we kept them. We're not doing that. We're not hiring an intern. This is different. This is the way it was before when we hired main people to our staff, and they were voted on by full Council after being recommended by the Executive Committee. And that is establishing a different policy, and committees don't establish policy. Allegheny County Council establishes policy, and that's my whole thing right there. We cannot have a committee establishing policy. Thank you.

PRESIDENT MARTONI: I think you were next, Vince.

MR. GASTGEB: Thank you, President Martoni. I've been here for 12 years, and I've seen power politics, as I've been a minority for about 12 years. So this, to me, was an established committee that is --- in our rules that our Solicitor just read, that it is the responsibility of this committee to, in fact, place personnel hires, which is a hiring personnel decision. It is not establishing policy, from my perspective. It is following a process that the Vice President has outlined. In my interpretation, the Vice President is the office manager. The Vice President is in charge of the responsibility of personnel. There were numerous e-mails put out by him. There wasn't just one meeting. There was meetings over a span of 45 days. It wasn't just the last meeting.

And I thought everybody knew --- and some Council people didn't come, and that's fine. But that last meeting --- after numerous e-mails and communications and talking about it, that last meeting was going to be a vote for hiring, that the Executive Commission --- Executive Committee say there with other Council members. And it wasn't four o'clock. We left at nine o'clock at night. So I mean, this is like recreating history here, where, in fact, we're not just legally right. We're morally right, too. We followed a plan as outlined by the Vice President under our rules.

Now, you know, I haven't liked a lot of things here going back over 12 years, and that's fine. But I don't see anywhere, shape or form where there's numerous meetings, communications set up and we're following the rules, why this should be so surprising. Now, maybe there should be cooperation for a straight vote, all 12 people, maybe.

But let me tell you something. The very first meeting, we had a lot of people here, and it took about three hours to figure out what newspapers we wanted to advertise. You have to have somebody in charge that has to make decisions based upon cooperation. And from that, I've seen it in this particular case. Now, I happen to sit on the Executive Committee. The very last meeting, there was numerous Council people there that slid papers saying, here's my order. Here's how I would vote. Everything was taken into consideration.

So I very much disagree with what's being said from a committee process. You can take the committee process any way you want. It's been sliced and diced over the last 12 years. Let's just go to new business. The very first new business, 6793, we have a bill coming out of committee. Then right after, we have a competing bill not coming out of committee. So you want to follow the committee process, then you don't want to follow it when it suits anybody right. And I've done it myself. I've done it myself for 12 years. But in this case, you've got to give deference to the people who are leaders of this body. That's the president and the vice president. I may not agree with them, but I know the process is set up. We have to follow the process. Thank you.

PRESIDENT MARTONI: Heather?

MS. HEIDELBAUGH: I'd like to make a motion to return to the agenda.

MR. ROBINSON: Second.

MS. DANKO: Aye.

PRESIDENT MARTONI: A motion and a second.

MR. FINNERTY: Call a vote on it.

PRESIDENT MARTONI: That has to be a roll call?

MR. SZEFI: No.

PRESIDENT MARTONI: All in favor of returning to the agenda?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? Okay. Thank you, Heather. That was a very lively debate. Let me just say

one thing, though. No matter what anyone tells you, there was never any malice intended. Okay? It was people thinking we were following past practice, rightly or wrongly.

MR. FINNERTY: I didn't say anything.

PRESIDENT MARTONI: You didn't say it, but I wanted to make sure I said it. Okay.

MR. FINNERTY: Yeah.

MR. MACEY: Thank you, Mr. President and members of Council. This may not be as spirited, but I'm the liaison to the Airport Authority, and I've been associated with airplanes and aviation for about 43 years. And as I said, this may not be that exciting. But on the other hand, Pittsburgh International Airport's enplanements have increased by two percent over Cleveland Airport, which is a good thing. Delta service to Paris is going to start back up March 24th. There is a new non-stop route map. You can go to the website, FlyPittsburgh, and you can find out where the non-stop flights are to this country and abroad. And another good thing, there's been a 20-percent increase in passenger flight miles. What that means, more people are flying further. Thank you.

PRESIDENT MARTONI: Thank you. Any other liaison reports? I will say that clearly. Liaison reports. Okay. There is none. Okay. We'll return to our agenda. New business and ordinances. 6793-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 301, entitled County Council, Section 5-301.03, entitled Councilmatic Districts, in order to provide for the reapportionment of Council Districts within Allegheny County. Sponsored by Councilwoman Danko.

PRESIDENT MARTONI: Okay. I believe that should go to the Special Committee on Reapportionment. Ms. Danko?

MR. PALMIERE: Mr. President?

PRESIDENT MARTONI: Yes.

MR. PALMIERE: I would like to co-sponsor that also, please.

PRESIDENT MARTONI: All right.

MS. DANKO: This ordinance is set up to do our redistricting map. As most of you are aware, population in Allegheny County remained relatively stable from the 2000 census to the 2010 census. However, we lost just a

little less than 58,000 people. The problem was there's significant variation in concentration of citizens across the county. For example, District 2 grew by 17 percent. District 9 lost almost 7 and a half percent, and District 13 over 8 percent. So even though everybody would love to keep their original districts, and I'm learning that all Council members love their districts and would love to keep everything that they already have, that's not possible given our legal constraints.

After I was named Chair of the Special Committee just a few weeks ago, I decided to follow the model that Jim Burn had started back in August when he was the chairman. In that model, he was working across the aisle with the Republicans, headed by their --- by Vince Gastgeb. So I worked with Council Member Gastgeb and our staff in trying to develop a map to introduce that would satisfy all the legal requirements, including population, no splits of municipalities or wards, had to be contiguous, which you will --- if any of you ever tried to do this in a map of 130 municipalities, is extremely difficult. There has to be a minimum number of Council persons for the city, which is four. And we had to be within a certain range to meet the legal requirements.

This map, I would say, is not final by any means. It will go to committee. We will have several meetings next week, but time is of the essence, as we have to adopt a map legally by March 9th. I would certainly expect that there would be some tweaking to the map, but I would caution people that are implying to say, well, just do this and just do this. You have to run it through the whole map. It is very, very difficult to come up with a contiguous map. And I look forward to seeing as many people as possible at the committee meeting next week.

PRESIDENT MARTONI: Okay. Mr. Gastgeb?

MR. GASTGEB: Yeah. Thank you. I'll also join Mr. Palmiere and Ms. Danko in co-sponsoring this. Just for history, we started meeting in August last year establishing ground rules. In addition, there's been Council members talking about this, whether one on one or whatever. We see things in the paper. So I mean, this is kind of like a process over seven, eight months to get to this point.

Ms. Danko's right. This by no means is a final map. It's a map that her committee, as the chairperson, has brought forth under law, state and county law, to get

to the point we're at today. We'll have committee meetings, I'm sure. I'm not sure how many, but there will certainly be, as you mentioned, a few to several, and it's going to be tweaked like any map. So the situation has not just started. It's a continuance of what we started in August. Thank you.

PRESIDENT MARTONI: Thank you, Mr. Gastgeb.

MR. ROBINSON: Mr. President?

PRESIDENT MARTONI: Mr. Robinson.

MR. ROBINSON: I'd like to be a co-sponsor as well.

PRESIDENT MARTONI: Okay.

MS. REA: Co-sponsor.

PRESIDENT MARTONI: Jan Rea. Any other co-sponsors? Co-sponsor?

MS. HEIDELBAUGH: Heather Heidelbaugh.

PRESIDENT MARTONI: Joe, another one, Amanda.

MR. FUTULES: I have a question. When's the deadline when you have to have this done? Does anybody ---?

MS. DANKO: March 9th.

PRESIDENT MARTONI: March 9th.

MS. DANKO: So our next meeting is March 6th.

MR. FUTULES: So in essence, we have to be finished by the next meeting to vote on it?

MS. DANKO: Unless there's a possibility we would have a special meeting, and I'm not sure how many people would be inclined to go that direction.

PRESIDENT MARTONI: Put me as co-sponsor, too, Joe. Okay. 6794-12. I'm sorry, Matt. We'll get you. I apologize.

MR. DROZD: No. That's fine.

PRESIDENT MARTONI: Go ahead, Joe.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 301, entitled County Council, Section 5-301.03, entitled Councilmatic Districts, in order to provide for the reapportionment of Council Districts within Allegheny County. Sponsored by Councilman Finnerty.

PRESIDENT MARTONI: Special Committee on Reapportionment. Mr. Finnerty?

MR. FINNERTY: Thank you. Thank you, Mr. President. This is another map for reapportionment also for consideration. This is its first reading, as 6793 is

the first reading that's going to committee. I appreciate that. Thank you.

PRESIDENT MARTONI: Thank you. 6795-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Administrative Code of Allegheny County, Article 905, entitled Nonformal Procurement, Section 5-905.03, entitled Procurement of Professional Services, and establishing a process to allow for the identification of contracts subject to review by the Professional Services Review Committee, pursuant to Section 5-903.03 of the Administrative Code of Allegheny County, in order to render the review process for such professional service contracts more efficient. Sponsored by Council Member Robinson.

PRESIDENT MARTONI: Government Reform Committee. Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. No comment at this time.

PRESIDENT MARTONI: Thank you. 6796-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing the Allegheny County Property Assessment Appeals and Review, PAAR, Board, to mail information already formulated by the Board to provide assistance to individuals pursuing appeals of their assessed value, with each notice of appeal hearing date sent by the Board for appeals relating to assessed value of the 2013 tax year. Sponsored by Council Member Finnerty.

PRESIDENT MARTONI: Government Reform Committee. Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. The Property Assessment Appeal and Review Board has a tip sheet for taxpayers where they can appeal their property tax. The problem is they don't send that out with your tax bill. And I think it should be sent out, and obviously, it hasn't been sent out. But at least we should somehow, since they're already sent out, get this tip sheet out to the municipalities, the libraries, et cetera so that people can just pick them up instead of, like, myself delivering it to them and Councilman Macey doing the same thing. I think it's important for people to know --- Councilman Palmiere, sorry. I think it's important that they know what they should do, and I think we should get that information out. It is on the website,

but not everybody has a computer. Thank you, Mr. President.

PRESIDENT MARTONI: Let me ask a question on that if you don't mind, Mr. Finnerty. It's going to the Government Reform Committee.

MR. FINNERTY: Sure.

PRESIDENT MARTONI: Could we, in fact, just arbitrarily just send these out to libraries, et cetera, right now?

MR. FINNERTY: Well, we're arbitrarily doing it ourselves. You know, we're going around to different meetings and giving it out to people. I think Councilman Macey has developed a little, what, four sheets?

MR. MACEY: A packet.

MR. FINNERTY: Yeah, a little packet that's very informative, and the voters and the taxpayers will like that because they are the people that give the revenue. I did want to mention something, Mr. President. I know this will not influence anything that's done this year, but in the following years, it will. Thank you.

PRESIDENT MARTONI: I hear you. Thank you.
6797-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 301, entitled County Council, Section 5-301.03, entitled Councilmatic Districts, in order to provide for the reapportionment of Council Districts within the City of Pittsburgh. Sponsored by Councilwoman Danko.

PRESIDENT MARTONI: Committee on Government Reform. Ms. Danko?

MS. DANKO: Yes. I wish I had introduced this legislation last summer. As noted earlier, the current ordinance passed by Council and used following the 2000 census requires the City of Pittsburgh to be placed in a minimum number of districts based on its population, which in 2000 and this year will be four districts. This bill would alter that by permitting not more than six districts to include part of the county. A little history. You know, I've been involved in the apportionment on the County Council since the beginning. Bob O'Connor had appointed me to represent the city on the Apportionment Advisory Committee back then.

Why it was done this way to begin with, there are at least several ways to look at it. First, it

guaranteed that that city would not be cut into a pie and dilute its voting strength and identity. On the flipside, it concentrated city voters, who also happened to be overwhelmingly members of the Democratic party, into as few districts as possible. Why am I introducing this now? As I said, if I had my druthers, I would have done it back in August, because I believe in this kind of a hybrid model. Just as Allegheny County is the center of the region, I think the City of Pittsburgh has a role as the center of Allegheny County. And I think that it's healthy for the county to have more people who represent both city and suburbs. A sidebar in introducing this is sort of the consequence of trying to draw this map. Admittedly, it would provide us with more flexibility.

I've ask the Council President to refer it to a different committee than the Reapportionment Committee because I think, you know, in the interest of openness and fairness, that we should look at it that way, you know, in the next two weeks, if we wanted to go down this route, provide us flexibility that could be by ordinance. And perhaps our Solicitor might want to comment on that.

PRESIDENT MARTONI: Do you want to comment on it?

MR. SZEFI: I think that that makes some degree of sense, perhaps a committee like Government Reform, because it is dealing with the issue of the number of districts that would be included within the city. So I mean, it's more of a structural issue than it is reapportionment --- pure reapportionment issue, so ---.

PRESIDENT MARTONI: Thank you. 6798-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the elimination of the county Bureau of Weights and Measures as an office within and under the purview of the County Controller, the Controller, and returning its powers and duties to the Department of Agriculture of the Commonwealth of Pennsylvania. Sponsored by the Controller.

PRESIDENT MARTONI: That goes to Government Reform. 6799-12.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2012, Submission 12-3. Sponsored by the Chief Executive.

PRESIDENT MARTONI: We need a motion to receive in file.

MR. ROBINSON: So moved.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed?

MR. CATANESE: Mr. President, you have to put that into committee, that 6799. That's a special ---.

MR. FUTULES: That's a special.

PRESIDENT MARTONI: Budget and Finance Committee. Sorry about that. Okay. New business, motions.

MR. CATANESE: I have none.

PRESIDENT MARTONI: Notification of contracts.

MR. CATANESE: None.

PRESIDENT MARTONI: Public comment. We had one speaker, but he's not here

MR. CATANESE: I had one speaker.

MR. FINNERTY: Could I have a personal privilege again?

PRESIDENT MARTONI: Yes, you could.

MR. FINNERTY: Thank you. And I'd just like to say that --- for Heather, that I asked for personal privilege last time I spoke, also. I did not mean to disparage anybody's character here. I hope I didn't. I'm sorry that someone felt that they had to attack me personally. But like I did say, it is --- to me, it's a matter of a committee making policy, and that's my thinking on the whole thing. So I would have liked to have seen it on the agenda to vote. And I thank you very much.

PRESIDENT MARTONI: We thank you. Motion for adjournment?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT MARTONI: Second. Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Meeting adjourned.

MEETING ADJOURNED AT 7:30 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Handwritten signature of Kayle Good in cursive script, positioned above a horizontal line.