

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

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BEFORE:

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

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

Tuesday, November 1, 2011 - 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
Jennifer Liptak - Budget Director
Jack Cambest - Solicitor

PRESIDENT BURN: Good evening, everyone. Welcome to the regularly scheduled meeting of the Allegheny County Council scheduled for Tuesday, November 1st, 2011 at 5:00 p.m. On behalf of myself, my colleagues, I thank you for joining us. At this time, I would ask for all of you to rise and join us for the Pledge of Allegiance, followed by a moment of silent prayer and/or reflection.

(Pledge of Allegiance.)

(Moment of silent prayer and/or reflection.)

PRESIDENT BURN: Let's call the roll.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Present.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Mr. Gastgeb?

MR. GASTGEB: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Mr. Kress?

MR. KRESS: Here.

MR. CATANESE: Mr. Macey?

MR. MACEY: Here.

MR. CATANESE: Mr. Martoni?

MR. MARTONI: Here.

MR. CATANESE: Mr. Palmiere?

MR. PALMIERE: Here.

MR. CATANESE: Ms. Rea?

MS. REA: Here.

MR. CATANESE: Mr. Robinson?

MR. ROBINSON: Present.

MR. CATANESE: Mr. Burn, President?

PRESIDENT BURN: Here.

MR. CATANESE: Fifteen (15) members present.

PRESIDENT BURN: Proclamations and certificates.

MR. CATANESE: Proclamation designating the month of November 2011 as Pancreatic Cancer Awareness Month in Allegheny County. Sponsored by Council Members Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Gastgeb, Green Hawkins, Kress, Macey, Martoni, Palmiere, Rea and Robinson.

PRESIDENT BURN: Thank you. Patricia and Andrea, are you with us? Are you here?

MS. CONNELLY: Yes, we are.

PRESIDENT BURN: Please come up. Patricia Connelly is the coordinator for the Pittsburgh Affiliate Pancreatic Cancer Action Network, and Andrea Bauer, media representative, Pittsburgh Affiliate, Pancreatic Cancer Action Network. Both of you, welcome and thank you for being with us to receive this proclamation. It's good to have you with us to draw further awareness to one of the deadliest cancers, pancreatic cancer.

As much as it is one of the deadliest cancers, little is known about the risk factors, and there are no early detection methods. The treatment options are extremely limited and there is currently no cure and the survival rates are not good, which is all the more reason for leaders like the two of you and your organization and other similar organizations to continue to work, for ultimately we pray for the cure and to continue the work to draw awareness to this deadly form of cancer, one of the most deadly, and continue to move forward collectively in this region and this county for the awareness, for the treatment and hopefully for the cure. This is the purpose of this proclamation. And with your permission, I will read it into the record, then invite one or both of you to say a few words on behalf of your organization.

Whereas, more than 43,000 people will be diagnosed with pancreatic cancer this year in the United States. 36,000 will die from this disease.

And whereas, pancreatic cancer is the deadliest cancer and the fourth leading cause of cancer death in the United States.

And whereas, of all the cancers tracked by both the American Cancer Society and the National Cancer Institute, pancreatic cancer is the only one with a relative five-year survival rate in the single digits. Ninety-four (94) percent of patients die within five years of diagnosis. Seventy-four (74) percent die within a year.

Whereas, incidents of pancreatic cancer are higher in men than in women and higher in African Americans than in any other ethnic group.

And whereas, the Pancreatic Cancer Action Network is the first and only national patient advocacy organization that serves the pancreatic cancer community in Allegheny County and nationwide, by focusing its efforts on public policy, research funding, patient services and public awareness and education related to developing effective treatments and a cure for pancreatic cancer.

Now, therefore, be it resolved that the Allegheny County Council does hereby proclaim the month of November 2011 as Pancreatic Cancer Awareness Month in Allegheny County. We commend the efforts of the Pittsburgh Affiliate of the Pancreatic Cancer Action Network, and we call upon government officials, business, communities, healthcare professionals, educators, volunteers and the residents of Allegheny County to continue our community's strong commitment to preventing, treating and ultimately curing pancreatic cancer. On behalf of myself, our colleagues on County Council, our Chief Executive, the residents and businesses of Allegheny County, thank you for your great work and leadership in this endeavor. Congratulations on your proclamation.

MS. CONNELLY: Thank you.

(Applause.)

PRESIDENT BURN: Would you like to say a few words?

MS. BAUER: Good evening. My name is Andrea and I am a volunteer for Pancreatic Cancer Action Network. I got involved approximately three and a half years ago. In May of 2006, my mom was diagnosed with pancreatic cancer and we came to Pittsburgh. I grew up in Crawford County. We came to Pittsburgh. Despite all the best treatments through UPMC and various facilities, six months later, she passed away from the disease. She was diagnosed too late. There was no early detection. So I got involved because she was basically given a death sentence. In this day and age, I find that absolutely unacceptable. There has to be something done. There needs to be more funding for this disease. So it's really important for steps like these that we recognize pancreatic cancer and to make changes moving forward. So I really appreciate your support.

(Applause.)

MS. CONNELLY: Hi. I'm Patricia Connelly, and I want to thank you all for this proclamation. When you add your names to this, you have no idea what this means to us. I'm here, like Andrea, because I lost someone very dear to me. I lost my husband, and this is his picture. And I buried him on his 62nd birthday. And I love to say his name. He was Marty Connelly. Sometimes I think if I say it often enough, he'll come walking through the door. But Marty was diagnosed January 7th, 2003, and I buried him on February 8th of 2003, in 30 days. He didn't smoke. He drank green tea, ate broccoli. He was a runner. We did all the right things, and he was given no hope.

Pancreatic cancer statistics have not changed in 40 years. Forty (40) years ago, pancreatic cancer was where breast cancer was. I was diagnosed with breast cancer this summer. I am now cancer-free. I was operated on. I had options. He was given none, absolutely none. They just said, go home, get your affairs in order. And he begged them for chemo. There was nothing they could do. So it comes out of the blue with no symptoms. One day you're here. The next day you're not here. And it was something like Andrea said. We just find it unacceptable. I think I'm so angry about my husband's death that I had to take that anger somewhere, and so I took it to the Pancreatic Cancer Action Network. And I thank you all. We thank you for being here. November 20th is Randy Pausch Day, and that was proclaimed by our mayor, so thank you very much. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: 6584-11.

MR. CATANESE: Proclamation naming November as Veterans Appreciation Month in Allegheny County. Sponsored by Council Members Gastgeb, Kress, Finnerty, Burn, Danko, DeFazio, Drozd, Ellenbogen, Futules, Green Hawkins, Macey, Martoni, Palmiere, Rea and Robinson.

MR. GASTGEB: Thank you, Mr. Catanese. I'd like to have --- I don't know if Mike Furnner is here yet from Upper St. Clair, Ray Webb, Carmella Mullen, Jerry Saddler, Jackie Shelby, T.J. McGarvey. You can come up. But any veteran, really, that --- as well as Mr. Finnerty, if you can join me down here, and Mr. Martoni, if you'd like to, as veterans. Mike's already here. Good. Please fill in behind.

Last meeting, I think we were all very much in honor of having the veterans amongst us, who talked about the parade. Mr. Finnerty was shepherding that proclamation. It just does my heart well, as all of Council, to have a Veterans Awareness Month, and we're all sponsoring this as Council members because of what these people behind me and to the side of me do. It's just amazing. When I read about homeless veterans projects led by Mike and Shepherd's Heart and the VLP, the Veterans Leadership Program, and Homeless Veterans Day Programs and the Friends of Danang with T.J. --- it goes on and on and on. And today it's November. The month is November, and we talk about what the veterans do amongst themselves, I think, collectively, but every day, 365, 24/7, these good people and the people they work with not here today, continue their work, continue their advocacy.

On a personal note, T.J. is a constituent of mine. And the energy he brought to the Upper St. Clair Veterans Monument Project, for four years, every single day, the drive, determination that T.J. had, it's just emblematic of all of you, what you do. My dad happens to be a former Marine, although I don't think you say former. He's a Marine, so ---. Thank God he's not here right now. I'll tell him not to watch this, by the way. But he's with the South Hills Marine Detachment. And I can see the effort that goes into this, and it's just really something that's important. We probably should recognize it every day. So at least November comes around and we get a chance to really express our minds and our hearts.

Before I read the proclamation, I'd like to ask Ed Kress and any other member that would like to speak, because I know they're as passionate about what you good people do as I am. Councilman Kress?

MR. KRESS: Sure. I'd just like to say thank you to everyone who's helping out the veterans. And we send young men and women off to do impossible things. When they come back, they need to be taken care of and we need to show compassion. They need help. This is what these people are doing. When I think of a nonprofit, this is what I think of. And I know Father Mike wasn't here today, Father Michael Wurschmidt. But he's done so much for homeless vets. I can't say enough good things about him. But everybody here today, I have to say thank you, again, for all our veterans. Thank you very much.

(Applause.)

MR. FINNERTY: I'd just like to express my thanks for all that you do for the veterans and for all that you've done for us so that we can continue our life in the United States of America. Thank you very much.

MR. GASTGEB: I thought it was important to have one of our veterans speak or both of them, so if Chuck and Matt would like to say a word, too.

MR. DROZD: You know, there are creeds that say --- that our military members say, it tells you not to question why. Ours is to do or die. And no matter whether you disagree or you agree, wherever they may be sent, they go. And the day they don't go and they question why is the day that our very freedoms, our very freedoms, are at jeopardy. And I want to commend them, you know, because there's a lot of them that didn't come back. They lay in shallow graves anywhere. Some of your family members, I'm sure. So I want to commend you for serving, and I'm really proud to serve alongside you, any time, anywhere, any place.

(Applause.)

MR. GASTGEB: I'll read the proclamation into the record.

Whereas, servicemen and women sacrifice tirelessly and selflessly to protect their nation and our ideals as Americans.

And whereas, veterans from every generation of war have participated in harrowing events and should be treated with empathy and respect.

And whereas, many veterans return home to families and support systems, where others have no systems to assist in coping with the challenges in their life and their lifestyles.

Whereas, roughly 125,000 veterans live on the streets, we must plan locally to combat the rise in homelessness as veterans return home from abroad.

And whereas, by supporting local organizations like many of you here tonight, we help combat some of these challenges like homelessness and may assist veterans returning to a more productive lifestyle.

Therefore, be it resolved that Allegheny County Council, on behalf of the citizens of Allegheny County, hereby honors the veterans of our country who have sacrificed themselves for a better America and a better life. In recognition of these veterans, this Council declares the month of November 2011 as Veterans

Appreciation Month in Allegheny County. We hope all veterans are treated with respect, and we support the local organizations that are committed to fighting all veterans' causes in Allegheny County. Congratulations for all the work that you do.

(Applause.)

MR. GASTGEB: There are many groups here. We have proclamations for all of you. But really, we'd like you to come up and talk about some of the things you're doing, so ---. I don't have a particular order, so whoever wants to come up, please.

MS. SHELBY: I didn't expect to speak this evening. It's a daunting environment to me. My name is Jacqueline Shelby, and I'm a licensed clinical social worker. And I operate the Veterans' Place Day Program, a program that opened just last year in October, so we're a year in effect, and I'm the program manager there. And what we do is we pick up veterans from the different shelters all over Pittsburgh every morning. We pick them up to shelters on the North Side, Shepherd's Heart and East End. There's an East End shelter. And we go to the female shelters as well. And we bring them to my program and they get fed breakfast and lunch, and I do clinical assessment on them. And so far, as of this point, I think I probably placed about 30 veterans into the VA systems for treatment. And all of the females that came to my program never had to go back to the shelter. They were housed very quickly. So I just work. And we have an awful lot of veterans that have been coming since day one. They're just used to being there, and they don't have health insurance, and so I provide other services for them. But they keep coming back, and we just keep doing what we can to take care of all these veterans. So thank you for this.

MR. GASTGEB: Thank you.

(Applause.)

MR. WEBB: Hi. My name is Raymond Webb. I work at Shepherd's Heart Veterans Home. Pastor Mike couldn't be here today, but I would like to thank everyone for this here proclamation. I know he would love to be here. Shepherd's Heart, we have 12 per-diem beds, 3 contract beds. We also have a drop-in center, food pantry. We serve on Sundays anywhere between 100 and 250 people. Every year that we have been doing this Stand Down for the last four years, and each year it's been getting bigger

and bigger. And one thing about Pastor Mike and Shepherd's Heart, a Stand Down was not just for veterans. It was for any of the homeless. And that was to hook them up with agencies throughout the community. And we'd like to thank you, and that's all I can say.

(Applause.)

MS. MULLEN: I'm here also on behalf of Shepherd's Heart, and we would like to thank you for all the wonderful work that they do for our homeless veterans and getting them back into the workforce again. Also, the director, Al Mercer, who could not be here, from VLP, asked me to represent him, and I just want to thank you for recognizing veterans and all of the work that the VLP, the Veterans Leadership Program, does within Allegheny County for helping our veterans get jobs, get placed when they get home. They're a big agency in the South Side, and they do a number of advocacy programs to try to get our veterans back into the workforce and so forth. So on behalf of the veterans' organizations here, thank you for the recognition.

(Applause.)

MR. KENNEDY: Good evening. My name is Paul Kennedy. I'm the 32nd District Commander for the American Legion, which encompasses all of Allegheny County. I'd like to thank you for this proclamation. The American Legion is partners with you on this proclamation. We have five homeless veterans' homes right now that the American Legion sponsors. We have homes in Coraopolis. We have homes all over the State of Pennsylvania where we put homeless veterans up. We give them the ability with their families to stay in these homes for one year or two years, depending on how far they need these homes.

Every January, we have a Homeless Vets Dinner that's held at our DEC meeting, our District Executive Committee meeting, in Moon Township, where we collect thousands of dollars for our homeless vets. Again, what I'd like to do on behalf of the American Legion, Allegheny County and the Department of Pennsylvania, thank you.

(Applause.)

MR. MCGARVEY: My name is Thomas Joseph Patrick Aloysius McGarvey. I've been asked to represent the Friends of Danang. And I think Mark Twain said, the worst death is to be talked to death. And there's so many expressions that accurately describe our purpose and the

veterans and so on, because we all recognize one homeless vet is too many.

Representing the Friends of Danang, we join the partnership with Shepherd's Heart, Duquesne University. November 11th, we'll have the largest Veterans Day breakfast in the Commonwealth of Pennsylvania. And it's good and it's important to recognize our vets and thank them. But I want to recognize Allegheny County because there's no place in the country that does what we do. November 11th, we will dedicate a Veterans Park in Upper St. Clair. It's appropriate and it's dignified, and I can't thank Allegheny County enough for stepping up and helping us fund it. And I want to talk about the POW/MIA vigil we do at Soldiers and Sailors every year. I want to talk about the Sharing and Caring Boat Ride. They deal with the Gateway Clipper, and as mentioned, Veterans Leadership Program, absolutely a five-star organization. It goes on and on and on. During Vietnam, Allegheny County led the nation per capita in service to our country. While we all remember to thank our veterans, we remember to thank Allegheny County for stepping up to the plate consistently. Thank you.

(Applause.)

MR. HILL: I don't know --- I'm not getting no proclamation, but I'm with the vets. I'm a veteran. My name is Bill Hill. I represent the Legion Post on the North Side, Post Number 81. And also, we have the Elks on the North Side that's involved with us. And what we have going over there, we had that monument that for years recognized the Second War vets from the 23rd Ward. And it was on the corner of East Ohio Street --- no, I'm sorry --- yes, East Ohio Street and Cedar Avenue. And one day we woke up and the monument was gone. We don't know where they put it. We found out where they put it, eventually. It was not in the park no more. It was down near the corner of Sandusky Street near the Allegheny Center Mall over there, a place that --- no place to park, no place to have ceremonies like people are going to have on Veterans Day.

And we started investigating this thing, and our Post decided that this would be one of our projects, to find out why that was moved, and also, if we can't get it moved back to a respectable place over in the park on the North Side. And we found out why it was moved. It was moved because drug deals were being made behind it up

there on the corner of Cedar and East Ohio Street. And they figured, well, maybe we can get rid of this monument where they make their drug deals behind the monument, and we wouldn't have no drug dealing there no more. That was crazy even to think about. Drug dealing and that is still going on over there, but the monument for the veterans has been moved to where I told you it's been moved. There's no recognition. There's no place to park. And we want to get that moved to a legitimate place, a place that gives it some honor. It don't have to be, you know, the best place in the park, but some place rather than on the corner of Sandusky and the other street there.

I wasn't really prepared to talk tonight. I thought we were going to have a motion presented here tonight. Maybe you can take a motion or study it or something, and find out if we can get some support and help off you guys. Matt Drozd has been helping, and we'd like all the support that we can get to get this monument moved to a place where it belongs. And I guess that's about the whole story on the thing.

We have several members ---. I had one friend of mine that died recently. His brother is on there. He's on there. They're both dead and one buried in France. We have another fellow that can't hardly walk, or we would have had him here with us. And him and two of his brothers are on that monument also. You know, it means something to us. It's a heart thing, like. And any support you guys can give us, we'd appreciate. Thank you.

(Applause.)

MR. PAYLOR: My name is John Paylor. I am a homeless vet. Out here, I run across a lot of these vets that just come out of the Iraqi war. Now, when I was in, we only did one tour of duty in a combat zone. But these kids are going back three, four times in a combat zone, and they come home and they're labeled as --- the military labels gave them a discharge as anger dismanagement (sic). Yes, I would be angry if I'm doing four tours in a combat zone. Somebody here on this Board, I'm sure you've got a nephew, a cousin, a relative or something that was in that --- are in that tour now. When they come home, I need to embrace them and I need to give them help. These vets out here in the streets out here now, these veterans, these Iraqi veterans and Afghan veterans, they're homeless, you know. They can't get no help. And that's all I have to say.

(Applause.)

MR. DANIEL: My name is Lidyard Daniel. I'm a Vietnam veteran. I was in Danang. I was at Monkey Mountain. I don't know if a Danang veteran knows where Monkey Mountain is, but I was at Monkey Mountain. I was in the Ben Tre and Tet of '68 by myself. I was what you call --- I'm a one-man army. I go by myself. I didn't have nobody with me, not that that means that much. But I'm just trying to explain to you my experiences. And listening to the tales and the stories that the fellow veterans have spoke today in this chamber has brought all that up in me because usually I keep it, you know --- I live with it. You know, it's just my experience. And I'm grateful to be here because better men than me aren't here today, because I used to look in Danang. In Danang on the flight line, I used to watch the Vietnamese praying over their --- the body bags, because that's where they used to ship them out of. You know, body bags was stacked high. Every day I used to watch that.

But anyhow, today is a better day for me, and I'm grateful to be here in Allegheny County because Allegheny County, like the gentleman said, leads the nation in all things military. There's no place in America like Allegheny County. Trust me, I've been there. I've worked in Alaska. I've worked in Florida. I've worked in the Midwest. I've worked all over. I've worked in the South. I've worked in the North. But Allegheny County has a lot to be proud of in the way that they treat the veterans --- treat us veterans. At the present time, I'm a recipient. The Veterans Leadership Program rescued me and they are taking care of me. I'm in their program, and it's a good program. And I just want to thank you all and thank Allegheny County. Thank God, thank America, thank Allegheny County.

(Applause.)

MR. GASTGEB: Okay. We'll take pictures, have everybody come up. Sir, thank you for your service. Everybody, thank you for your service and all that you do.

(Pictures taken.)

PRESIDENT BURN: 6585-11.

MR. CATANESE: Proclamation congratulating the Allegheny County Department of Human Services, Office of Behavioral Health and Family Services of Western Pennsylvania for earning two national awards. Sponsored by Council Members Finnerty, Palmiere, Burn, Danko,

DeFazio, Drozd, Ellenbogen, Futules, Gastgeb, Green Hawkins, Kress, Macey, Martoni, Rea and Robinson.

PRESIDENT BURN: Mr. Finnerty?

MR. FINNERTY: Thank you, Mr. President. I think Pat Valentine is here, who is the Allegheny County Department of Human Services Deputy Director and Office of Behavioral Health. Pat? Oh, there you are. I thought I saw you back there. The Human Services Office of Behavioral Health does a tremendous job with people that are in need, a very difficult job that I think a lot of people don't know about and how it works. But it is a very important job and a very difficult job. So without further ado, I'd like to read the proclamation, which has the two awards that they won.

Whereas, the Allegheny County Department of Human Services, Office of Behavioral Health, in conjunction with Family Services of Western Pennsylvania, was selected as recipients of the Organizational Excel Award by the National Association of Case Management.

And whereas, the Office of Behavioral Health and Family Services were recognized for their outstanding effort to transform the field of case management through community service, based on the model of a single point of accountability and the principle of discovery --- of recovery. I'm sorry.

And whereas, Family Services of Western Pennsylvania, with support from the Office of Behavioral Health, has built university, county government and managed care partnerships that has transformed case management and promoted careers of community mental health staff, both in their own agency and throughout Allegheny County.

And whereas, earlier this year, the Annapolis Coalition on Behavioral Health Workforce, in partnership with Hitachi Foundation, gave the effort, the 2011 Behavioral Health Pacesetter Award for the large system changes related to recovery, recruitment and retention of Bachelor's level staff in behavioral health.

Now, therefore, be it resolved that Allegheny County Council does hereby congratulate the Allegheny County Department of Human Services, Office of Behavioral Health, and Family Services of Western Pennsylvania on earning two prestigious national awards, including the Organizational Excel Award and the 2011 Behavioral Health

Pacesetter Award. This is sponsored by all of Council the 1st day of November, 2011.

(Applause.)

MR. FINNERTY: And I would like to introduce Pat Valentine.

(Applause.)

MS. VALENTINE: Thank you very much. Marc Cherna would have liked to have been here today himself, but he has to be in a Harrisburg meeting with the Human Service Director, so he asked me to extend his thanks to Council for this proclamation. And I also would like to extend thanks on behalf of Donald Goughler, who is the President and CEO of Family Services of Western Pennsylvania.

We are very pleased and proud to partner with Family Services of Western Pennsylvania. We've found an organization that is willing to get out there and try new things and have them evaluated for better or for worse and learn from those evaluations when they're not what they want them to be and move on to improve. So we feel like we've got a great partnership, and we'd like to thank Don Goughler and Family Services.

We'd also like to thank County Council for this proclamation, for recognizing the awards that we have won and the quality that is behind them. And we would very much like to thank County Council for your overall support for the Department of Human Services. It is essential to us. Thank you.

(Applause.)

(Pictures taken.)

PRESIDENT BURN: I believe the remaining proclamations and certificates shall be read into the record.

MR. CATANESE: 6586-11. Proclamation congratulating Ms. Della Meekins for being named the 2011 Grandparent of the Year by the McKeesport Grandparents Raising Grandchildren Program. Sponsored by Councilman Macey.

6587-11. Certificate of Recognition recognizing the 100th birthday of Caroline Anderson. Sponsored by Councilman Macey.

6588-11. Certificate of Achievement honoring the 60th anniversary of Leonard and Dolores Frost. Sponsored by Councilman Macey.

PRESIDENT BURN: Thank you, Mr. Catanese.
Public comment on agenda items.

MR. CATANESE: We have six.

PRESIDENT BURN: Point of privilege. One second, please. Mr. Gastgeb? Very good. Yes, we'll exercise some personal privilege. And one of the veterans is here, Vince? Please, you have the floor.

MR. GASTGEB: Thank you for the prerogative. We had a full-out proclamation ceremony here, and Mike Furnner from Upper St. Clair was caught in traffic. He wanted to offer some words and some thanks, too, so briefly, Mike. Thank you, President Burn.

PRESIDENT BURN: You're welcome, Mr. Gastgeb. Sir, welcome. Always a pleasure to be with a veteran.

MR. FURNNER: Thank you. Last year when we did this, I said that I would come back with some new allies in the fight to end veteran homelessness. We came back with some pretty big ones, all the head football coaches of Big Ten Conference and all the letter winners associations of the Big Ten Conference. Thursday is the anniversary of General Shinseki's call to every American to join him in ending veteran homelessness. I hate to take anybody's time. I'll e-mail everyone separately. But a group of county residents have joined with the Big Ten Conference to make our area the national leader in ending veteran homelessness. It wouldn't have happened unless you guys did this last year. Thank you so much.

(Applause.)

PRESIDENT BURN: Thank you, sir. Public comment on agenda items.

MR. CATANESE: We have six.

PRESIDENT BURN: Six?

MR. CATANESE: Six.

PRESIDENT BURN: Rosemary Prostko. Ms. Prostko, please --- welcome to the podium. We allow our speakers under our rules three minutes. Please identify yourself and your address and then proceed with your remarks. And thank you for being here tonight.

MS. PROSTKO: My name is Rosemary Prostko, 1700 Forestview Drive, Bethel Park, PA. I've come to ask some questions. Why did Allegheny County consider on giving UPMC a \$335 million loan from a county financing authority intended for nonprofits? Councilman Michael Finnerty, the Chairman of Council's Economic Development and Housing Committee, said he and his colleagues have no effective

financial leverage over the University of Pittsburgh Medical Center. Post-Gazette believes this is a moment when the public's well-being trumps the \$90,000 staff fee and the \$50,000 a year for up to 30 years that Allegheny County would get from the deal. I don't know how you can force two commercial entities into a contract that they want --- that they don't want to enter into, UPMC spokesman Paul Wood said in a telephone interview. How do you force two competitors into a contract? Senator Jay Costa, Democrat, Forest Hills, said lawmakers are reluctant to intervene in disputes between private businesses, but this is an exception. Yeah, this is an exception. Reality check. These are not businesses. They are not commercial entities.

Paul O'Neill, one-time secretary of the U.S. Treasury and working in Allegheny County now to perfect Pittsburgh --- the area medical care in the Pittsburgh area, had some pretty hard questions of UPMC and Highmark, one of which was --- well, we asked legislators to make changes. We should ask them what it means to be a nonprofit organization. The reported after-tax operating income for UPMC last year was \$445,821,000. If we agreed that nonprofits should be permitted to earn \$1 million per year and then took the remaining \$348,821,000 earned by UPMC, we could have enough money to fully fund the City of Pittsburgh budget, eliminating all taxes. I have a copy of Mr. O'Neill's comments, if you haven't seen them.

State Rep Dan Frankel said that it is not --- that UPMC should not be treated as a business. I went to the state website to see the definition. I won't have time to go into it now, but all of you should be aware of what a nonprofit is and what it should be. UPMC is not behaving at all like a nonprofit. You know, they should be giving to the community. The only thing they give to the community is hassle and punishment. One of the things is, oh, well, big deal, they're not going to interfere with Medicare and with, you know, the children's health insurance. They can't because the federal government says you cannot treat your patients like that. Why can't local and state representatives stand up to UPMC and tell them, you cannot treat your people like this, but the federal government can do it?

And finally, the terroristic behavior of these two, UPMC and Highmark, I can't understand. They can't have it both ways. Finally, let me say that this

terroristic act of two giants is why we need single-payer health care and to stand in here and to see that there are veterans without healthcare. You should all, myself included, be ashamed.

(Applause.)

PRESIDENT BURN: Thank you, ma'am. John Lacny? Am I pronouncing that correctly?

MR. LACNY: Lacny (corrects pronunciation).

PRESIDENT BURN: Lacny (changes pronunciation). Mr. Lacny, thanks for coming.

MR. LACNY: Should I give my address?

PRESIDENT BURN: Yes, sir, please.

MR. LACNY: It's 15 Odette Street in Pittsburgh. That's in Overbrook. So I'm here representing SEIU Healthcare Pennsylvania, which is the state's largest union of healthcare workers. There are members of our union who work at both UPMC and West Penn Allegheny facilities, and we have a health and welfare fund where Highmark is an insurance carrier. So we have a stake in seeing that all three of these institutions succeed.

Now, I want to note first of all that even though this is not exactly a loan from the county to UPMC, it would be incorrect to think that there's no taxpayer money involved here. UPMC will borrow this \$335 million by issuing bonds, mostly to wealthy individual investors. But UPMC will pay a lower interest rate on these bonds than a for-profit bond holder would pay. And the bond holders will accept that lower interest rate payment because the bonds are exempt from taxes.

So make no mistake, this is an indirect subsidy to UPMC. The public foregoes the tax revenue from these bond holders on the theory that UPMC use the proceeds to carry out projects that are of nonprofit benefit to the public. Now, I won't pretend that I've done the math, but someone should take a look at, you know, the financing fees that theoretically the county is going to lose if this bond doesn't go through, and then take a look at the revenue we're foregoing making this subsidy to UPMC and see which of those is larger. I won't speculate on which is larger, but I can probably take a guess on a bond of this size.

Secondly, I think we could all use some clarity on whether Allegheny County has real oversight powers in this matter. I'm not a lawyer, but I suspect that the county may have more than symbolic power to reject this

bond issue. It's true that UPMC could find another public authority to be an issuer for these bonds, maybe in another county or another state. But it's my understanding that the county might have some say in whether a nonprofit borrower is allowed to spend the proceeds of the bond issue in the county. I know of at least one example where a health system issued a bond for an authority in Montour County but wanted to use some of the money to build an outpatient center in Centre County so that Centre County commissioners had to approve it. So I think Council should seek a legal opinion on what oversight powers it has here.

Finally, I know that this body has approved numerous bond issues for UPMC over the years, relatively without controversy. But I think that times have changed. With UPMC refusing to renew a contract with Highmark, the largest third-party insurer in the region and the insurer of last resort, there's a serious case to be made that UPMC is not operating these facilities in a manner that is, in the words of the proposed ordinance, desirable for the health, safety and welfare of the people of the county.

So given all these questions, we think it's appropriate and necessary for Council to, at a minimum, table this proposal until everyone has a better understanding of what the county's options are in this matter.

(Applause.)

PRESIDENT BURN: Thank you, sir. Ed Cloonan, followed by Rebecca Altes.

MR. CLOONAN: My name is Ed Cloonan. I'm a lifelong resident of Munhall in Allegheny County. On August 25th, 2011 in the Gold Room at 10:30 a.m., Jeffrey Romoff, CEO of UPMC, stated without equivocation that UPMC will deny financial access to three million people to his world-class facilities. Let us go backward to December 16, 2009 in the same Gold Room, 35 testifiers, many of whom were from SOCH, Save Our Community Hospitals. And we spoke in one voice to delay or deny the refinancing of \$1.175 billion in UPMC bonds. County Council voted 13 to 1 to refinance the bonds through the County Hospitals Bond Authority. UPMC, 46 days later, closed Braddock Hospital on January 31st, 2010. Since the closing, 50,000 emergency room visits were cancelled, dead on arrival, for the three poorest communities in Allegheny County and 23

other communities serviced by that hospital. One councilman, the one negative vote, suggested the county change its name to UPMC.

The UPMC-Highmark knife fight, gun fight gives millions of us very clear evidence that our healthcare model commodifies healthcare, denying any claim that healthcare is a human right. What more fitting place for these discussions tonight on Grant Street in the County Courthouse, across the street from the bank, New York Mellon skyscraper dwarfing the Occupy movement and camping on the other side by the \$750,000 UPMC highest skyscraper sign in town. None of us need two political parties to once again be the grand protectors of the one percent in their corporate suites and suits. Tonight you may repeat your actions of December 16, 2009. But this time, millions of healthcare patients will suffer if you had an opportunity to make a bold statement and a brave stand and you --- when you refused to deny UPMC bonds.

Finally, that empty space on Braddock Avenue in ZIP code 15104 could be a picture postcard for the quote of 1st Century A.D. Roman Senator Tacitus. They make a desert and call it peace. County Council, you've got the opportunity once again to approve the bonds for UPMC, ugly profit-making corporation. Please forego that opportunity. Thank you.

(Applause.)

PRESIDENT BURN: Rebecca Altes, followed by James Banaszew.

MS. ALTES: Rebecca Altes, 249 Fisk Street, Lawrenceville, PA. I wanted to address something that appeared recently in the Pittsburgh Post-Gazette. UPMC said that they wanted to obtain this bond from Allegheny County Council in order to be good citizens, yet their actions in recent years have been absolutely unconscionable and in no way dedicated towards providing benefit to the citizens of Allegheny County. Currently, UPMC is in a power war with Highmark, with Allegheny County citizens as its victims. The pretense is that Highmark is entering into competition with their purchase of West Penn. But with the previous creation of UPMC Health Plan, UPMC rendered that argument invalid and ludicrous.

The reality is that UPMC wants to see their competition and West Penn Allegheny fail, removing further vital healthcare resources from our community, and that is

not being a good citizen. Last year UPMC shut and tore down the hospital at Braddock under the pretense of avoiding a monopoly. Why? So they could build a hospital in Monroeville to directly compete with Forbes Hospital, removing vital healthcare resources from an already underserved community in the spirit of profit and corporate competition. This is not being a good citizen.

Now UPMC wants Allegheny County to approve these bond issues. Most of the money will go to build that competing hospital in Monroeville, which is a community which is already well served. And I ask that Allegheny County Council deny this loan to --- deny these bond issues to UPMC until such time as they decide to rededicate their efforts away from profit and competition, and back to nonprofit healthcare and reserves. Thank you.

(Applause.)

PRESIDENT BURN: James Banaszew, followed by Paul O'Hanlon, please. Mr. Banaszew, are you with us here today? Paul? Come up, sir. Paul, we don't need to acclimate you with our procedures. You've been here many times. It's good to see you again.

MR. O'HANLON: Thank you. Good evening. A quick shout-out. I've been a public-interest lawyer for 32 years, really kind of working in the trenches. Department of Human Services is world class. I mean, really, I just --- we really need to appreciate what a dynamic human service program we have here. It's really the best in the state, probably the best in the country.

But I'm here really --- my name is Paul O'Hanlon. I'm a taxpayer/resident of Allegheny County. I live at 5942 Phillips Avenue in Pittsburgh. And I'm here tonight to urge Council to vote no on Item 6551-11 resolution, approving a loan to UPMC of up to \$335 million and declaring the financing of such project as desirable for the health, safety and welfare of the people in Allegheny County.

We've all been witness to a war happening, really, on our doorstep between health insurance and healthcare providers. And we are caught in the middle of that war. And frankly, there are millions of our residents that are being held hostage in that war. And we have a serious question, which is --- we have a system that operates based on one of two things, either a system based on competition or, in the case of a public charity, something that's operating in the public interest. In

other words, we have, kind of --- either way you can go, I kind of don't see how UPMC can both be crushing competition and really how we think that we're going to fare in a system of no competition. Or will we have a public charity that --- I don't see how this really is in the public interest, that they're rejecting this agreement with Highmark. And so we really need to take a serious question.

County Council, at the moment, has a vote on whether or not you're going to give up probably the only chip you hold to make something come up that really works in the public interest for Allegheny County residents. And I would urge you not to give that chip away in light of the behavior of UPMC. Don't be co-opted. The public needs a voice that really represents the public interest. You're one of the few institutions here that really represents the public voice. And I would urge you not to trade that for the 30 pieces of silver which are being offered to the county in return for getting in bed with UPMC. I think this is the wrong time to do that. I think that we need to really draw a line, and I urge Council to vote no. Thank you.

(Applause.)

PRESIDENT BURN: Approval of minutes. 6592-11.

MR. CATANESE: Motion to approve the minutes of the October 4, 2011 regular meeting of Council.

MR. MARTONI: So moved.

MS. GREEN HAWKINS: Second.

PRESIDENT BURN: Moved, second. Any discussion? Any discussion? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? The minutes are approved. Presentation of appointments. 6591-11.

MR. CATANESE: Approving the reappointment of Joanne Beckowitz to serve as a member of the Council of Friends Organization, Round Hill Park, for a term to expire on November 1st, 2013. Sponsored by Councilman Macey.

PRESIDENT BURN: Councilman Macey?

MR. MACEY: Thank you, Mr. President and members of Council. Joanne Beckowitz has a desire to continue to serve on the Friends of the Park, so I make a motion to have her reappointed.

MR. MARTONI: Second.

PRESIDENT BURN: Moved, second. Any discussion? Any discussion? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? Appointment is approved. Unfinished business. Committee on Budget and Finance, second reading. 6573-11.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2011, Submission 11-11. Sponsored by the Chief Executive.

PRESIDENT BURN: Mr. Robinson.

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

(Chorus of seconds.)

PRESIDENT BURN: Moved, second. Any discussion? Any discussion? Please call the roll.

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: Mr. Kress?
MR. KRESS: Yes.
MR. CATANESE: Mr. Macey?
MR. MACEY: Yes.
MR. CATANESE: Mr. Martoni?
MR. MARTONI: 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. Burn, President?

PRESIDENT BURN: Yes.

MR. CATANESE: Ayes 15, noes 0. The bill passes.

PRESIDENT BURN: Committee on Government Reform, second reading. 6191-11.

MR. CATANESE: A resolution amending the New Home Construction/Improvement Program Resolution enacted May 23rd, 1996 by the Board of Commissioners of Allegheny County at Agenda Number 700-96, subsequently amended by Resolution Number 22-00, 6-01, 61-02, 04-04-RE, 49-05-RE, 07-08-RE and 25-09-RE, by providing for the continuation of the Allegheny County New Home Construction/Improvement Exemption Program. Sponsored by Councilman Macey.

PRESIDENT BURN: Thank you. This is a procedural maneuver based on the fact this was referred to Government Reform when, in hindsight, quite frankly, we probably --- I probably should have referred this to the Committee on Economic Development. So what we're doing at this point is referring the bill, simply. It's to remove that recommendation from the Government Reform Committee. At this time, as President of the Council, this bill shall be referred to the Committee on Economic Development. Committee on Economic Development and Housing, second reading. 6551-11.

MR. CATANESE: A resolution approving a project to be financed by the Allegheny County Hospital Development Authority, the Authority, by the proposed issuance of the Authority's revenue bonds, the Bonds, in the aggregate principal amount not to --- not expected to exceed \$335 million, and the loan of such proceeds to UPMC, a Pennsylvania nonprofit corporation, the Borrower, provided that the taxing power of the County of Allegheny, Pennsylvania, the County, shall not be obligated in any way with respect to the Bonds, and declaring the financing of such project as desirable for the health, safety and welfare of the people in the county. Sponsored by the Chief Executive.

PRESIDENT BURN: Pursuant to the applicable provisions of the Rules of Council, Article 1, Section C(2) and others, as prerogative --- as President of the County Council and which is my prerogative, I'm going to refer this back to the Committee on Economic Development. I have some concerns, some of which were reflected in the comments tonight, some of which were not. But I would

like to ask some questions at the next Economic Development Committee meeting to address some of those concerns that I have. So again, it's within my prerogative as President to send it back. And I'm going to do it at that time. Mr. Finnerty, do you want to put it back in your committee? When's your next meeting, sir?

MR. FINNERTY: Our next meeting will be November the 10th at 6:00 p.m.

PRESIDENT BURN: Will you be kind enough to place this on the agenda?

MR. FINNERTY: This will be on the agenda.

PRESIDENT BURN: Thank you. I will see you there. Liaison reports. Any liaison reports? No liaison reports? New business. Ordinances and resolutions. 6589-11.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting the use by White Oak No-Kill Animal Shelter for the operation and management of a no-kill animal shelter. Sponsored by the Chief Executive.

PRESIDENT BURN: I would think Government Reform. No? Parks? Refer to Committee on Parks. 6590-11.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2011, Submission 12-11. Sponsored by the Chief Executive.

PRESIDENT BURN: Refer to the Committee on Budget and Finance. New business, motions. 6593-11.

MR. CATANESE: Motion of the Council of Allegheny County requesting that the County Solicitor provide Council with a written opinion regarding ownership of mineral rights relating to all parcels currently collectively referred to as the Pittsburgh International Airport, regardless of whether such parcels are actually necessary for or vital to the conduct of air operations. Sponsored by Councilwoman Rea and Council Member Gastgeb.

PRESIDENT BURN: Councilwoman Rea?

MS. REA: Thank you, Mr. President. I had this motion on the agenda two weeks ago. It was in committee, and some of the words have been changed. It simplifies it a little more. It simply asks for a written opinion from the Solicitor concerning the mineral rights under the airport, which I know we own a property and we do own the mineral rights, but I wanted something in writing. So I'd

like to make a motion to have this passed this evening,
Mr. President.

MR. DROZD: I'll second that and add my name to
the motion.

MR. PALMIERE: Mr. President?

PRESIDENT BURN: Mr. Palmiere?

MR. PALMIERE: I want to be also added to this.

PRESIDENT BURN: Please add Mr. Palmiere and Mr.
Droz d as sponsors.

MR. MARTONI: And Mr. President, sign me also.

PRESIDENT BURN: Mr. Martoni, Mr. Kress, Ms.
Green Hawkins, Mr. DeFazio, Ms. Danko, Mr. Futules.
Please add my name. Mr. Robinson. Is there anybody who
does not want to be on there? Okay. Please add all
members of Council without objection. There is a motion
to waive, I believe, the second reading, to vote on this
tonight. Is that motion on the floor?

MS. REA: I'll make that motion.

MR. ROBINSON: Second.

PRESIDENT BURN: Moved, second. Any discussion
on the motion to waive the second reading and then vote
this up or down tonight? Any discussion on that motion?
Any discussion? All those in favor of waiving the second
reading and voting on this tonight, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? Okay. Now the motion
is on the floor, Councilwoman. Is there a motion to
approve?

MR. FINNERTY: Second.

MR. ROBINSON: So moved.

PRESIDENT BURN: Moved, second. Any discussion
on that motion? Any discussion on the motion? Any
discussion? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? The motion is
approved.

MS. REA: Thank you.

PRESIDENT BURN: You're welcome, Councilwoman.

6594-11.

MR. CATANESE: Motion of the County of
Allegheny --- motion of the Council of Allegheny County
requesting that Chief Executive, Dan Onorato, County
Manager Jim Flynn and Public Defender Michael Machen
appear at Council's regular meeting on November 15th, 2011
in order to provide Council with an update on the function

of the Office of the Public Defender. Sponsored by Council Members Robinson, Green Hawkins, Danko.

PRESIDENT BURN: Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. Councilwoman Green Hawkins and I have discussed this issue based upon our interest in making sure that the Public Defender's Office is as efficient as our resources allow it to be. And we feel that it is appropriate and certainly within our realm of the Council to periodically review the status of these various departments. And I think it's time for us to review the status and operation of the Public Defender's Office.

PRESIDENT BURN: Yes. Thank you. Ms. Hawkins, do you wish to comment?

MS. GREEN HAWKINS: Yes. Thank you, Mr. President.

PRESIDENT BURN: Ms. Green Hawkins. I'm sorry.

MS. GREEN HAWKINS: That's okay. I think it's interesting to note that we start every meeting with the Pledge of Allegiance. And the last words of our Pledge of Allegiance talk about liberty and justice for all. The Public Defender's Office is crucial to that liberty that we're talking about. We're talking about people's liberty possibly being taken away. The Public Defender's Office stands in between the defendant and that happening, and it has to function properly. And the reports bring --- give me a lot of concern about the operation of the office.

The report talks about budgetary issues. It talks about management, supervision, also about files of defendants allegedly being lost, people don't know who their public defender is. This goes to the heart of the defense. It also goes to the heart of people's faith in our criminal justice system. We need for people to have faith in our system, because when they lose respect for it, then we might as well throw the system out the window. And so I think it's very important that we have our Chief Executive's Department, the Director of the department in here and our County Manager, so we can talk about the needs that need to be met within this department. Thank you.

PRESIDENT BURN: Thank you, Councilwoman. I see that Ms. Danko is a co-sponsor. Do you have any comments at this time?

MS. DANKO: Not at this time.

PRESIDENT BURN: Okay. Thank you. Ms. Rea?

MR. DROZD: Add my name to it.

PRESIDENT BURN: Please add Mr. Drozd.

MS. REA: I'd like to co-sponsor.

PRESIDENT BURN: Ms. Rea, Mr. Palmiere, Mr. Martoni, myself, Mr. Kress, Mr. Gastgeb, Mr. DeFazio. I'll ask the same question. Does anybody not want to be on this?

MR. ELLENBOGEN: Can I ask a question?

PRESIDENT BURN: Mr. Ellenbogen?

MR. ELLENBOGEN: I notice it says in here that --- during the regular meeting. I mean, do we have enough time to do this and the regular meeting? That's my only question.

PRESIDENT BURN: Well, I can offer --- you know, I can offer some time limits or conduct it as president.

MR. ELLENBOGEN: Because I don't want it short-sided. You know what I mean? I want to give it its proper time. And we don't know what the agenda looks like that day. And I'm only suggesting that, you know, maybe we can start the meeting earlier or something like that, just so that ---. I mean, I'm sure various Council people are going to have various questions and not, you know, to be in a position to cut them off and cut off debate. You know, we may not have the time, so ---.

PRESIDENT BURN: My answer, sir, would be that we can start this or view this as some initial first steps or some introductory questions just to ---. And I know Mr. Flynn and the Director will come, and they will give us an outline and answer our questions. And we'll give them due diligence and the answers appropriate, as they always do. And we'll see where that takes us. If it starts to get more intricate with follow-up questions and whatnot, we can always, at our discretion, see where the conversation leads us, take it into a committee or schedule follow-ups. But we won't consider this a one-time thing if the questions invite additional questions and follow-up.

MR. ELLENBOGEN: All right. That's fine with me.

PRESIDENT BURN: Yes, Mr. DeFazio?

MR. DEFAZIO: Point of special privilege.

PRESIDENT BURN: Yes, sir.

MR. DEFAZIO: I'm going to back up real quick, just for a few, on 6593. That was only a motion. We didn't have to vote twice on that.

PRESIDENT BURN: You're right, Mr. DeFazio. You're absolutely right. Point well taken. So there's a motion on the floor. Is there any other discussion on this motion? Any other discussion? Any other discussion? All those in favor of the motion 6594-11, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed?

AUDIENCE MEMBER: Sir, is there any way I can speak, Mr. Burn?

PRESIDENT BURN: I'll be happy to talk with you after the meeting, sir, yes.

AUDIENCE MEMBER: Well, I want to speak to everybody. I don't want to just talk to you.

PRESIDENT BURN: You can't do that at this time, sir. Yeah, it's ---.

AUDIENCE MEMBER: When are you going to have a chance to speak about the issues that she was talking about?

PRESIDENT BURN: At the next meeting or after this meeting is over, we'd love to, you know, talk with you and spend some time with you. But there's a protocol in order for folks to come up and speak at the agenda, so ---. But we'd be happy to talk with you when the meeting's over. If you want to sign up to speak at the next meeting, you most certainly would be welcome in these chambers, if that's okay.

AUDIENCE MEMBER: Thank you.

PRESIDENT BURN: Yes, sir. 6595 ---.

AUDIENCE MEMBER: Who has the paper that I ---?

PRESIDENT BURN: We'll talk to you after the meeting, sir. 6595-11.

AUDIENCE MEMBER: Thank you.

MR. CATANESE: Motion of the Council of Allegheny County requesting that the Allegheny County Manager provide Council with a recommendation regarding the naming of a bridge owned by Allegheny County in honor of the innumerable significant contributions of Art Rooney, Sr. to the county. Sponsored by Councilman Ellenbogen.

PRESIDENT BURN: Mr. Ellenbogen?

MR. ELLENBOGEN: Thank you, Mr. President and members of Council. The enjoyment that everyone in this town received on Sunday as the Steeler Nation destroyed the New England Patriots is a direct result of the hard

work and contributions by Art Rooney, Sr. That being said, many of the developments and things that have happened in the last 50 years or so are also a direct result of the contributions of Art Rooney, Sr. And it's my opinion that Mr. Rooney deserves this honor. I think it's long overdue. His contributions to business, our social being and every other contribution you can think of, you will find Art Rooney, Sr. there, whether it was sitting in Millvale having --- playing cards or having a bowl of chili, or whether it's sitting with the business moguls of this community. I understand that there was a new rule that basically puts us in a position where we're supposed to ask the County Manager's Office for recommendations. Am I correct in this assumption, Mr. Barker?

PRESIDENT BURN: Yes.

MR. ELLENBOGEN: That being said, I don't have a problem, you know, waiting the two weeks. But if I don't receive any recommendations for the bridge being named for Mr. Rooney, then I will pursue my colleagues to overrule that rule and to take something --- one of the bridges that's not named and name it for Mr. Rooney without that. Mr. Robinson, you're familiar with the procedures. I am, too, with this new ---.

PRESIDENT BURN: Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. I'm not familiar with that rule as you identified it. It's the sole prerogative of this Council to name, rename any property in this county without recommendation from anyone. And I think this puts the County's Manager in a very awkward position.

MR. ELLENBOGEN: May I say this? Mr. President, as a special privilege, I don't want to belabor it, and I know it's unusual, but I would ask Mr. Barker if he could explain it, because he's the one that brought it to my attention. I wanted to go forward as Councilman Robinson had said until this was brought to my attention that this was some kind of a rule that this Council did, so ---.

PRESIDENT BURN: Mr. Barker, the floor is yours, sir.

MR. BARKER: Since the last bridge renaming, which would have been the Rachel Carson Bridge back in 2008, Council passed a naming rights ordinance that applies to all county property. That naming rights ordinance comprises three separate parts, one of which is

honorary naming rights, which is what this would be, naming a bridge in honor of individuals significant to the region. That clarification would not abdicate Council's authority to rename the bridge, but it would seek a recommendation from the Manager's Office regarding which bridge is most appropriate, that kind of stuff, what's not named already. It would get input from the Manager's Office regarding the process, and Council would be free to follow that or not. It's a non-binding recommendation, but it would seek that sort of recommended procedure, probably is the best word for it.

MR. ELLENBOGEN: Mr. President, just in the spirit of cooperation with the Chief Executive's Office, I don't have a problem waiting, giving them a two-week period to offer recommendations and then let this Council decide what we would deem most appropriate. But you know, I caution across the hall that if I don't get a recommendation by the next meeting, then I will proceed and ask my colleagues to give Mr. Rooney the recognition and the honor that he deserves. Thank you.

PRESIDENT BURN: Mr. Ellenbogen, is that a request to, at this time, hold 6595-11?

MR. ELLENBOGEN: Yeah. I'll ask you hold it for the next meeting.

PRESIDENT BURN: Yes, sir. If necessary, we'll put it on. Mr. Robinson?

MR. ROBINSON: I think the procedure that Mr. Ellenbogen has spoken to makes sense. One word of caution. I'm unaware, maybe Mr. Ellenbogen is, as to whether or not the Rooney family would find this an appropriate gesture on our part. And I would hope that before any recommendation is made pursuant to Mr. Ellenbogen's wish, which I think is right on target, that we would check with the family so that we do the appropriate thing at the appropriate time.

PRESIDENT BURN: Thank you. Mr. Gastgeb?

MR. GASTGEB: Yeah. I have a question. If we're going to hold this, which is what I think you said ---.

PRESIDENT BURN: Yes.

MR. ELLENBOGEN: I'm a little confused. I'm not sure right now over this new bill, so pardon me if I seem a little bit disheveled about it, so ---. Sorry to interrupt.

MR. GASTGEB: I'm just saying if you want this to move forward, should we not pass this motion that allows the clock to start ticking? It clearly says the Allegheny County Manager is hereby requested to provide Council with a recommendation regarding the naming of the bridges and go through what Mr. Barker said, what bridges are most acceptable, what bridges haven't been named already. If we hold it, then we can't even allow it to happen.

MR. ELLENBOGEN: Mr. Gastgeb, that's what I thought. But after talking to Mr. Barker, I kind of got a little bit not sure just how to proceed with this.

PRESIDENT BURN: Mr. Finnerty?

MR. FINNERTY: I was just going to say I agree with Councilman Gastgeb, that we should take this motion ---. This motion is really asking for the recommendation. That's all it's doing. If we want to proceed, I think we have to do something with the motion.

PRESIDENT BURN: I tend to agree with my colleague. It's relatively benign. It doesn't change anything that we're talking about here. We can investigate it.

MR. GASTGEB: Yes.

MR. ELLENBOGEN: Yeah, I don't have a problem with that. The only reason that I held back was on Mr. Barker's recommendation. I figured he knew.

PRESIDENT BURN: I don't think this conflicts with any current procedures or any current ---.

MR. ELLENBOGEN: Well, actually, I would rather move forward with it.

PRESIDENT BURN: Mr. Gastgeb?

MR. GASTGEB: Yes, if I still have the floor, if I could ask Mr. Cambest ---. Mr. Barker mentioned a rule that we passed after the last --- but that wouldn't change the sequence, would it, of what the spirit of the rule was, having the County Manager's Office basically giving us the best information so that we can then make the vote. Am I right?

MR. CAMBEST: I think your comment is correct. All this does is ask for the recommendation. Once that is made, you then start to pass the motion. You actually name the bridge so and so for Arthur Rooney.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: Just for the record, I want to ask Jared a question. Jared you said that was the last bridge named, but it wasn't the last bridge named.

MR. BARKER: I'm sorry. You're right. Philip Murray Bridge was just after we took --- same year.

PRESIDENT BURN: You're spot on as always, Councilman.

MR. ELLENBOGEN: My only point is I don't want to ask for a recommendation that --- they leave office and I never get a recommendation and this thing gets just tossed. I mean, you know, because we're going into --- we're in November already. So that's why if I don't get a recommendation by the next meeting, then I'll ask you to name something, I don't know, for Arthur Rooney. Let's name Mike after Mr. Rooney. I don't know.

PRESIDENT BURN: Mr. DeFazio?

MR. DEFAZIO: Technically --- I'm going to try to answer this question. Technically, we're not bound by that even though it's from Jared. It's just one of those things. If the next meeting it comes up, and you want to hold it like you said, that's fine. We can vote on it. And whatever comes out of the vote, that will be the recommendation.

PRESIDENT BURN: I think you're right. Do you have a motion on the floor, Mr. Ellenbogen?

MR. ELLENBOGEN: Yeah, I'd like to move forward with the vote.

(Chorus of seconds.)

PRESIDENT BURN: Moved, second. Any other discussion? Any other discussion? Any other discussion? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? The motion passes. Notification of contracts.

MR. DROZD: Wait a minute. We have a motion.

PRESIDENT BURN: We have a non-agenda motion?

MR. DROZD: Yes.

PRESIDENT BURN: Mr. Drozd, while this is being passed out, we need a motion to place it on the agenda.

MR. DROZD: I'll make that motion.

(Chorus of seconds.)

PRESIDENT BURN: Moved, second. Any discussion? Any discussion? All those in favor of placing this motion on the agenda, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? The motion is now on our agenda. We need to have it read into the record, Mr. Catanese.

MR. CATANESE: It's a motion of Council of Allegheny County urging the City of Pittsburgh to consider the relocation of a veterans' monument previously constructed in the 1950s through the efforts of the residents of the 23rd Ward, currently located at the corner of Stockton and East Commons, to a location that provides better access for ceremonial activities at the monument site. Sponsored by Councilman Drozd.

PRESIDENT BURN: Mr. Drozd?

MR. DROZD: Yes. Thank you. This is a very emotional and worthy request and long overdue. Many times when I would finish my duty day, I'd go among the monuments in Washington, D.C. I'd walk among the Vietnam Monument, the one --- it's the lithograph that hangs in my chambers. It bears 50,000 people, our citizens, our fellow countrymen that gave their lives. There are monuments in the War Monument of World War II, Korea. Etched upon the Korean Monument are the faces of those, many of which paid the ultimate price.

But let me take you beyond that and if you visualize and close your eyes and your mind to see what you see. What I showed you here today was a picture. The picture of those two young men, which are just about maybe of kid age, on each side of me. Their age is 18. On the Vietnam Monument and many of those World War II monuments are many, many veterans of even less age than that because they were given parental approval, who died, who didn't even have an opportunity to come back here like we did to live our lives, to raise our families, to be able to hug their families once again and for them to see them. Some of them, there wasn't even enough to bring back. All they brought back were memories. They were buried in foreign, distant lands.

There's a monument in a far distant land where there are thousands of those that paid the ultimate price so that we could live on in freedom. And on that monument, it says when we go back, tell them for us, tell them for us that we gave our tomorrows so you could have your today.

This is something that we really have to look at and we can't let go. We've got to really ask and partner with the city to make sure this is done. This is

something, and I'm sure in all the bests interests, whatever the City had in mind and what I understand was because of drug dealers. But I'd hate to think and I would like to --- it would just hurt me to fathom to think if those names that are etched on those monuments gave up the ground and let those that wanted to take our freedoms infiltrate. Would they have given the stand? Would they have given up the ground? No. And I ask why, whoever moved that monument, gave up the ground to those that don't deserve that place of honor or to be there after that monument was taken from those people. Those names are there. Those names need to be remounted and remain, those people that gave the ultimate price and someday may be forgotten. That's the only thing that's left. The only one thing that's left.

And I think I'm willing to put this into committee so that some of the best that are here today, some of their friends and their family or whatever may be on that monument, they can be heard at the committee meeting. And I want to have the city so that we get not only their agreement that this will be done in the right way, in the right manner, but it will be done by such and such a date. No longer can it be, we're going to look into it. It must be done because I will tell you this and I will leave you with this thought. What that monument means to those people in that North Side District means nothing less than those monuments there in Washington, D.C. It's as important to them and their families as those monuments. And what's on those monuments are as important as any monument anywhere on this earth that eulogizes what's remaining of a vet that paid the ultimate price. So we need to act, and act fast.

PRESIDENT BURN: Mr. Drozd, in speaking --- Dr. Martoni?

MR. MARTONI: If he wants to put it on the agenda tonight, I would second it. But I would urge a unanimous vote on it.

PRESIDENT BURN: Let me follow up, Mr. Martoni, on that. Mr. Drozd, when you first indicated there would be a motion coming on the floor, none of us had the opportunity to see or read it. But now we've had that opportunity. And again, similar to the motion that we just passed, you're simply urging us to consider the relocation of our veterans' monument in the city to a

location that provides better access. So I think Dr. Martoni's points are well taken and I think this is ---.

MR. DROZD: I'd like to vote on it, and I'll tell you why.

MR. MARTONI: If you want ---.

MR. DROZD. Yeah. I'll tell you why. And thank you, Councilman Martoni and Councilman Burn, for offering that, but we need to get a definite resolution to this. If we just simply say, we need to invite to the table the city, someone of authority to that table and the veterans to have their say and to see exactly what's going to be done and when it's going to be done so it doesn't just go off into cyberspace, so we really need to do that. Is that fine with everybody? I'd like to do that. I believe that's the way to work.

PRESIDENT BURN: Mr. Ellenbogen, followed by Mr. Gastgeb.

MR. ELLENBOGEN: You know, the most interesting thing about this is Councilman Drozd said something that is so profound, you know. The names that are on those monuments are people who did not give up their ground, who died for this country. But yet it is an insult to those memories of those people that the City of Pittsburgh gave up the ground that their names are on for a bunch of drug dealers. I think that that is the most unbelievable thing that I probably have ever heard and is an insult to those dead soldiers. I would ask you, Mr. Drozd, if you would put it on the agenda tonight. I mean, I understand you want it to go to committee. But I think that that's a thing we got to really think about. They didn't give up their ground, but yet our government gave up the ground that their memory is on for a bunch of, you know, drug dealers. I mean, when you think about that, this is unreal. Thank you.

PRESIDENT BURN: Mr. Gastgeb?

MR. GASTGEB: I think different levels of government have different responsibilities. And I'm not suggesting the City of Pittsburgh doesn't have a great outlook with regard to the veteran services. But we know that we do. We were recognized tonight by multiple different veteran groups across this county. Mr. Drozd is right on one thing. How do you make sure this gets done? How do we make sure that someone across the street even comes that day to our committee meeting of any authority? So that is concerning. I hope there's some partnership.

Maybe the County Council members who also represent the City can be somewhat valuable.

But I'll just throw something out there in the unlikely event I can't make the committee meeting. Does the county have any property at all as a plan B that we could offer as a solution on the North Side? I'm not familiar. But I know you want it to go back to where it was, and so do I. Just so that we have a plan in place of comfort and respect that we can get this where it needs to go. Mr. Drozd, I'll just leave you with that.

MR. DROZD: And that's something of a point of discussion, and again, the reason why I want to put it on the agenda tonight, I want it to go to committee, because we really have to get resolution. And I think we need to be part of that. The city is good. The city means well. I'm sure they just --- you know, they were trying to solve one issue, didn't realize that maybe there was some implications that should involve the vets more and the location of that facility, that monument. So I think that they will respond, but I think we need to bring them to the table so it isn't forgotten, so to speak. It's still highlighted. And we just don't let go of it. The vets need to be involved, North Side, those vets and those family members who were there. We need to do that.

PRESIDENT BURN: Any other discussion? Well put. I'm going to refer it to the Committee on Public Works and Councilman Macey. We will schedule ---.

MR. DROZD: And I'd like to be involved in fighting this and making sure that the proper people from the city are there and the vets.

PRESIDENT BURN: I'm sure Mr. Macey will work directly with you and facilitate the right attendees.

MR. MACEY: We'll work with Councilman Drozd. Thank you.

PRESIDENT BURN: Thank you, Councilman. Notification of contracts. 6596-11.

MR. CATANESE: Communication from County Manager Jim Flynn, submitting executive actions related to contracts for the month of September 2011. Sponsored by the County Manager.

PRESIDENT BURN: Motion to receive in file?
(Chorus of motions.)

MR. FINNERTY: Second.

PRESIDENT BURN: Moved, second. Any discussion? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT BURN: Opposed? So noted. We have Public comment on general items.

MR. CATANESE: We have one. We had two, but the one is not going to attend.

PRESIDENT BURN: Ronald Lynn Miller.

DR. MILLER: Dr. Ronald Lynn Miller, 40 Beltzhoover Avenue, Pittsburgh, (421) 381-3753, founder, Global Intelligent Society, 2008. It is imperative, I think, that we raise the level of individual intelligence throughout Allegheny. My copyrighted interpretation of global intelligence is that general intelligence evolves into global intelligence along 21 objectives as an individual becomes more sophisticated in using contemporary paradigms of the 21 primary disciplines. I am pleased to announce that I have led the formation of the County of Allegheny, Pennsylvania Committee of Education, the State of Pennsylvania Council of Education and the USA Council of Global Education recently in 2011.

I founded the County of Allegheny, Pennsylvania Committee of Education for four reasons. Reason one, to complement efforts statewide and nationwide to democratize pre-university and university education systems and raise general and global intelligence levels. The pre-university case in Pennsylvania, PSE 1949, permitting polycratic school districts, should, in my view, be replaced with the new Pa. Code permitting more democratic local control.

Reason two, to democratize pre-university education in the county by working to place school districts under parental and local governmental control in the 131 municipalities. Reason three, to complement the work of the City of Pittsburgh Committee of Education founded by me earlier in 2011. The CPCOE is working to create a public alternative to the Pittsburgh Public Schools, the PPS, and the Pittsburgh Public School System of Districts, PPSS, a system of nonpublic school districts within Pittsburgh coinciding with the City Council Districts in which the nine respective Boards of Education or administrators are to be elected by parents, with City Council members to chair the boards. The CPCOE is working at the university level to create a public alternative to the University of Pittsburgh and the Pittsburgh University System of Colleges, the PUSC, a system of nine colleges within Pittsburgh, one for each of the nine City Councilor

districts, the board of trustees and presidents of the college elected by city residents of the districts, Council members chairing the boards.

Reason four for the County of Allegheny Committee of Education is because we believe that you on County Council will fail to establish an Allegheny University System of Colleges, a system I proposed in August, of 13 new public four-year colleges within Allegheny, one to serve each of the 13 County Council districts, the Board of Trustees and presidents of these colleges elected by County residents of the districts' Council members chairing the boards. The County Committee of Education will work and establish a system, regardless of your cooperation, under Article X of the U.S. Constitution. Doing so will inject a minimum of \$13 billion into the county economy and create a low number of 13,000 new jobs.

PRESIDENT BURN: Thank you, sir. Motion to adjourn?

(Chorus of motions.)

(Chorus of seconds.)

PRESIDENT BURN: All those in favor?

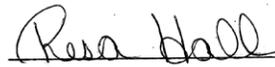
(Chorus of ayes.)

PRESIDENT BURN: Meeting adjourned.

MEETING ADJOURNED AT 6:30 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