

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. 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, May 1, 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  
Walter Szymanski - Budget Director  
Jack Cambest - Solicitor

PRESIDENT MARTONI: The Allegheny County Council meeting will now come to order. Please rise for the Pledge of Allegiance. Please remain standing for a moment following the Pledge of Allegiance for 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?

(No response.)

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Heidelbaugh? Ms. Heidelbaugh?

MS. HEIDELBAUGH: Yes (via telephone).

MR. CATANESE: Mr. Macey?

MR. MACEY: Present.

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: Fourteen (14) members present.

PRESIDENT MARTONI: Proclamations/  
certificates. 6881-12.

MR. CATANESE: This will be read into the record. The gentleman will not be attending. Certificate of Achievement recognizing Mr. Godwin Nyama of Brashear

High School for becoming the first City League wrestler to win the PIAA State Championship. Sponsored by Councilman Ellenbogen.

PRESIDENT MARTONI: 6902-12.

MR. CATANESE: Proclamation commending Ms. Alyssa Fine for being named the 2012 American Honey Queen and for her commitment to the American Beekeeping Federation, as well as the community. Sponsored by the Chief Executive and Councilman Macey.

MR. MACEY: Good afternoon, everybody. I would like to commend our Bee Queen, especially because she's from my neck of the woods. She's a resident of my district in Forward Township, although she does have a Monongahela address and ZIP code, but we'll leave that up to the Postal Service.

In January the American Beekeeping Federation made Ms. Alyssa Fine the 2012 American Honey Queen at the North American Beekeeping Conference in Las Vegas, Nevada. Alyssa is --- am I allowed to tell your age?

MS. FINE: Sure.

MR. MACEY: Okay. She's 22 years old and she's the daughter of Robert and Darlene Fine of Monongahela, PA and the granddaughter of William and Louise Mandekic of McKeesport, Pennsylvania. She's a graduate of Penn State University with a Bachelor's Degree in Agribusiness Management and a Spanish language minor. Alyssa works with her parents and sisters to run a family beekeeping business --- how appropriate --- where she is instrumental in developing beeswax cosmetics. In her new role as American Honey Queen, Alyssa will travel throughout the United States promoting honey and beekeeping and teaching the public about the importance of honeybees in agriculture. Alyssa previously served as the 2011 Pennsylvania Honey Queen.

I'll let you know that I don't drink coffee anymore. I do drink tea and I don't put sugar in it. I use honey. So we have a proclamation for Alyssa before she has all these things she wants to tell us about bees and honey.

Whereas, Ms. Alyssa Fine, a resident of Monongahela, Pennsylvania, has worked --- has been selected as the 2012 American Honey Queen by the American Beekeeping Federation based on her communication skills and knowledge of the industry.

And whereas, the American Beekeeping Federation has a mission to act on behalf of the beekeeping industry on the issues affecting the interests and the economic viability of the various sectors of the industry.

And whereas, the American Beekeeping Federation selects an American Honey Queen each year as a representative to attend events nationwide and make numerous presentations regarding the beekeeping industry.

And whereas, Alyssa was selected as the American Honey Queen at the North American Beekeeping Conference in Las Vegas, Nevada after serving as the 2011 Pennsylvania Honey Queen, where she promoted the honey industry at various fairs, festivals and farmers' markets.

And whereas, the commitment that Alyssa has to the honey and beekeeping industry is evidenced through her work with her family beekeeping business, where she is instrumental in developing beeswax cosmetics and will spend the next year traveling throughout the United States to promote the industry.

Therefore, be it resolved that Allegheny County Council, along with County Executive Rich Fitzgerald, do hereby commend Ms. Alyssa Fine for being the 2012 American Honey Queen and for her commitment to the American Beekeeping Federation, as well as the community. Congratulations.

(Applause.)

MS. FINE: Good evening. Thank you so much for having me here today. This is quite an honor. Thank you, Council members. I'm very appreciative of this recognition. I grew up with beekeeping in my family. We used to have about five or six hives in the backyard as I grew up. I would like to tell you that I really worked with bees as a child, but I think I mainly learned through osmosis at the dinner table because my father used to talk about our hives constantly. So due to that interest and knowledge, I became the Pennsylvania Honey Queen for 2011, traveling about 25,000 miles throughout the state, promoting the industry. And as the state queen, I was eligible to compete for the American Honey Queen title this past January.

As the American Honey Queen, I have a four-part role. I am a spokesperson for the beekeeping and honey industries and a representative for beekeepers state and nationwide. I am an ambassador for the American Beekeeping Federation. And most importantly, I am an

educator, attending a variety of venues, such as fairs, farmers' markets, a lot of elementary schools. I do media work and government appearances to try to promote honeybees throughout our country and show people that they are extremely important and vital to our agriculture.

It's estimated that 100 of our crops in this country require insect pollination, and roughly one out of every three bites of food that we eat every day is somehow affected by honeybee pollination. As you know, agriculture is a very, very important industry in Pennsylvania. Throughout our state, we have about 2,000 beekeepers. About one percent of those beekeepers have 300 or more hives. They are classified as commercial beekeepers. Every year they provide pollination for our crops throughout the state, and they provide about \$20 million of pollination annually in investment to our economy. Also, they're producing honey. In 2011, the honey crop was over 1 million pounds and valued at more than \$2.5 million.

You'll notice on your desks that you have a little jar of honey. That actually came from my personal apiaries at home. It is a fall honey. I hope you'll enjoy it. Try it in your tea, maybe in your coffee, wherever you'd like. So it sounds like the industry is booming, but the reality is that our bees are disappearing. We have had a steady decline of hives for the past 30 years or so. In 1980 we had about 80,000 colonies. Today that number is about half, about 40,000 bees. We're not really sure what is happening to our bees. The only thing that our scientists really understand is that it is a multifactorial problem. So they need us to try to help our bees.

So the main way that you can help honeybees primarily is to become a beekeeper yourself. In Pittsburgh have a very, very strong beekeeping group, Burgh Bees. Someone was talking to me today about a swarm capture. I'm sure it was a representative from that group. They work hard to educate the public and train beekeepers. Right now there is a very real increased interest for small-scale beekeepers with 25 hives or fewer starting their own backyard beekeeping operations. It's great for pollinating your garden. It's great to just have a hobby at the end of the day. It's a very worthwhile industry. If beekeeping is too scary, go ahead and purchase local honey from beekeepers who will continue

to keep bees. And you can also plant wildflowers to give forage for our honeybees. I know the Penn State Cooperative Extension of Allegheny County does a really great job teaching people about pollinator-friendly plants. So thank you very much for supporting them, by the way.

So I want to thank you for your continued support. Please protect and provide for our honeybees in the future. If you'd like more information about our program, you can visit [abfnet.org](http://abfnet.org). We also have a Facebook page for the American Honeybee Program so you can see what we're up to and where I'm traveling next. Thank you so much. I hope I can make it back here at another point in time.

(Applause.)

MR. MACEY: One question. Have you ever been stung?

MS. FINE: Too many times.

MR. DROZD: Hey, Alyssa, by the way, like the Councilman, I also drink it in my tea. And promote this. Yeah. Promote this, you know. It's better than the sugar. And I even started to put it in coffee. Yeah, coffee. It's the best thing for you there is. Promote it. We should have, like, milk ---. Remember those people that had this milk ---? You should have a commercial with honey.

(Pictures taken.)

PRESIDENT MARTONI: 6903-12.

MR. CATANESE: Let the record show that Councilman Gastgeb is present.

PRESIDENT MARTONI: Okay.

MR. CATANESE: Certificate of Recognition honoring the graduates of the Message Carriers of Pennsylvania Inside/Outside Program. Sponsored by Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President and members of Council. This is, I believe, the third year that we have hosted the Message Carriers and said thank you to the citizens of this county who have been able to go from a low point to a high point. And I certainly want to extend to them my personal congratulations for being bold enough to become a part of this program and even bolder to come today, potential thousands of people eventually seeing you and knowing something about your journey. While they might not know your individual

journey, there are people who know you and they know your struggles and they know you're trying. So I thank each and every one of you for completing the program who are here today and thank those who could not be with us. And I thank those people who put this program together. At the end of the day, it's all about people, and that's what we're here to do, is to serve the people of Allegheny County, all of the people, the ones that are successful, the ones that are not successful and those who are trying to be successful. So thank you very much for joining us again today.

For my colleagues who might be unfamiliar with this effort, let me tell you a little bit about the Message Carriers of Pennsylvania Inside/Outside Program. In February of 2008, Message Carriers of Pennsylvania, Incorporated, a charitable 501(c)(3) non-profit organization was formed to address problems associated with decreasing allocations of treatment funds for folks who have various addictions, be it alcohol or other forms of drugs. As a recovery-based organization, Message Carriers of Pennsylvania strive to make the general public aware of the benefits of recovery, the benefits that come from people recovering from addiction. And again, I thank Message Carriers.

Ms. Robin Horston Spencer, the director, she's here. And I remember a couple years ago, she called me and asked me, would it be possible for this program to be introduced to this Council and also to have a graduation program. This night is the culmination of the individuals who will come forward and the others who could not be with us finishing their program. And they carry with them a tremendous responsibility to stay in recovery, because now in front of thousands of people --- by way of television and other technology, thousands of people will find out that they are willing to try again, stand up and to be citizens --- productive citizens in this county.

So this is a graduation. And I thank my colleagues for being kind enough to recognize it as such and to recognize our constituents. I don't know the graduates personally. I don't know where they live. I don't know whose constituent they are. But they and their families are our constituents, and I thank you for recognizing that and letting them know that as long as they're in this county, we'll keep trying to help them, as

long as they help themselves. And when they can't do that, we'll help them anyway.

So if Ms. Spencer will come forward and help me with this program, and we'll be off and running. This is Ms. Spencer. Last year Ms. Spencer was very nervous and she said she didn't know if she could do this. And I said, no, you can do this. And we'll keep doing it, keep doing it.

For those graduates who are not here, I'll let Ms. Spencer take their certificate and present it to them at another time. For those who are here, she certainly could bring them forward. If they choose to say something, I'll leave that to Ms. Spencer to handle that. And once we've gone through that part of the program, we'll take the traditional picture and make sure that each and every one of them, whether they're here or not, gets a copy of that picture. So I'm going to read the Certificate of Recognition and then turn the program over to Ms. Spencer.

Allegheny County Council is honored to present this Certificate of Recognition to the 2012 graduates of the Inside/Outside Reentry Program for successfully completing Message Carriers of Pennsylvania's curriculum. Your steadfast commitment and sincere effort to better your life is evident today as you stand before us as official graduates. By proactively engaging in this program, you rejoin our society as productive citizens. Your impressive dedication to your personal improvement is to be commended and highly praised by all citizens of Allegheny County. This Council wishes you the best of luck as you embark on a new frontier. And I offer this on behalf of myself and all the other members of Allegheny County Council. Congratulations.

(Applause.)

MS. SPENCER: Good evening. Thank you, County Councilman Robinson and your colleagues. We greatly appreciate you using us in this opportunity to bring forth people who have been through some things. But the main thing is to reduce recidivism rate amongst our population. What we want to do is be productive members of our society, not a burden to our society. And this is what this culminates, the successes. I am proud to say that we have two women that are here, our men. And the other ones, I don't know if they couldn't get through security. We always had a thing about security. I wonder why that

is. When you've been incarcerated, maybe. It's always been something. They get so excited about this day, and then something happens at the door and they meet me outside. Well, I was coming. But it's a fact that it happens, and I really appreciate that. So I would like Chenelle Davis and Linda Baldwin to come forth, please.

(Applause.)

MS. SPENCER: And while they're coming, one of my board members, Josh, is going to say a few words, and then Chenelle is going to say something on behalf of the graduating group.

MR. NIRELLA: Good evening. My name is Josh Nirella. I'm part of the Board of Message Carriers. I'm also a director of a methadone clinic in the community. I deal with people with addiction --- an active addiction and an active recovery every day. It's honestly, truly an honor and a privilege, a deserved honor for these folks to be recognized in their recovery, and not only in their recovery, but in success, you know, as the work is done in their lives, as they do the work and God brings the work to them through the community, through the Message Carriers, through situations like this. That's what true recovery does, is it enlightens those people and brings a sense of dignity and honor to people's lives, and that's what we're celebrating tonight. So it is truly a privilege and honor for us to be here, for you guys to let us do this and for you all to be here. So we really do thank you and appreciate this time. Thank you.

(Applause.)

MS. DAVIS: Good evening, ladies and gentlemen, Council. I stand here before you only through God's grace and mercy, with a right spirit, a clean heart and a renewed mind.

(Applause.)

MS. DAVIS: And it's only through the help of the Message Carriers, my mentor, my family and my support that has gotten me to the point that I am today. I am now 16 months on the same job, as I had been when I was in the work release program.

(Applause.)

MS. DAVIS: I am a student at CCAC-Allegheny, North Campus. My GPA is 4.0.

(Applause.)

MS. DAVIS: I am a volunteer and an advocate for the Message Carriers of Pennsylvania, and I shall continue

to do service and to help another addict. And I feel as long as I keep giving away what they have given me, I can help another addict reach where I am today. Thank you.

(Applause.)

MS. SPENCER: I guess now you all can see where our name comes from. Message Carriers of Pennsylvania. We are a true organization and believe in God first, family second and community third. We are a true organization that believes that the message we carry is the message of hope and the promise of freedom, that any addict seeking a new way to live can find it and never have to use again, and become productive members of our society. We thank you, and I would like to give them their certificates. And for Ms. Chenelle Davis --- I mean Ms. --- who is this? Chenelle Davis. Chenelle is receiving a certificate from Allegheny County and a gift certificate to Giant Eagle and a year membership as an ambassador for Message Carriers as a volunteer.

(Applause.)

MS. SPENCER: Okay. And the certificates read the same as were given to our organization. And Linda will receive the same. Linda?

(Applause.)

MS. SPENCER: She was very excited when she got this.

MS. BALDWIN: Hello, everyone. I'd like to thank you for welcoming me and asking me to come. This is very important to me because when I was using, I put myself into programs because I felt that I needed it. And I worked so hard to get as far back --- to get as far as I could. I brought my daughter with me for support. Lamara, would you stand up?

(Applause.)

MS. BALDWIN: And without my daughter, my family, my friend, Chenelle and the grace of God's mercy, I would not be here because whenever I get stressed and worried, that's who I call on. And I just want to thank everybody very much because without God and family and y'all men and women welcoming me here, where would I be? Thank you and God bless.

(Applause.)

MS. SPENCER: I would like to just call up those who may be waiting for me out there so you guys can know that they did successfully complete it. We actually had

75 people actually complete our program this year. And out of 75, 10 had committed to come into this room.

(Applause.)

MS. SPENCER: So we do have a great success story. Besides Chenelle Davis and Linda Green --- I mean, Linda Baldwin, there was Otis Green, Marilyn Harbell, Jalisa Hawkins, Ricky Robertson, Michelle Robertson, Micah Vaccaro, Nora Welsh and Randy Snowden. So congratulations.

(Applause.)

MS. SPENCER: I want to thank you all for coming out to support them. Okay. And can I get all those family members, as well as my other board member to come and take a picture with our two constituents? All you that came to support these ladies.

MR. ROBINSON: We also want to thank the support team, family and friends who have come, some who are here in spirit, to help these folks. None of us can do anything alone, particularly with the struggling that these individuals had, needing family members to work with you all the way through the program. So give yourselves a hand.

(Applause.)

MS. SPENCER: Ricky Robertson? Come on, sweetheart.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: The remainder of the certificates and proclamations will be read into the record.

MR. CATANESE: 6904-12. Certificate of Recognition awarded to the Sisters of St. Francis of the Neumann Communities 2012 Jubilarians upon reaching milestone anniversaries. Sponsored by Councilman Burn.

6905-12. Proclamation naming April 28, 2012 as Workers Memorial Day in Allegheny County. Sponsored by the Chief Executive and Council Member DeFazio.

6906-12. Proclamation recognizing the United States Steelworkers Women of Steel for establishing a memorial dedicated to the men and women who lost their lives at the Allegheny Ludlum Brackenridge Works Plant. Sponsored by Councilman DeFazio.

6907-12. Proclamation congratulating Mr. Robert O. Agbede for being honored with the 2012 Golden Torch Award for Entrepreneur of the Year by the National Society

of Black Engineers. Sponsored by Councilmen Martoni and Macey.

6908-12. Certificate of Recognition honoring Allegheny County Police Detective Steve Dish, Allegheny County Office of Children, Youth and Families caseworker Tiffani Keirn and Baldwin Police Detective Tony Cortazzo for earning an Above and Beyond Award from A Child's Place at Mercy. Sponsored by Councilmen Macey and Palmiere.

6909-12. Proclamation honoring Reverend Dr. J. Van Alfred Winsett of the Ebenezer Missionary Baptist Church upon his 39th pastoral anniversary and retirement. Sponsored by Councilman Robinson.

6910-12. Proclamation congratulating the Payne Chapel AME Church upon its 120th anniversary. Sponsored by Councilman Macey.

6911-12. Certificate of Recognition honoring Ms. Anna D. Krivacek upon the occasion of her 100th birthday. Sponsored by Councilman Macey.

6912-12. Certificate of Recognition honoring --- awarded to Mr. and Mrs. Thomas and Marie Race upon their 60th wedding anniversary.

6913-12. Certificate of Achievement awarded to West Allegheny High School Hockey Team for winning the 2012 PIHL Class AA Penguins Cup. Sponsored by Councilman Finnerty.

6914-12. Certificate of Achievement awarded to the Quaker Valley High School Hockey Team for winning the 2012 PIHL Class A State Championship and the 2012 PIHL Penguins Cup. Sponsored by Councilwoman Rea.

6915-12. Certificate of Achievement awarded to the Deer Lakes Freshmen Hockey Team for winning the 2012 PIHL Division Championship. Sponsored by Councilman Burn.

PRESIDENT MARTONI: Thank you. Public comment on agenda items.

MR. CATANESE: We have 18.

PRESIDENT MARTONI: We have 18. I'll be calling out the names. If I mispronounce a name, please correct me. And please give us your name and address when you come to the podium. You have three minutes to speak. So the first name is Dixie Tymitz. Dixie? How did I do with that name?

MS. TYMITZ: Tymitz.

PRESIDENT MARTONI: Okay.

MS. TYMITZ: It's spelled like it sounds.

PRESIDENT MARTONI: Okay.

MS. TYMITZ: I just wanted to urge you all to go ahead and consider passing the resolution against this thing that seems to be one more nail in the coffin against a true representative democracy. And that's all I have to say.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Celeste Taylor? I don't think I see Celeste here. Celeste Taylor? Shauna Ponton? Shauna?

MS. PONTON: Shauna Ponton, child nutrition advocate, Just Harvest, 16 Terminal Way, Pittsburgh, PA, 15219. Good evening. I would like to take this opportunity to thank Council for taking an interest in the plight of low-income residents of Allegheny County. For the past few months, we have heard three words from Governor Corbett and Department of Public Welfare regarding food stamps and the welfare program: waste, fraud and abuse. These words all suggest that being poor automatically makes you subject to suspicion of being criminal --- being a criminal who is wasting taxpayer dollars, fraudulently receiving benefits and abusing the system. This is not the case.

Just the mention of the asset test that went into effect today has caused panic among those who receive benefits. Senior citizens who depend on the food stamp program to stretch their already limited income have been calling our offices, frantic that they will not be able to --- be able to eat for fear of being cut off the program. By implementing the asset test in Pennsylvania, the administration is itself creating waste, fraud and abuse. The asset test will waste time, resources and tax dollars. Its basis is part --- on trumped up claims of misconduct which --- for which there is no evidence --- in which there is no evidence is tantamount to fraud in light of the fact that Pennsylvania has among the lowest rates of food stamp fraud in the country at less than one percent. It deals unnecessary abuse to clients who definitely need the program in order to put food on the table, by making them submit unnecessary paperwork to prove that they are truly needy.

The asset test will make it harder for those seeking assistance to get services they need to survive. One of our clients, Asa, who is 27 years old and a resident of Council District 10, she lost her job at Mercy

Behavioral Health and needed help putting food on the table. She applied for food stamps at DPW before and had a difficult time even reaching a caseworker on the phone. She would like to tell her elected officials that the last time --- the last thing we need is to make the application process to be more difficult for poor people, so --- and she states, so that --- so it doesn't seem like you're begging for help since these are our tax dollars, she says. At the very least, the asset test will create more delays for otherwise eligible applicants, at worst, increase restrictions to deter those who need a program from applying at all, leaving many to give up and suffer in silence.

Again, Just Harvest thanks you for your support of this vital safety net program. On a related note, I would like to invite you all to speak at the upcoming public WIC meeting on May 3rd in downtown Pittsburgh. This is an opportunity for you to state how WIC is doing and to also ask --- urge WIC to implement the one-year recertification process option that would make it easier. Many other states have implemented this process, and we want Pennsylvania to do so, as well. We also want them to make the application process easier by implementing a process where individuals get their medical forms completed onsite. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Kenneth Miller? Kenneth Miller? Not here. Dan Sullivan? Dan Sullivan? Apparently he's not here. Adam MacGregor?

MR. MACGREGOR: Good evening. My name is Adam MacGregor. I live at 2113 Columbia Avenue in Swissvale. Ladies and gentlemen of Allegheny County Council, I'd like to thank you for the opportunity this evening to share with you Just Harvest's position on the matter of the State of Pennsylvania SNAP food stamp asset test, which went into effect officially today. As I said, my name is Adam MacGregor. I am the communications coordinator for Just Harvest. We're a South Side-based non-profit organization that, since 1986, has worked to end hunger and poverty in our communities.

Margaret, who is 68 years old and challenged with medical problems, is also a county resident of District 12, and she is poor. Margaret is one of over 1,500 clients whom Just Harvest helped to apply for food stamps last year. She came to us after she encountered

problems with her application, which had been delayed because of important paperwork that was misplaced by caseworkers at our understaffed County Assistance Offices. Over a six-month period between June 2011 and March 2012, Just Harvest uncovered 80 cases of lost documents, and over ten percent of our clients reported problems trying to contact caseworkers.

Lost documents, calls for interviews that never come, constantly busy phone lines at DPW, these are all common problems that Just Harvest hears about time and again from our clients, problems caused by staffing levels that are insufficient to meet the growing need for food assistance. The additional processes stipulated by this asset test will increase both these delays and the chance of errors on the part of DPW, costing hungry families in a very real and visceral way.

This extra workload comes at an especially inopportune time when we consider that since 2003, DPW has lost more than 3,100 caseworkers due to budget cuts. Moreover, the asset test will disqualify a miniscule number of people at great implementation costs to the state. And for those hungry households, it creates new time-consuming and demoralizing bureaucratic barriers to participation in the food stamp program, where already there exists formidable barriers.

The DPW claims that the test would result in less than one half of one percent. that's 400 --- that's 4,000 households, excuse me, of food stamp recipients losing benefits. But its implementation will impact 100 percent of new and renewing applicants. Checking bank statements and car values for 880,000 families on SNAP food stamps will only add to the workload of these already massively overburdened DPW caseworkers. And as our organizations observe to be the case with other similar policy changes, the onerous compliance requirements of the new asset test will discourage and deter otherwise eligible people from applying for much needed assistance all together.

On behalf of Just Harvest and the low-income county residents for whom we advocate, I thank you for considering this resolution opposing the SNAP food stamp asset test. I also thank you for considering the amendment to the resolution that would bring it into accordance with accuracy. I ask you now to go a step further and to call upon Governor Corbett and the

Department of Public Welfare Secretary Gary Alexander to repeal this wasteful, ill-conceived policy. It is a lose-lose situation for needy families and taxpayers in our cash-strapped state. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Linda Davis? Linda Davis?

MS. DAVIS: Good evening. My name is Linda Davis, and I am a resident at 2504 Columbia Avenue in Swissvale. I am 65 years old, and as of March, have been a widow now for eight years. I am currently unemployed, but I did work at Wendy's Restaurant from May 2001 to July 2010. I feel I did not leave under the best of circumstances, as I was told I could hand in my notice and did not have any written proof, but my managers were always telling me to watch and count my change very carefully. Otherwise, I would be fired. This was done over a three-year period of time. Because I turned in my notice and I left a good job, I lost \$600 a month. I have searched for work for several months since and have come up empty. A few of the companies that I applied to discriminated against me because they said that I was too old.

I have a EBT card on which I receive only \$16 a month in food stamps. With all of my other household and medical and burial expenses, I have to make this amount stretch a long way. What risk am I at losing this card? This is my time to go on the defensive. I really can't afford to lose this help. I feel that the asset test that is now in effect hurts all senior citizens in Pennsylvania. It is unfair and unjust to seniors in the poor economy today. I truly don't know how I could survive every month without food stamps. The asset test not only hurts, but it puts a stress on the situation and the possibility of losing my status with the food stamp program.

I also feel uncomfortable having to give out all my personal information --- personal and private information over again. Too many people already have this information. Then there are all the workers in the program that would be weighed down with all the red tape and overworked with what I feel is unnecessary paperwork. If there is any organization that can be of more help to me, I'd like to know who and where they are. I truly feel I should not have to worry about where or how I will get

to eat my next meal. The asset test's additional rules would make me go through a lot of extra trouble to prove to the Department of Welfare that I am truly needy. This is already causing more worry and stress in my life.

I'm not really sure how I managed to move on and get to this point in my life, and I want to be able to stand on my own. I have managed to take care of myself and my home relatively well by myself in all this time. I've also had two loyal friends who help me if I were in dire straits. I have even gone to my church for help, and that was a one-time thing. I can't go to them again. But a lot of seniors don't have these supports, and they are the ones who would be hurt the most by the asset test. I thank you for your time and for your support.

(Applause.)

PRESIDENT MARTONI: Karen Naeser? Karen?

MS. NAESER: Good evening, Council. I'm Karen Naeser. I am going on 64 years of age, and I live at 3811 Gibsonia Road, Richland Township, Gibsonia, Pennsylvania. At seven years of age, I had a stroke, paralyzing the entire right side of my body. I had to learn to do everything again, with some difficulty, walk, talk and switch to writing left-handed, as I could not use my right hand. Being the age I am now, I again am struggling with the use of my limbs --- legs. Originally, I attended the State Rehabilitation Center in Johnstown. I was trained to be a receptionist. In 1970, I accepted a job at Graham's Nursing Home as a housekeeper. Graham's Nursing Home closed after I was employed 21 years. I then worked at Fosnight's Personal Care Home from 1992 to 2011, when St. Barnabus purchased the home and put me on as a temporary. I do not look to be called back.

My husband has been deceased since 1997, took depression (sic) and committed suicide. I am living on a small Social Security check from him and a small check from disability on myself, which I started collecting when he passed away, as I have never collected before on disability. I have tried for over 40 years, and now that I have lost my part-time job, I find it difficult to keep up with all expenses. I have taxes, utilities, food, medication and other out-of-pocket expenses. Due to my health and price increases on everything, I have never collected on food stamps before this past year.

Originally, I was receiving \$86 in food stamps monthly. Now I am receiving \$16 a month. I find this

asset test to be a hardship to me having what I consider to be a small savings. I have had to replace a roof, a furnace, a hot water tank, refrigerator, the washer and many more items in the past 15 years when he passed away. I use this money in the savings as a cushion. Being a handicapped widow, my emergency unemployment is due to run out shortly. As is, I feel disabled people cannot even make a decent wage in this world. I was working over 40 years. I was only able to receive \$8 an hour, and Social Security wages are based on hourly wages. Now under this asset test, I am going to have to take additional steps to prove even my meager savings is not enough to disqualify me from the meager amount of food stamps I receive. Could you please tell me what I am to do? Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Mike Dawida? Mike Dawida? I don't see Mike Dawida here. David Demko? David?

MR. DEMKO: Thank you very much, County Council, for this opportunity. My name is David Demko. I live at 1303 Boyle Street on the North Side in the City of Pittsburgh, and I am the assistant director of Scenic Pittsburgh. Scenic Pittsburgh is a project of the Pennsylvania Resources Council, and we're the only organization dedicated to creating and preserving the scenic resources in the Pennsylvania region.

We're here to support the motion made by Councilman Macey to encourage Allegheny County townships and municipalities to forge cooperative agreements between neighboring communities regarding zoning and permits for the installation of outdoor advertising within the visual range of these neighboring communities.

It's no secret here in Pennsylvania that we have this issue of extreme governmental fragmentation. Actually, we really wouldn't have it any other way. Government fragmentation is really not a problem for the townships individually. We love our communities and our towns and our own mayors and our own Council people, and we love the fact that each town is individual and unique. So as a result, a municipal call to consolidation is probably not possible. But what is possible is intergovernmental cooperation, and that is what we're promoting here.

Cooperation with neighboring communities on zoning issues is essential to being a good neighbor.

Development projects, whether they're billboards or shopping malls, can have profound effects on neighboring communities. There are many examples of negative consequences that develop --- in development that can occur when neighbors do not communicate or cooperate when installing digital billboards or shopping malls. There could be traffic issues. There could be runoff and flooding, all sorts of negative consequences to development that is not shared across municipal boundaries. It's important that municipalities also exert their control over development and over land use issues. And many municipalities find out the hard way they do not have adequate zoning regulations and controls in place.

Scenic Pittsburgh is here. We're ready and available to offer consultation and support to municipalities and townships to upgrade their zoning ordinances and to formulate policy to protect their communities and to foster place-making. Scenic Pittsburgh will act as an honest broker to work cooperatively with neighboring communities to facilitate cooperation to these communities with common interests and to develop good neighbor agreements. Thank you very much.

(Applause.)

PRESIDENT MARTONI: Thank you. Nichole Huff?

MS. HUFF: Hello. I'd like to thank you for allowing me to speak. My name is Nichole Huff. I live at 36 Federal Avenue in Carnegie, and I am the communications director of Scenic Pittsburgh. I'd like to speak here for a moment on behalf of beauty in our community, on place-making and in support of the motion sponsored by Councilman Macey encouraging the Allegheny County townships and municipalities to forge cooperative agreements between neighboring communities regarding zoning and permits and the installation of outdoor advertising with the visual range of neighboring communities.

In order for municipalities and townships to preserve their unique characters while driving economic growth, they need and deserve to be seen as valuable places to work, live and play. Neighborhood character is an essential resource that should not be squandered by ugliness and carelessness. It is a tool, a powerful tool for development and revitalization. However, the organic experience of place is not constrained within

jurisdictional boundaries. Tourists and visitors move freely between our communities.

Adopting this good neighbor policy will allow communities to collaborate on making their neighborhoods attractive, engaging destinations. These collaborations will work to raise up communities and the county as a whole, will promote the values of beauty and respect among neighbors and may breathe life into local economies. This motion allows communities to preserve and promote what makes them special while acting in a helpful, responsible manner to their neighbors. I believe strongly that this motion, if adopted, will enhance place-making and community development throughout the county.

Scenic Pittsburgh is ready and available to offer consultation and support to municipalities and townships to help them with their zoning ordinances and to formulate policies that will benefit their businesses and their tourist locations within their towns. The people of this county deserve to live, and they deserve to live in the beautiful communities that exist here. This motion represents an opportunity to pursue this goal in solidarity. And I thank you for considering it.

(Applause.)

PRESIDENT MARTONI: Thank you. Lewis Kendrick? Lewis Kendrick? I see you back there. I want everybody to know that our speaker here is a former member of County Council and has always done an outstanding job, so welcome back. Okay.

MR. KENDRICK: Thank you. My name is Lewis Kendrick, 7100 Wiltsie Street, Pittsburgh, Pennsylvania, 15206. I come here to support Bill Robinson's resolution, and I probably have the most unique qualifications of anybody in this room. I've been a police officer, an investigator for public defenders, an investigator for OMI and been arrested five times; three times nolle pros, if you know what that means, twice not guilty. So I've been on both sides of the law, seen it from the inside and the outside.

But I'm here because of a young man running through Homewood apprehended by three white men weighing 200 pounds apiece. The young kid weighed 145 pounds. He stumbled and fell. They pounced upon him. This is the record. The third policeman said --- he said to the two karate experts, get off that kid. That's a pure case of

excessive force. He was already apprehended. He was on the ground.

We, as representatives of Allegheny County, need to challenge the District Attorney to file charges. Now, I understand that the policemen are indispensable to the District Attorney's Office. And I know it's difficult for Frank James to try to frame Jesse James. I understand all of that. But there comes a time when nobody should be above the law. If you really and truly believe in good government, if you really and truly believe that everybody should be afforded the opportunity, then you will help support Bill Robinson with this resolution. In fact, you have a chance to equal a miracle that Christ did. All of us remember Christ gave sight to the blind man. The lady of justice is blind. You're given an opportunity to remove that blindfold from the lady of justice and give not only this young man in Homewood justice, but to afford all of us the opportunity of justice. I would hope --- I would hope that when Bill makes his presentation, that you all stand with him and send Zappala a message. Prosecute these people as fervent as you did those other folks. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Tim Stevens? Tim Stevens? Not here. Brandi Fisher? Brandi Fisher? Brandi?

MS. FISHER: My name is Brandi Fisher. I reside at 410 Beulah Road, 15235. I am also here to speak in support of Mr. Robinson's motion. I have been an advocate and a voice in the Jordan Miles case, and that's not even a year ago. I expressed my concern to DA Zappala himself about the possible conflict in prosecuting police officers and how a special prosecutor should be appointed in every case that that happens. We cannot afford to have a delay in justice when we're dealing with community members and we already have a problem with the relationship between our community members and police officers. I think, knowing such a thing --- and I would hope you all would support it --- we're not just --- send a message to DA Zappala, but it also will send a message to the community that we do have justice at the forefront when we are dealing with matters such as this.

So I can't stand long. I just came all the way down to tell you how important it is to me and to many community members that I have spoken to that not just this

case, but in many cases that face our county involving police misconducts and the issue of them being investigated or prosecuted, and nothing seems to happen and the police officer does not seem to become accountable when they clearly need to be. We do not say that to say that we do not need our police officers. We love them. We admire the work they do. But we do know that there are sometimes individuals in any job that they do not do it properly. So I just ask that you stand behind this motion, each and every one of you. And I'm sure that if more community members knew about this, they would be here today. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Robert Maddock? Robert?

MR. MADDOCK: Good evening, Council and visitors. My name is Bob Maddock. I live at 3826 East Street, Pittsburgh, 15214. I'm here representing the Black and White Reunion, and I am speaking in support of Councilperson Robinson's legislation to ask the Attorney General of the state to appoint a special prosecutor in cases of Jordan Miles.

The Black and White Reunion formed in 1995 as a response to the death of motorist Johnny Gammage. In response to what happened around that, we really formed --- there were 1,000 people standing out, pretty much, in front of this building, black people and white people. They were protesting not so much Johnny Gammage's death, no matter how terrible that was, but we were protesting because the justice system had given us no justice.

Our hope was and the reason we formed was that black and white people could come together for that. If they came together more often, it would be less likely that we would have to come together around those kind of tragedies. Unfortunately, it hasn't worked that way, and we're back again. Google tells me that justice delayed is justice denied goes back to the Magna Carta. In Jordan Miles' case, we've already had justice delayed. My hope is that we support the legislation that Councilman Robinson has proposed, and we will not --- we will not have justice denied. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Joy Sabl? Joy? Joy Sabl, I see you back there.

MS. SABL: Hi there. Joy Sabl, 7008 Willard Street, Pittsburgh, 15208. I had planned to come here and give you a brief history lesson on corporations, running all the way from the Hanseatic League through the Dutch and British East India Companies through to the modern day, pointing out that even in cases where those corporations had basically governmental levels of oversight of huge territories, none of them actually had the right of personhood, and yet they prospered.

However, having heard the testimony from other people here, I think we have actually a more general point to make, which is that telling every person, group and organization, including corporations, that one of their duties is to be a good member of society. That is something that makes society stronger, all the way from the groundskeepers through police oversight. All of those things we're hearing about today, the message is we do not weaken the police by oversight. We do not weaken our society by looking out for the weak. And we cannot weaken corporations by telling them that their enlightened self-interests should require them to take the long view and not demand the rights of human individuals. After all, a corporation cannot be executed for crimes. A corporation cannot go to jail for crimes. A corporation is responsible to society in a different way than an individual is.

And for that reason, in the rest of the world, in Asia, where corporations are doing very well, indeed, and buying many of our domestic corporations, in Europe, especially in northern Europe, where, despite problems from the south, they are flourishing because their corporations are robust, none of those corporations have the right of personhood. This is why we are asking you to step in and say that Citizens United has given corporations something that is a historical accident and it's not good for them and it's not good for society. Thank you very much.

(Applause.)

MS. SABL: More specifically, this is in support of 6871-12. I believe I'm supposed to say this as part of my presentation. I thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Lynda Park?  
Lynda Park?

MS. PARK: I'm here. Is it possible for me to hand out something?

PRESIDENT MARTONI: Sure, we'll hand it.

MS. PARK: It's actually a written comment from ---.

PRESIDENT MARTONI: Okay.

MS. PARK: I am Lynda Park. My address is 370 Orchard Drive, Mt. Lebanon, 15228. I want to thank the Council for allowing me to speak. I'm here to speak in support of the Council Motion 6781-12, calling for a constitutional amendment to reverse Citizens United v. FEC.

Since 2010, when the U.S. Supreme Court decided that the corporations and other entities had the same First Amendment rights as real people, natural persons, and could spend unlimited funds as political expenditures because it's considered political speech, since that Decision, I think most people, both on the left and the right at this point, have come to recognize that that decision was a bad one and it opened the floodgates to big money dominating our political process.

We, the people, the citizens of this country, are drowning in their money, quote, speech. So this is not the situation we want to have as a democracy. But at the same time, I do want to underline that this kind of motion, this motion is not about being anti-corporation or even anti-business. We want to have successful businesses that are thriving, that are providing well-paying jobs with good benefits. And also, even most small and mid-size businesses in this setting recognize that they are being left out of the process because they cannot compete with millions of dollars coming from large, multinational corporations that are completely dominating our political process today.

This motion is about standing up for real people, the citizens of this country who do not have millions of dollars to give to super PACS or buy TV ads. All we have is our voice, literally our voice and our vote. It is about standing up for a democracy with a little D, and this is a motion that proclaims that money should not equal speech.

So I want to thank the Council for considering this. I want to thank the Council members who proposed this and sponsoring the motion. I realize, you know, some of you may wonder why are we talking about this at the

local level. This is a federal problem that we should be talking --- taking this to Washington. But this is about our fundamental right. And we should all care deeply about this sort of --- our self-governance and act to remedy this situation. So I want to ask you to vote for the Motion 6871-12. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Tom Dufour? Is Tom Dufour here?

MR. DUFOUR: Yes. My name is Thomas Dufour. I live in Whitehall at 1651 Parklawn Drive, Apartment C. I'm here today to once again urge the Council to pass Motion 6871-12, which expresses the Sense of Council of Allegheny County in support of the formulation and ratification of a constitutional amendment to reverse the Citizens United v. Federal Election Commission Supreme Court Decision and return individual constitutional rights and fair elections to the people.

Council members, I cannot fathom an issue of more importance that is before us as a nation today. I think Henry David Thoreau once said that for every thousand hacking at the branches of evil, there's only one striking at the root. And this is that root. This is that root of all evil in American politics.

Further, I cannot believe for a second that anybody in this room is able to say with a straight face that we actually need more money in our political system. In 2012 in the election cycle so far, it's reported that around \$18 million have been spent. Spent. That's not raised. That's spent. And all partisan bickering aside, I think we can think of places that we'd rather see individuals and corporations spend that money as opposed to on attack ads that are usually dishonest or spawn indigestion and it's not really helpful to our political process. Since the founding of our republic, before radio and television, we've had an effective method on influencing our political system. Unlike endless sums of money that are pouring into campaigns these days, this is something that everyone has and can use equally, and that's a voice, which is protected by the First Amendment of the Constitution.

Now, let's be clear that the First Amendment as we know it wasn't passed so people could spout an eruption of stupidity, vulgarity or indirectly threaten somebody's life. But it was passed so we could have the freedom to

debate new and not always popular ideas in peace in a nation that values reason over ignorance. And my question is how this sentiment turned into the freedom for for-profit corporations which earn a profit through selling a product to the people to spend that profit on intimidating the people's representatives without the consent of employees who help them make that profit. That is not a free assembly as I see in the First Amendment.

So we can go on and on with all these debates about the Koch Brothers and MoveOn PAC and we can go on about George Soros and American Crossroads, and you'll find that nobody on the left or the right is happy about the amount of money we're spending on campaigns. That is why we need an affirmative vote on this motion today. And even if you don't agree with all its clauses, even if there are a few things in there that might irk you or might make you feel a little bit, you know, weird about supporting it, if you're truly for the people of this county, I hope you vote yes on this motion.

(Applause.)

PRESIDENT MARTONI: Thank you. Tim Stevens.

MR. STEVENS: Good evening. I was a few minutes late because I was still writing, because this is a great opportunity to be with you. I'm going to share the letter to all in attendance. Dear President Catanese and all Council members --- oh, I made you president. That's how fast I was. Chuck Martoni, forgive me. We'll send you a new letter. That's why we have technology. But Joe, you can go home tonight and say you've been promoted to the president of Council. You have the evidence. Sorry.

As a longtime civil rights activist in the Pittsburgh region and chairman of B-PEP, the Black Political Empowerment Project, I wish to lend strong support to the efforts of Allegheny County Councilman Bill Robinson to help rectify a situation which has plagued this region for decades, that of finding justice for the citizens of Pittsburgh and Allegheny County in situations involving the potential abuse and misuse of the awesome powers given those who are paid to protect and serve.

There have been too many cases of alleged police abuse where no action was taken by those paid to utilize, respect and protect the justice system for all citizens of our county. We have come to a point where many citizens, regardless of race, income, education or social status, honestly believe that nothing will happen to police who

possibly abuse and brutalize our citizenry. We will never have a level of positive police community relations which many of us seek if there is not a vehicle for justice for the common man or woman who feels abused by rogue police officers. We are aware that probably the great majority of police officers respect and protect their awesome powers by not abusing those powers, but there are others who think and act differently. May I continue the letter?

MR. CATANESE: You have 30 seconds.

MR. STEVENS: Many citizens of the Pittsburgh region find it hard to believe that after more than two years after the brutal beating of the unarmed 5'6", 150-pound CAPA High School honor student and viola player Jordan Miles by three plain-clothed men or clothed officers, which took place on January 12, 2010, that no charges have yet to be filed against any of the three officers. It has been the opinion of B-PEP, the Black Political Empowerment Project, for some time that there seems to be an inherent conflict of interest between the District Attorney and the possible need to file charges against the same police officers who he may need to utilize in other cases to assist in the prosecution of Allegheny County citizens.

Several area leaders met with District Attorney Zappala in the early fall of 2011 in the presence of a representative in the National NAACP Legal Office to request that he prosecute the officers involved in the beating of Jordan Miles. He stated that he was a District Attorney for all the citizens of Allegheny County and that he took this case seriously and had people working on it. Today is May 1st, 2012, and we have yet to hear from our local district attorney with regard to a decision in what appears to many people to be a relatively simple case.

We have yet to hear from the District Attorney with regard to prosecuting officers in the death of Jerry Jackson, which occurred in April 1995. Even the former vice-president of the FOP thought there was a major cover-up in the tragedy that occurred in the Armstrong Tunnel in a hail of 51 bullets some 17 years ago.

The Black Political Empowerment Project commends Allegheny Councilman Bill Robinson for his efforts to seek resolution to these important matters. We support the concept of mandating that the Attorney General of Pennsylvania appoint an independent prosecutor in cases involving criminal charges against area police officers to

alleviate and hopefully eliminate any potential appearance of impropriety on the part of local prosecutors throughout the Commonwealth of Pennsylvania.

The passage of this legislation would provide some sense of hope that the citizens of our county and, indeed, the Commonwealth that some sense of justice can occur even when police officers have possibly violated their oath of office to protect and serve. As Chairperson of the Black Political Empowerment Project, I urge unanimous adoption of this legislation. Hopefully, you can, as a Council, provide leadership to Pennsylvania in this important and ongoing controversy. Thank you for your attention to this matter.

(Applause.)

PRESIDENT MARTONI: Thank you. Motion for approval of minutes.

MR. ROBINSON: So moved.

MR. FINNERTY: Second.

PRESIDENT MARTONI: All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.  
Presentation of appointments.

MR. CATANESE: We have no minutes.

PRESIDENT MARTONI: We have no minutes? All right. It looks like we don't have any.

MR. ROBINSON: We have no motion.

PRESIDENT MARTONI: We had a motion. Do we have any appointments?

MR. CATANESE: No, no appointments.

PRESIDENT MARTONI: Unfinished business.

6894-12.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2012, Submission 12-5. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Robinson.

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

MR. MACEY: 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?  
 MR. DEFAZIO: Yes.  
 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. The bill

passes.

PRESIDENT MARTONI: Committee on Government Reform, second reading. 6871-12.

MR. CATANESE: Motion of the Council of Allegheny County expressing the Sense of Council of Allegheny County supporting the formulation and ratification of a constitutional amendment to reverse Citizens United v. Federal Election Commission and to restore constitutional rights and fair elections to the people. Sponsored by Council Members Green Hawkins and DeFazio.

PRESIDENT MARTONI: Ms. Hawkins, Mr. DeFazio.

MS. GREEN HAWKINS: Thank you, Mr. President. We discussed this motion in committee, and we've had public comment here tonight on it. And basically, what we have is the situation where Citizens United v. FEC was handed down by the Supreme Court back in January of 2010, I believe. And the public generally knows this as the

case which gave corporations the same rights as people. I won't get into the technicalities of the case, of a lot of legalese and all of that. Most people would need to read the cases with their lips moving and still wouldn't understand it because of the way cases are written. It has nothing to do with people's intelligence whatsoever. But the point is that the way people perceive and understand this case is what brings this motion to us tonight.

They see this as the case which allows corporations to be considered people and have the same free speech rights as they do and allows corporations to open up their general treasury, which they could not do before Citizens United, and spend unlimited amounts on campaigns, on candidates, on political speech that could not be constrained according to the Supreme Court.

And the public, being outraged as they are, realize that the way they can overturn a Supreme Court case, the only way that we can do it, is to have a constitutional amendment passed. And constitutional amendments are things that we have done since the founding of this --- of our Constitution. And this is a situation where they feel it is necessary that we do that. And they ask that we support this motion to have a constitutional amendment put forth so that the people can vote on it and say what they want corporations to do and to have in this country. And with that, I make the motion.

PRESIDENT MARTONI: Mr. DeFazio?

MR. DEFAZIO: Well, okay, I'll second the motion. Under remarks I'll say something.

PRESIDENT MARTONI: There is a motion and second. Okay. Now questions. Yeah?

MR. MACEY: Mr. President, at the April 19th meeting, I was present and I also asked to be signed on as a co-sponsor. My name doesn't appear here, so I'm asking for that to be done now. Thank you.

PRESIDENT MARTONI: Your name is on the list as a co-sponsor. Who was next? Go ahead, John. You want to go, Matt?

MR. DROZD: Go ahead. You were up first. Go ahead.

PRESIDENT MARTONI: Want to arm wrestle and determine who ---?

MR. DROZD: No, seriously, go ahead.

MR. DEFAZIO: Okay. All right. I don't want to repeat. I agree with everything Amanda said. I'll try to say a few other things. But this isn't a situation where it's a Democratic thing. If you look at the recent polls, Democrats, Republicans and Independents, the polls show that 75 percent of the people do not like this. I mean, the people are against it. Today the playing field is not level under these rules where global corporations could put in millions and billions of dollars if they had to, and it's just not right. And really, there's a movement going around the country, and a lot of people, Republicans, are against this, also. And like I said, 75 percent of everyone, when they took a poll, are against it. The more people are finding out about this, there's more and more people jumping on the bandwagon. They've had over --- and this is going back a while --- they've had over a million signatures so far against this. So with that, I'll --- I may have another thing to say later.

PRESIDENT MARTONI: Matt?

MR. DROZD: Yeah. You know, I sympathize with my fellow Council members here that supported this and put this up, because I do feel that a lot of organizations or corporations or whatever, individuals, run for offices, seems like anymore you have multi-millions of dollars, you can run for office, and the person who doesn't does not. But I also believe in the Constitution, and I believe this is discriminatory by --- I agree with what the Supreme Court said, in essence, this way. Many of you who spoke tonight, Scenic Pittsburgh, Just Harvest, on and on, your organizations, industrial workers, world, I mean, there's Little Leagues out there that are incorporated. They're incorporated. And when they speak, they speak on behalf of the people that represent that organization. They're incorporated. It might be a limited partnership. They may be whatever. They have a right to speak, and so do you, and where you put your money and where it may be.

Now if you want to put this in and say --- let's say, everybody, you know, okay. But I'm not going to discriminate against one group. Or how much are we going to spend? I don't know. This is America. But I'm not going to discriminate just against corporations, because then they include your organization. You're an incorporation. Do you want to be discriminated where you can't speak if you're incorporated, your organization

here? Is that what you want? Well, I don't. And I'm going to say no.

I believe that we shouldn't be discriminating against any one organization, whatever. What about the non-profits? What about these non-profit special entities, PACs? What about them? There's labor unions out there speaking, too. Many of them are organized, also, and incorporated. Should we limit them? No, I say, we shouldn't. I think they have a right to speak. Their members have a right to speak. And if they speak through their organization, whether it's incorporated or not, they have a right to speak, and they have a right to put their monies where they want to put it to support whatever candidate they can, and I'll support that. So I'm not going to discriminate against any one faction or group by supporting something like this. I thank you very much.

PRESIDENT MARTONI: John?

MR. DEFAZIO: One thing Matt's missing is they would have a right to speak. They do have a right to speak if this is thrown out eventually. They would have a right to speak. PACs would be okay. PACs will still be in place. You'll be able to donate to PACS like you did before. So it has nothing to do with them not speaking. They have a right to speak.

MR. DROZD: I understand that. It's money. And you know, your organization that you may belong to, John, or any other people here may belong to, they spend monies to influence campaigns. Why should they? You know, why should they if they can't? Or why can't they if the others do? What are we doing here? We're discriminating. That's what we're doing if we support these types of movements and motions.

PRESIDENT MARTONI: Thank you. Michael?

MR. FINNERTY: Thank you, Mr. President. I just want to make sure that we understand what we're talking about here. This Supreme Court Decision was a 5-4 Decision, so there's quite a group of people that don't believe exactly what that Decision --- with the Decision. Put it that way. I personally don't believe that a corporation is the same as me and you, and that is exactly what the Constitution, I believe, is speaking about in speaking about --- excuse me, please. Thank you. It's speaking about people. And to extend it to a business entity is not the same as a person. And I think that's what we're really looking at.

It was a 5-4 Decision. That means there's a lot of chief justices that are on the other side of the fence. And there's no way that I'll believe that United States Steel is the same as Mike Finnerty. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Amanda?

MR. ELLENBOGEN: I'll just say I disagree with that, Mike. Mike has as much as U.S. Steel.

MS. GREEN HAWKINS: Thank you.

MR. ELLENBOGEN: Almost as much as Nick.

MS. GREEN HAWKINS: I think it's important to note that when you have a corporation, which the Supreme Court referred to repeatedly in the Citizens United case as an association of citizens --- because they had to humanize them in some way, I guess, to make this more palatable for people, but it didn't seem to help. But it's important to note that if you are amongst the citizens in that association behind this corporation, that if the corporation is spending money on speech that is an affront to you, what is your recourse? And with certain organizations, such as labor unions, which have been mentioned repeatedly here, it is required by law that members are informed that they can tell the union, the organization, that they don't want any of their dues money spent on political speech. And by law, unions cannot do that.

If you are a shareholder in a corporation amongst that association of citizens, and that corporation, ABC Company, may be supporting a candidate who is against all kinds of issues and rights and things that are an affront to you, what is your recourse? This is why it's important to have separate PACs where voluntary contributions are made so that you can support speech. Otherwise, it becomes compelled speech, which, last time I checked, was also a violation of the First Amendment. Thank you.

(Applause.)

PRESIDENT MARTONI: Vince?

MR. GASTGEB: Thank you, President Martoni. I think it's a great cause in this country when you can start and try for a constitutional amendments, and I applaud that. That's a right that you have. However, the complexity --- and I think a speaker said you've got to start at the local level. When you bring local motions on federal issues, there's always a disconnect, and we're not

voting on the same federal issue. In fact, it really wasn't a vote because you know it was a Supreme Court Decision. So we're bound by how the motion is worded. And I very much disagree with the speaker that said, well, you know, just kind of gloss around some of the aspects. That's what we're voting on.

We're not making a vote to many of the comments that my colleagues here to my left, Amanda, or Matt Drozd to my right --- it's not that simple. We have to vote for the words of what's in the motion. And to me it's troubling, what's in the motion. I'm sure many of you have read it. There's phrases that this is a serious threat to democracy. That's certainly an opinion. But to say that it has any factual base, I don't know. But I have to make a vote because that is in the language. It invalidates state laws. And I don't really know if it does or doesn't. It's a threat to our democracy, and it mentions corporate misuse in unprecedented fashion and amounts of money. To me, there already was misuse of money before this even passed. I mean, our history is fraught with elections that --- whether it's PACs or labor unions or individuals, did the same thing.

A divided Supreme Court is not good. That's worded in here. It's a divided Supreme Court. So am I elected to believe that we should have nine members that are just like Clarence Thomas or nine members that are just like Ruth Bader Ginsberg? Somehow a divided Supreme Court is wrong. Brown v. the Board of Education was a 5-4 Decision; wasn't it?

MS. GREEN HAWKINS: 9-0.

MR. GASTGEB: 9-0? Okay. Well, I'm sure there's many 5-4 Decisions if I were to look. I don't think saying a divided Supreme Court ---. So I think we have a problem with the words in here. I don't think we can separate it. This is exactly the way it was written before it went into committee. I made the same comments. Thank you.

PRESIDENT MARTONI: Okay. One more. John?

MR. DEFAZIO: Let me say this. Vince, if we change some of that wording, are you going to vote in support of this?

MR. GASTGEB: I'd have to see it first.

MR. DEFAZIO: No. If we take out a couple of them sentences, will you vote for it?

MR. GASTGEB: Take it out and see what it ends up and I'll see what I want to do.

MR. DEFAZIO: We'll take it out if you vote for it.

MR. GASTGEB: We'll have to go through and have them labeled. I don't know. But I think voting for that as a motion with all this subjectivity is not a good idea.

MR. DEFAZIO: Some of them sentences, we'll take it out.

MR. GASTGEB: Go start the process. Let me look at it.

PRESIDENT MARTONI: If you want to say something, John, say it, and then Matt. Go ahead. Do you want to say something? Go ahead. I'm not shutting you off.

MR. DEFAZIO: Go ahead. Let him talk.

MR. DROZD: No. I just want to point out I was born and raised proudly in the Steel Valley and, you know, many of my neighbors was members of the United States Steelworkers of America, and I defend them all the time. And I want to point out the United States Steelworkers of America is an international union, incorporated. Incorporated. And I'm not going to deny them or any organization the right to speak, to spend their money where they want. Whether it be a PAC or whatever, they're incorporated, it still goes through the PAC and they're incorporated. Thank you.

PRESIDENT MARTONI: Thank you. Amanda and then ---.

MS. GREEN HAWKINS: Well, thank you, Council President and thank you, gentlemen, for deferring to me. I would say that when it comes to some of the language in here, I understand that there may be some angst about it. But please understand that when this Decision was handed down, it was like an emotional matter that really went to the heart of people's belief and support for our democracy.

And I think it's important not to only look at this political speech arena that we keep focusing on. We keep looking at the left side, talking political speech. Look what's happening to our democracy. But let's look at the right side, because while we're distracted here, they have all kinds of stuff going on over here that we're not paying attention to. And a lot of that has to do with the implications of this whole First Amendment, free speech

for corporations when it comes to commercial speech. And we have corporations saying that they have First Amendment rights and that to perhaps put certain language on labeling for their products is compelled speech and it violates their First Amendment. Well, personally, I would like to know what's in the products I'm buying. So what do you mean that you don't want to tell me because it's compelled speech?

We have tobacco company cases saying that they don't want to tell people --- they didn't want to tell people what the harmful effects of tobacco smoking was because it was their right of free speech not to do that. This just gets ridiculous. I have an 18-month-old baby. There were dairy farmers who were concerned and didn't want to put labeling on products with hormones that they were treating cows with. I want to know what's in my baby's milk. Come on, our babies' milk? Let's be for real about this.

So while we're looking over here, let's remember all the stuff that's going on over here that we have it look at as well. So yeah, I get emotional about it. This is what this motion says, and I hope that everybody would be just as emotional about it. This goes to the heart of not just our democracy but also to our humanity. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Jim?

MR. ELLENBOGEN: I don't know. I kind of try to bring things up in the real sense. When I first was appointed as a Democratic Committee person, that was 39 years ago. And I kind of believe that, you know, one person, one vote, and that led to a democracy. I see this. And if you've done any reading and you look back to the late 1800s, the president had appointed many of the corporate heads to the Supreme Court. In fact, actually on my way to North Carolina, I listened to a tape from the library explaining how these corporate heads that were put in charge of the Supreme Court had completely taken over the country, in a sense, where the voters meant nothing. And for a long time, until probably Franklin Roosevelt, it was a lot more in terms of control.

In my mind, after reading it and listening to it, it kind of made me think of, like, you know, the millions of Democrats that came to this country that believed in freedom and believed in having their vote

count, that what we --- what are we turning into? Divine right by election?

I mean, it's a reality that people who have humongous amounts of money control elections. I mean, look at the average guy trying to run for election, and you look at the millions of dollars --- every day your brain is pounded. You can't even watch a television show without seeing the same face over and over and over and over. I mean, to sit here and say that money doesn't control elections, that's a fallacy. I think that that's a dream world. Money controls everything.

And you know, the democracy like Councilman DeFazio and Councilwoman Green Hawkins has said, you know, this is all we got, is that ability to have that power and that vote. And to have it just ran over with money ---. I don't care if --- you know, where it's from. And particularly when you don't really want to say where it's from --- I mean, my goodness. What are we going back to? A monarchy by election?

So, you know, I support this resolution. And there are some arguments that Councilman Gastgeb and Councilman Drozd had said in terms of the legalities or the whatnot. But it is a motion of Council, and I think it really comes down to --- not really --- to me, because it's a motion, not the legality of it but the emotion of it and what it really means. And I think what it really means is, you know, do the people run this county or do the backroom bosses who you never see that have the billions of dollars --- are they going to run it and we have no say? So I support it. Thank you.

(Applause.)

PRESIDENT MARTONI: Michael?

MR. MACEY: Question on the motion.

MR. FINNERTY: I just wanted to ---.

PRESIDENT MARTONI: Wait, wait. Mike was speaking. Who just yelled at me?

MR. MACEY: I did. Question on the motion.

PRESIDENT MARTONI: We have to take a vote.

MR. FINNERTY: Yeah. To call the question, we've got to have a vote.

PRESIDENT MARTONI: Roll call.

MR. DEFAZIO: Two-thirds vote.

PRESIDENT MARTONI: Roll call.

MS. DANKO: What is the question?

MR. DEFAZIO: To stop debate.

MR. CATANESE: Mr. Burn?  
(No response.)  
MR. CATANESE: Ms. Danko?  
MS. DANKO: Aye.  
MR. CATANESE: Mr. DeFazio?  
MR. DEFAZIO: Yes.  
MR. CATANESE: Mr. Drozd?  
MR. DROZD: Nay.  
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: No.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: No.  
MR. CATANESE: Mr. Macey?  
MR. MACEY: Yes.  
MR. CATANESE: Mr. Palmiere?  
MR. PALMIERE: Yes.  
MR. CATANESE: Ms. Rea?  
MS. REA: No.  
MR. CATANESE: Mr. Robinson?  
MR. ROBINSON: Nay.  
MR. CATANESE: Mr. Martoni, President?  
PRESIDENT MARTONI: Yes.  
MR. CATANESE: Ayes 9 ---.  
PRESIDENT MARTONI: Okay. Debate's closed.  
Roll call. We had a motion and a second; right?  
MR. GASTGEB: You don't need it.  
MR. DEFAZIO: Yes. Amanda made the motion and I  
seconded it.  
PRESIDENT MARTONI: We can vote on this now.  
Okay. Roll call. We are voting on a motion; am I  
correct?  
MR. DEFAZIO: That's correct.  
MR. DROZD: Was that a two-thirds vote?  
MR. DEFAZIO: No. Regular vote.  
PRESIDENT MARTONI: We're voting on the motion.  
MR. DROZD: Point of privilege.  
PRESIDENT MARTONI: 6871-12. Yes. Go ahead.

MR. GASTGEB: Mr. Cambest, was that two-thirds?

MR. CAMBEST: I believe it was 9-4?

MR. CATANESE: 9-5.

MR. CAMBEST: 9-5. We need ten.

MR. CATANESE: We need ten votes, not two-thirds vote.

MR. GASTGEB: The debate cannot be ceased.

PRESIDENT MARTONI: Okay. So we're still debating then; okay? Why don't we think about what we're saying and try to cut our words a little bit?

MR. FINNERTY: Yeah. I think so.

PRESIDENT MARTONI: Let's get on to the vote. Who wants to speak? We're still debating. Sorry about this, Bob.

MR. FINNERTY: It was my turn, I believe.

PRESIDENT MARTONI: Mike?

MR. FINNERTY: I love the democratic process.

PRESIDENT MARTONI: Well, it may not be --- it is the best in the world, so we appreciate it.

MR. FINNERTY: Right, the fairest. I just wanted to say one thing. I already talked about corporations. I don't think they're a person like I am. I also don't think unions are a person like I am. I was president of Chartiers Valley Federation of Teachers, AFL-CIO 4388, and I sure don't believe that Chartiers Valley Federation of Teachers is a person, nor the Pennsylvania Federation of Teachers, nor the United States Steelworkers. They're not people. They're organizations, just like we talk about corporations. They're not people, and I think they overstepped their bounds in this. Thank you.

PRESIDENT MARTONI: Thank you. Is there anyone else before I call for a vote? Go ahead, Mr. Gastgeb.

MR. GASTGEB: If you'll let me go with this little bit and then get off of it, but it will be --- the topic will be short. I guess I just find it ironic that --- and I compliment Amanda Green Hawkins because she's very well versed in her subject matter, what she said. And I understand the emotional aspects to this, but --- and the emotional aspects to me come from the people. And it's somewhat ironic that debate has to be cut short, which is what we're doing. We're debating the people's work, yet people want to cut that short, no matter how long we go. So to me that's something very

inconsistent with the whole meaning of why we're voting for this. Thank you.

PRESIDENT MARTONI: I believe we had a motion but we're not cutting it short. Go ahead.

MR. DEFAZIO: First of all, we can debate it, but we're saying the same thing over and over. That's the only reason why we want to close debate. No one is offering anything new. I'll talk here until tomorrow morning if you want to talk about something new. But we're just rehashing the same thing. That's why some people want to cut the debate and vote.

PRESIDENT MARTONI: I agree.

MR. GASTGEB: If I could respond, though?

PRESIDENT MARTONI: Please respond.

MR. GASTGEB: I would think that --- this is my personal opinion --- that it's never right to end debate. I just have a general rule about that. And I agree with what you're saying about going longer, but ending debate means that you're ending representatives, like we all are, representing almost 100,000 people before I think we should. We very seldom do it. It very seldom passes. That's a fundamental problem.

MR. DEFAZIO: Let me answer that, Chuck.

PRESIDENT MARTONI: Answer him.

MR. DEFAZIO: Okay. To answer that, you're dead wrong because Robert's Rules of Order state --- that's why it's in there --- if you want to end debate, that's proper. As long as you're two-thirds, you can end debate. There's a reason for that. Some people may want to play games and talk all night and just keep going and going. So they have that provision in there so if you're playing games like that, someone ends the debate and we get on with the business.

MR. GASTGEB: Right. But I said we very seldom do it. I know it's in Robert's Rules of Order, but we very seldom do it.

MR. DEFAZIO: That's the rule.

MR. GASTGEB: I understand.

PRESIDENT MARTONI: Matt?

MR. DROZD: Yeah, just real quick. You know, I made it very clear that I'm voting against this because, again, it's discriminatory towards one faction, corporations. There's many corporations, as we so noted, as I so pointed out, including United Steelworkers of America, a lot of you here ---. And I don't want any

time --- all those people behind those organizations, that belong to those organizations, when we start discriminating, we disenfranchise those people. That's the bottom line, disenfranchise. And I'm not going to do that. I'm going to vote no. Thank you.

PRESIDENT MARTONI: Thank you. I think we're ready to vote. We're ready to vote. We have a motion on the floor; don't we?

MR. FINNERTY: We have a motion and a second.

PRESIDENT MARTONI: We have a motion and a second, and I did the question. Now roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Nay.

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: No.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: Yes.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. CATANESE: Ms. Rea?

MS. REA: No.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Aye.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes 10, noes 4. The bill

passes.

(Applause.)

PRESIDENT MARTONI: Committee on Parks, second reading. 6893-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the use of the County's South Park BMX Track facilities. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Futules.

MR. FUTULES: Yes. On April 25th at the Parks Committee meeting --- and this was to extend the lease for the BMX track at South Park. It's \$2,000 annually in terms of the lease. And it was moved with affirmative recommendation, so I make a motion to approve.

MR. MACEY: Second.

PRESIDENT MARTONI: We have a motion and a second. Question? Roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

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: Yes.

MR. CATANESE: Mr. Martoni, President?

PRESIDENT MARTONI: Yes.

MR. CATANESE: Ayes 14, noes 0. The bill passes.

PRESIDENT MARTONI: Liaison Reports. Any liaison reports? Michael, you usually have some. Jim?

MR. FINNERTY: I don't have one today.

MR. ELLENBOGEN: I just have a comment if Council will indulge me.

PRESIDENT MARTONI: Yes, we will.

MR. ELLENBOGEN: Thank you, Mr. President and members of Council. You know, I kind of debated whether I was going to say anything about this all weekend. I really thought about it, but it's just one of those things. You guys know how I am. If something gets in my craw, I got to talk about it.

Over the weekend, the media had published all this stuff about this young kid from another county who wouldn't stand up for the American Flag, that it was unconstitutional. Now, what I'm going to say, I'm not here to debate whether it's legal. I'm not here to debate the legality of it, just the morality of it. And as I sat here over the weekend thinking about the World War II memorial on my own father's grave and my uncle's, who were at Bataan, Wake Island, the Battle of the Bulge, as the flag-draped coffins are still coming over here from Afghanistan and the Middle East, from the thousands of headstones in this county of the men who gave their lives for this country, for the immigrants who came to this country that very rarely could even speak English who wanted to make this their home for freedom, and that flag meant it, for the African-American Tuskegee Airmen who weren't even treated as humans that died for that flag, then I just think that there's a moral fiber above that that just really smokes my backside, to be honest with you.

And to be honest with you, although it's legal, all the people say it's legal, tell that to the families of the dead people, the people in my own family that I watched that flag go over their coffin. I'm going to tell you what I say is it may be legal, but there are millions of Americans in this country who feel the same way that I do, that that flag means everything. And although it's legal, I don't like it and I know a lot of other people don't like it either. And I know that it's legal. It's still, in my country, in my way of thinking, morally

wrong. And if you don't like the flag, then go back where the hell you came from. Thank you.

(Applause.)

PRESIDENT MARTONI: 6916-12.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting Ouroboros Productions, LLC to use certain county-owned real property. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Futules?

MR. FUTULES: Yes. We got a request to waive the second reading on this to give the County Manager the opportunity to negotiate this. We've done this in the past with other movie sets around Allegheny County property. And it seems like Allegheny County has become the Hollywood of the East. And they wanted to do some filming out at Hartwood Acres. And there may be some questions, so I'm not sure --- we can have Mr. Flynn come up and answer some questions if you'd like, but they will be filming about 13 episodes at Hartwood Acres. They will be paying us a fee, which he will tell us soon here. And they'll be making some donations to the Hartwood Acres Foundation. So Mr. Flynn, please come up and maybe help to answer some of the questions the Council members may have. First we have to vote on whether or not to waive the second reading or not, I believe.

PRESIDENT MARTONI: Do we have a motion on the floor to waive the second reading?

MS. REA: So moved.

PRESIDENT MARTONI: Do we have a second?

MR. MACEY: Second.

PRESIDENT MARTONI: All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. We waive the second reading.

MR. FUTULES: Now you can talk about it.

MR. FLYNN: You guys move quickly.

MR. FUTULES: Really?

MR. FLYNN: Sometimes. This is very similar. If you recall, about a year and a half ago, we had --- Fox came in, wanted to film a TV series out at the Hartwood Mansion and properties called Lock and Key. That program ultimately was not picked up for the series. This is another group that wants to come in, Ouroboros Productions. They want to come in starting in June to film a 13-episode series. If it's picked up, obviously,

it will go longer than 13 episodes. What we're asking Council to do is permit the use of this land similar to what we did with Lock and Key and allow me to negotiate a contract with the production company that will have all the same protections in it that we had with Lock and Key.

PRESIDENT MARTONI: Thank you. I think that's sufficient enough. We need a motion on the floor.

MR. FUTULES: Well, I don't know if anybody has any other questions. Barbara seems to have ---.

PRESIDENT MARTONI: Go ahead. Do you have a question?

MS. DANKO: Yeah. I was wondering, how do you decide what kind of fee to negotiate? I just think we undervalue our assets frequently, and I'm wondering what you're looking for.

MR. FLYNN: We start as high as we can.

MS. DANKO: Okay. So what kind of number would you put on the table?

MR. FLYNN: It depends how extensively ---. And we have to figure out how extensive they want to use the mansion. If it's just shots located out in the park, there's not a whole lot we have to do then. But if they're going to --- we have to get into details, their production schedule and what they're actually shooting, so I can't even guess what the dollar amount would be.

MS. DANKO: \$1,000 a day, \$2,000 a day?

MR. FLYNN: Much more than that.

MR. FUTULES: Mr. Flynn, is there a typical ---? We talked about Lock and Key about a year and a half ago. Did we have some sort of price? Are we allowed to discuss how much they paid? You know, maybe not the same exact ---.

MR. FLYNN: I don't know it off the top of my head for Lock and Key. I think it was a couple thousand dollars a day per shooting day, and you know, maybe something less than that for their pre-production days, the setup. This would be --- I think probably a monthly retainer, is the direction I think that Andy's had with the production companies. We're looking for a monthly retainer, which would exceed that.

MR. FUTULES: Okay. Well, I personally support it, the fact that it would create jobs in our county. We're also using our county facilities and receiving an income into our Parks Foundation, things that we do in our

parks. And I think it's a good thing, so I make a motion to approve ---

PRESIDENT MARTONI: Second?

MR. FUTULES: --- if there are no further questions.

PRESIDENT MARTONI: We have a motion on the floor to approve it. Do we have a second?

MR. MACEY: Second.

PRESIDENT MARTONI: Okay. Question?

MR. DROZD: Good point. We couldn't even buy that kind of advertising, no matter what they pay us, when we advertise and they go in there. That goes on national, national television. You know what you pay a minute per spot? We couldn't buy that. One of the things that need to be negotiated, though, is in the promos, make sure they promote us nice and big. Allegheny County, you know, the mansion. That's what we need, Jim.

MR. FLYNN: We'll work it out.

MR. DROZD: Yeah. Right. Exactly. Every place.

PRESIDENT MARTONI: Thank you very much. Roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

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, nos 0. The bill passes.  
MR. FLYNN: Thank you very much.  
PRESIDENT MARTONI: 6917-12.

MR. CATANESE: A resolution of the Council of the County of Allegheny authorizing the pursuit of a Tax Increment Financing Plan to pay for portions of the Castle Shannon Transit Village to be located in Castle Shannon, Allegheny County, Pennsylvania. Sponsored by the Chief Executive.

PRESIDENT MARTONI: That goes to the Economic Development Committee; am I correct?

MR. FINNERTY: Yes.

PRESIDENT MARTONI: Okay. 6918-12.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2012, Submission 12-6. Sponsored by the Chief Executive.

PRESIDENT MARTONI: That goes to the Committee on Budget and Finance.

MS. REA: Mr. President, if I could have a point of personal privilege?

PRESIDENT MARTONI: Yes, you could.

MS. REA: This is a resolution that's going to be passed out that I'd like to introduce. I'll wait until everyone has a copy. I'm making a motion to put it on the agenda.

PRESIDENT MARTONI: We have a motion. Do we have a second?

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered. It is on the agenda.

MS. REA: And what the resolution is is in support of House Bill 2137 that provides a temporary moratorium of court-ordered reassessments. The act is now cited in the bill as the Property Tax Assessment

Moratorium Act. And on April 4th, Bill 2137 passed the House unanimously. The resolution now is going to the Senate, and this --- the bill is going to the Senate, and this resolution encourages the Senate to pass the bill.

And if you look at the whereas clauses in the resolution, it states how many appeals, formal and informal, the County will incur. It states that in 2001 and 2002, we had a reassessment that cost the taxpayers over \$30 million. And the numbers were not good numbers. It states that those numbers that we're basically sending out for reassessment --- what we have sent out, the numbers are --- there are so many inaccuracies from the 2013 results that the county is paying another at least \$11 million. And who knows what the total will be when all is said and done? So basically, this bill is saying we spent too much money on a bad product. I think at least all the House members from both sides of the aisle have agreed. And now this bill urges the Senate to pass this resolution to have a moratorium on the court-ordered reassessment. Thank you.

PRESIDENT MARTONI: Mr. Gastgeb, you had something not say?

MR. GASTGEB: Thank you. I'm proud to co-sponsor this with my colleague, Mr. Drozd, and perhaps there will be some more, too. Ms. Rea is the primary sponsor. But I think it's key that it's a moratorium on court-ordered assessments. We've seen how --- when a court tries to overextend its bounds, what happens. The numbers are bad. It's chaos. In my meeting, Executive Fitzgerald had --- 515 people showed up, many confused. Many showed numbers that were just dead wrong. The court is not giving us on Council, really, a method how this is being done. So I'm not surprised that state representatives from both parties, Republicans and Democrats, from this county all voted the same way, to take this to the Senate and have the Governor sign the moratorium.

I guess maybe the jury is out whether it will affect this year or not, but it certainly will affect future years that we're mandated to continue for a period of two years. And hopefully that two-year period we'll use wisely so we can actually do assessments like the government does and do it correctly so we have a sense of fairness. There's been some articles in the Post-Gazette where Hamilton County, Ohio, which is Cincinnati, does

assessments regularly. There's like 5,000 appeals, and the county is not much smaller than us. Because they do it right. It's different when you do it right and you have a measure of trust in what's going on versus how we're doing it. So this also allows the state to get more involved on a statewide solution, which I think all of us have talked about. And at least 14 of us have said this assessment this year just isn't working and the numbers are bad. Thank you.

PRESIDENT MARTONI: Thank you. Mr. Palmiere?

MR. PALMIERE: Thank you, Mr. President, members of Council. I'm in shock that the Democrats and Republicans agreed on anything up there. But by the same token, I'm very pleased that they came to their senses and they're doing something about this major problem here. And Mr. President, I'd be proud to co-sponsor this resolution with Ms. Rea.

PRESIDENT MARTONI: Thank you. Next I had Mike, I had John DeFazio and Matt Drozd.

MR. FINNERTY: Thank you, Mr. President. I would also like to co-sponsor this. I would hope that we could, as a state, move to some type of assessment like Ohio, which is statewide. Thank you.

PRESIDENT MARTONI: Thank you. John DeFazio?

MR. DEFAZIO: Yeah. I'd like to also be a co-sponsor, but I think everybody should join in on this to send a message, you know. That's all.

PRESIDENT MARTONI: Wait. Let's solve that first. Who else would like to be a co-sponsor? Okay. I think we're all basically co-sponsors. Okay. We're not then. Matt, your turn.

MR. DROZD: Thank you. I commend my two colleagues and my other colleagues for joining in to co-sponsor this. This is excellent. You know, this caused a lot of consternation out there, a lot of stress. A lot of stress. You know, our laws and our courts were not enacted, not made to punish people. They were made to make it fair, to do the fairness of the land and people. And all what's happened with this whole issue is they've been punished as a result of this. They've been punished. And a lot of people know about this out there. They want this. They want it worse than you can think when they here this.

But it should have been done a lot sooner. This bill in the House should have been put up a long time

ago when they saw the disparities that it was causing out there and what was occurring within these assessments and that our people were being punished and created undue stress. This is far overdue. And not only could it have saved those people a lot of stress and aggravation and hurt in their lives, especially at this time in their lives, it also --- what it would have done is it would not only caused --- reverted that stress, but it would save the taxpayers millions of dollars to do an assessment that, once again, proved it does not work. It didn't work the last time and it didn't work this time. It was unfair, should have been stopped. It was far too --- this should have been done a lot sooner. Thank you, Mr. President.

PRESIDENT MARTONI: Bill Robinson?

MR. ROBINSON: Thank you, Mr. President. I just want to be a co-sponsor.

PRESIDENT MARTONI: Bob?

MR. MACEY: Thank you, Mr. President and members of Council. I have to commend Jan Rea for this particular resolution. I think it comes at a proper time when, in the past, we couldn't do anything about it. It was court ordered. If we tried, we'd have been in violation of the law. And I think this is great timing. And I got to commend also our State Legislature. And let's just hope that our Senate moves forward as well. Thank you.

PRESIDENT MARTONI: Thank you. Anyone else?

MS. DANKO: I have a question. Perhaps the Solicitor ---. I'm concerned that we're saying --- or the Legislature is getting ready to pass a law that says they won't abide by the Decision of the court. Is that legal?

MR. BARKER: I think the bill as I understand it, I have read it in a few places, is just placing a moratorium on court-ordered reassessments. I don't know what the effect --- how long that will be in effect or what. So I don't think we can take a leap of faith and say they're against the court's ruling.

PRESIDENT MARTONI: Okay. Roll call.

MR. CATANESE: First of all, I'd like to mention who wants to co-sponsor so we have everybody. I have Councilwoman Rea, Councilman Gastgeb, Councilman Drozd, Councilman Palmiere, Councilman Finnerty, Councilman Macey, Councilman DeFazio, Councilman Robinson, Councilman Ellenbogen, Council Member Green Hawkins.

PRESIDENT MARTONI: Me too, Joe.

MR. CATANESE: Anyone else?

PRESIDENT MARTONI: Do you want to say something?

MS. REA: Yes. I wanted to say one other thing. Just so everyone understands, and I think everyone does, the moratorium would be beneficial to Allegheny County no matter what, whether we have to go through what we're going through with Judge Wettick, because it would enable the State House and Senate, the Legislature, to really look and make there be uniformity and standards for reassessing homeowners across the State of Pennsylvania. We are not the only county that is going to go through what we have gone through. There are other counties and there will be more once all the legal challenges over assessments get through the courts in other counties. So that's why I think it's important that we really encourage the Senate to support the bill and we get it passed and let the Legislature work on giving us a solution. Thank you.

PRESIDENT MARTONI: Thank you. Now we need a motion to waive the second reading.

MR. DROZD: I'll make that motion.

(Chorus of seconds.)

PRESIDENT MARTONI: Moved and second. Question? We don't need a motion; right? All in favor?

(Chorus of ayes.)

MS. HEIDELBAUGH: No.

PRESIDENT MARTONI: We have one no. Thank you. Okay. Now we're ready to vote. We had the motion on the floor; right?

MR. FUTULES: Right.

PRESIDENT MARTONI: Okay. Roll call.

MR. CATANESE: Mr. Burn?

(No response.)

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Aye.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. CATANESE: Mr. Finnerty?

(No response.)

MR. CATANESE: Mr. Futules?

(No response.)

MR. CATANESE: Mr. Gastgeb?  
MR. GASTGEB: Yes.  
MR. CATANESE: Ms. Green Hawkins?  
MS. GREEN HAWKINS: Aye.  
MR. CATANESE: Ms. Heidelbaugh?  
MS. HEIDELBAUGH: No.  
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 11, nos 1. The bill passes.  
PRESIDENT MARTONI: New business, motions.

6919-12.

MR. CATANESE: Motion of the Council of Allegheny urging the General Assembly to enact, with all deliberate speed, legislation requiring the appointment of a special prosecutor through the Office of the Pennsylvania Attorney General to investigate and, if necessary, prosecute any and all charges of police criminal misconduct within the Commonwealth of Pennsylvania. Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Mr. Robinson.

MR. ROBINSON: Thank you, Mr. President, members of Council. Could I have the clerk read the entirety of the motion, please?

PRESIDENT MARTONI: Please do.

MR. CATANESE: The entire ---?

PRESIDENT MARTONI: While we're looking that up, I skipped one on Budget and Finance. I skipped 6918-12. Okay. Mr. Robinson?

MR. ROBINSON: Move for approval.

PRESIDENT MARTONI: Do we have a motion for approval of 6818-12? I missed it. Moved and second.

MR. CATANESE: 6918? That went to committee.

PRESIDENT MARTONI: That went to committee?

MR. ELLENBOGEN: Yeah. Budget and Finance.

PRESIDENT MARTONI: Okay.

MR. CATANESE: I'm ready.

PRESIDENT MARTONI: Okay.

MR. CATANESE: Urging the General Assembly to enact, with all deliberate speed, legislation requiring the appointment of a special prosecutor through the Office of the Pennsylvania Attorney General to investigate and, if necessary, prosecute any and all charges of police criminal misconduct within the Commonwealth of Pennsylvania.

Whereas, on the night of January 12th, 2010, the day after Jordan Miles' 18th birthday, he encountered three City of Pittsburgh police officers.

And whereas, while those three officers claim that they mistook a bottle of soda for a weapon and used physical force against Mr. Miles accordingly, no such soda bottle was ever introduced into evidence, and all charges against Mr. Miles were subsequently dropped on March 4th, 2010, while the officers involved were suspended pending an investigation into the matter.

And whereas, the physical force used against Mr. Miles by the three officers involved did, however, leave him in need of medical attention.

And whereas, on March 13th, 2010, over a week after the charges against Mr. Miles had been dropped, the union representing the City of Pittsburgh Police marched in the City of Pittsburgh's St. Patrick's Day Parade wearing T-shirts bearing the slogan, we support our three brothers, a clear reference to the position of the union as a whole with regard to the officers involved in the incident with Mr. Miles while published reports quoted Fraternal Order of Police President Dan O'Hara as saying, we fully support these three officers and brothers, and we want the entire City of Pittsburgh to know that.

And whereas, on March 19th, 2010, all three of the suspended officers were awarded various commendations for their services to the Department.

And whereas, while a federal investigation did not prove beyond a reasonable doubt that federal criminal statutes had been violated by the three officers, the Allegheny County District Attorney is charged with the duty to investigate whether any or all the officers violated Pennsylvania criminal law and, if appropriate, pursue criminal charges against the officers.

And whereas, the Miles case, while perhaps the most publicized incident of this sort in the last few years, is by no means the only incident in which the

Allegheny County District Attorney has been placed in a similar position.

And whereas, the Allegheny County District Attorney is an elected position, with candidates selected by the voters of the county every four years.

And whereas, the Allegheny County District Attorney processes roughly 20,000 criminal cases each year, with each of these cases necessitating close cooperation between the Office of District Attorney, the police officers and departments and municipalities within the county.

And whereas, this need for close daily cooperation between the Office of the District Attorney and local police departments creates, at a bare minimum, the appearance of a conflict of interest for the District Attorney while local police officers may have been involved criminal action.

And whereas, the appearance of a conflict is exuberated (sic) when a local police union undertakes public statements of their unqualified support for the officers involved in potentially criminal actions.

And whereas, it is the judgment of the Council that these appearances of impropriety, whether justified or not, should not and cannot be injected into the criminal justice system.

And whereas, in response to the same situation, other states have enacted statutes that require the authorization --- the appointment of special prosecutors in order to alleviate the burden placed on the local prosecutors.

And whereas, special prosecutors have been employed in cases involving potential police misconduct numerous times, and just several weeks prior to the introduction of the motion, perhaps most notably in the case in Illinois relating to the potential police misconduct in the wake of a fight involving a former Chicago Mirrors nephew as well as the Trayvon Martin case in Florida, and an Indiana a case relating to potential police misconduct and investigating allegations of improper contact between a teacher and a student.

And whereas, it is the judgment of Council that a statute requiring the appointment of a special prosecutor in a case potentially involving police criminal misconduct should be enacted within the Commonwealth of Pennsylvania in order to alleviate any potential

appearance of impropriety on the part of local prosecutors to the greatest degree possible.

Now, therefore, it is moved by the Council of Allegheny County that the Council hereby urge the General Assembly to enact, with all deliberate speed, legislation requiring the appointment of a special prosecutor through the Office of the Pennsylvania Attorney General to investigate and, if necessary, prosecute any and all charges of police criminal misconduct within the Commonwealth of Pennsylvania. Sponsored by Councilman Bill Robinson.

PRESIDENT MARTONI: Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President, for your indulgence. The motion contains an inaccuracy, and that inaccuracy relates to whether or not there are currently laws on the books that speak to special prosecutors being required. I have not been able to find, in my extensive research, evidently not extensive enough, any jurisdiction where there is a state law in place. What I have found is several attempts to at least have a discussion either at the county level, in a state assembly or state senate on the subject. But to my knowledge, no bill has ever come to a final vote. So in that regard, the motion is defective, and I certainly wouldn't want to present a defective motion to my colleagues.

Second of all, it has come to my attention and I believe to the attention of every member of this Council that we have received some anonymous information, extensive anonymous information about the operation of the Public Defender's Office and the District Attorney's Office. This information was presented to all of us at a previous meeting when the discussion of the operation of the Public Defender's Office was on this agenda.

Most of us, me in particular, was very cautious about giving any credence to anonymous information when there's no name, no phone number, and no one came forward. The information, though, seems to be consistent with what I perceive as a growing, nagging anxiety on the part of the public --- certain parts of the public, the way our Public Defender's Office operates and the way our District Attorney operates.

To our District Attorney's credit, he came in last year during the budget session and gave us an explanation of some concerns that one of our Common Pleas judges had relative to the operation of the District

Attorney's Office as it related to plea bargaining. The District Attorney indicated that he was going to put a task force together to address that issue. I presume he did. I haven't seen the results. But I can assure him, come budget time, in an attempt to find out how efficient his office is, I'll raise the question again and see if he has a report.

I also brought the President Judge here on several occasions, in Budget and Finance and once in this room during the budget hearings, to ask her about what kind of requirements the State Supreme Court has placed on both her and the District Attorney as it relates to issues of equality, diversity, et cetera. That conversation continues. And I can assure her the next time she appears before us, in a respectful fashion, I'm going to continue to ask her that question. Our constituents demand it.

Mr. President, I appreciate your indulgence just for a couple more minutes, if I might, and I'll address the issue of whether or not I'd like to offer a motion to approve.

It would seem to me that the delay in the Jordan Miles case by our District Attorney, Stephen Zappala, had probably compromised his ability to prosecute these officers. The activities of outside entities on both sides of the situation have put him at a disadvantage after two and a half years. I believe that he should use his discretion to remove himself from any consideration of prosecuting the case. Our President Judge, Judge McDaniel, I believe does have power to work with our District Attorney and select someone to prosecute the case if they choose to do so. If these officers have done nothing wrong, give them their day in court.

(Applause.)

MR. ROBINSON: Mr. Miles was not a drug addict. He wasn't a drug seller. He wasn't out on parole. He hadn't robbed anybody. He wasn't a suspect. If there was ever a case of an innocent young man, it's Jordan Miles. Let's get on with it, Mr. Zappala.

Now, I respect the District Attorney's right under the law to prosecute whatever cases he wants to prosecute, without prejudicing him too much. He has no history of ever prosecuting white police officers who are accused of brutalizing people of color. And that's a fact, Jack.

(Applause.)

MR. ROBINSON: Time has come. There are 119 police departments in this county. We cannot wait any longer to have an answer to that question, why two black police officers just were found guilty of illegal activities. White officers are being found guilty of illegal activities. White and black officers have been found not guilty. But never in the history of this county has our DA, for whatever reasons, and only he knows why, taken any action against white officers who are accused of mistreating black folks.

I don't have any reservation around interjecting race into this question because it's already there. People on both sides of the Jordan Miles case have made sure that it's there. And I believe this Council, because we have jurisdiction over the Public Defender and the District Attorney, need to address this as much as we address issues that are not here, whether they be in Washington or whether they be in Harrisburg.

Just two other comments if I might, Mr. President. I thank you and the members for your indulgence. I would suggest to Mr. Stevens and Ms. Fisher that you ask this Council to have a public hearing on the subject and you suggest to us who are the people who ought to come to this hearing, including the District Attorney. If you think he needs to be here, suggest to us that he be here, and we'll do our best to get him here.

This situation is too serious, too long-lasting, too potentially damaging. Folks might get killed. Folks have already gotten killed, dead, and left. Let's stop it. This Council needs to stand up and our Chief Executive needs to stand up, get into the middle of this and reassure our citizens that we're all playing by the same rules and that nobody, not even police officers, are above the law. Those laws that govern what police officers can do are laws that have been enacted by elected officials who have given them special privileges, who restricted their behavior. It's time to revisit that issue.

Finally, it seems to me that because of the lateness of the hour, the nature of the discussion and the potential for disagreement, that we would be best served, Mr. President, if I remove this motion. But I'm withdrawing it because of the errors. Let me be clear to everybody. I'll be back at the next meeting with a resolution, not a motion, because we need something to

have the force of law, and a motion does not have the force of law. I'll withdraw the motion.

PRESIDENT MARTONI: Thank you, Mr. Robinson. That took a while. 6920-12.

MR. CATANESE: A motion of the Council of Allegheny County encouraging the boroughs, townships and municipalities of Allegheny County to forge cooperation agreements between and among neighboring communities regarding zoning and permits for installation of outdoor advertising within visual range of the neighboring boroughs, townships and municipalities. Sponsored by Councilman Macey.

PRESIDENT MARTONI: Mr. Macey.

MR. MACEY: Thank you, Mr. President and members of Council. As you may have heard from Councilman Robinson, this is a motion. It doesn't have the teeth of law. But what we're trying to do is encourage our neighbors, our other townships, boroughs and cities to enact zoning laws to help protect the scenic Pittsburgh, our region, from signs that could be obstructive, from signs that just take away from the beauty of the roadways and neighborhoods. I don't expect to be able to explain everything as well as Mr. Demko and Ms. Huff did, but I am familiar with Scenic Pittsburgh and I think they're doing the right thing. And as far as I'm concerned, you know, we do need signs out there. These create jobs. We need to be able to share with people information, public service announcements, things of that nature, but we need to do it in a right way so it doesn't distract from our beautiful Pittsburgh and region. Thank you.

PRESIDENT MARTONI: I think that should go to Government Reform. Yes?

MR. PALMIERE: If I could be on that as a co-sponsor.

PRESIDENT MARTONI: Vince?

MR. GASTGEB: I'd like to be on as a co-sponsor, too, Mr. Catanese.

MR. MACEY: Thank you.

MR. DEFAZIO: Put me on, too.

MR. CATANESE: All of them, huh?

PRESIDENT MARTONI: Just put --- yeah, all of them.

MR. CATANESE: Just put all?

PRESIDENT MARTONI: Yes.

MR. ELLENBOGEN: Wait. No, no, no.

PRESIDENT MARTONI: People say it themselves. I saw hands go up. Okay. 6921-12.

MR. CATANESE: A motion of the Council of Allegheny County expressing Council support for the continued elimination of an asset test prerequisite to federal food assistance eligibility for Pennsylvania families and requesting that Governor Corbett suspend the effort to reinstate the use of the asset test in an attempt to reduce negligible evidence of fraud. Sponsored by Council Members Martoni, Finnerty, Robinson and Macey.

PRESIDENT MARTONI: That will go to the Health and Human Services Committee. Okay. Notification of contracts.

MR. CATANESE: I have none.

PRESIDENT MARTONI: Public comment on general items. We have two potential speakers. Michael Krass. Michael, are you still here? We wore them down, finally. I don't see Lester Ludwig out there. Okay. Yes?

MR. GASTGEB: If I could just have a point of personal privilege with a question for our staff. I think I would direct it to Jared. Since Councilwoman Rea's resolution passed, does it go --- how do you communicate that to Harrisburg? Does it go to the State Senate since that's what's down ---?

MR. BARKER: Because it's a resolution, it will actually first go across the hall for the Executive's signature. He'll have a week from the date that he receives it to sign it, not sign it, do whatever he wants to do with it. Assuming that that is --- that the bill is either not signed, it becomes law that way, or is signed, transmittal can be accomplished to pretty much any entity that the Council would like us to send it to.

MR. GASTGEB: I'd like us to consider making sure it goes to the Governor's office as well as the State Senate. It was a super majority that passed, and I think that's important. Thank you.

PRESIDENT MARTONI: Motion for adjournment?

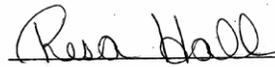
(Chorus of motions.)

(Chorus of seconds.)

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.

  
\_\_\_\_\_  
Court Reporter