

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Dr. Charles J. Martoni	-	President, District 8
Nicholas 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
Krista Harris	-	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, October 22, 2013 - 4:57 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:

Joseph Catanese - Director, Constituent Services
Jared Barker - Director, Legislative Services
Walter Szymanski - Budget Director
Jack Cambest - County Solicitor

PRESIDENT MARTONI: Please rise. I call the Allegheny County Council meeting to order. We start with the Pledge of Allegiance to the flag, led by Amanda Green Hawkins. Please remain standing for a few moments after that for a silent prayer or reflection.

(Pledge of Allegiance.)

(Moments for silent prayer or reflection.)

PRESIDENT MARTONI: Please sit. 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?

(No response.)

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Here.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Here.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Present.

MR. CATANESE: Ms. Harris?

MS. HARRIS: Here.

MR. CATANESE: Ms. Heidelbaugh?

(No response.)

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: Here.

MR. CATANESE: Thirteen (13) members currently present. Councilman Ellenbogen is present.

PRESIDENT MARTONI: Yes, he is. Proclamations/Certificates. 7787-13.

MR. CATANESE: Proclamation honoring the Pittsburgh Affiliate of the Susan G. Komen Foundation for raising breast cancer awareness and naming the month of

October 2013 Breast Cancer Awareness Month in Allegheny County. Sponsored by Council members Palmiere, Burn, Danko, DeFazio, Drozd, Ellenbogen, Finnerty, Futules, Green Hawkins, Harris, Heidelbaugh, Macey, Martoni, Rea and Robinson.

MS. HARRIS: Is Ms. Johnson, Ms. Nickens, Mr. Rost here? Thank you, Mr. President, and members of Council. We come here tonight to honor the Susan G. Komen Foundation here in Pittsburgh. And I know many members of Council have personal experiences with breast cancer. I know, myself, personally, both my mom and my grandmother are both breast cancer survivors. So this is a cause that is near and dear to my heart personally. I'd like to read the proclamation and then give you each a moment to speak, if that's okay. Great.

WHEREAS, breast cancer is one of the leading causes of cancer-related deaths among American women; and

WHEREAS, research shows that deaths from breast cancer can be reduced significantly if women follow breast cancer screening recommendations, including routine mammography --- mammograms (mammographies), regular examinations by a physician and monthly self-examinations. Following these guidelines increases survival, and approximately 2.8 million breast cancer survivors live in the United States; and

WHEREAS, organizations across Allegheny County and the United States come together every October to spread the important message of breast cancer awareness; and

WHEREAS, Susan G. Komen for the Cure is the world's largest grassroots network of breast cancer survivors and activists who fight to save lives, empower people and ensure quality --- ensure quality care for all and energize science to find cures; and

WHEREAS, during National Breast Cancer Awareness Month, we renew our commitment to fight this disease, raising awareness and supporting those affected by breast cancer.

NOW, THEREFORE, BE IT RESOLVED, that Allegheny County Council, on behalf of the citizens of Allegheny County, does hereby proclaim the month of October 2013 as Breast Cancer Awareness Month in Allegheny County. We commend the efforts of the Pittsburgh Chapter of the Susan G. Komen for the Cure, and we call upon government officials, businesses, communities, healthcare

professionals, educators, volunteers and the residents of Allegheny County to continue our community's strong commitment to preventing, treating and ultimately curing breast cancer. Would you care to address the Council for a few minutes?

MR. ROST: On behalf of Komen-Pittsburgh and everyone that has been and is affected by this disease, thank you. I just found out today that the fountain is pink, so I say thank you for everything. It has been pink in the month of October in Pittsburgh, so thank you.

MS. HARRIS: Thank you. This is for you guys. We would like to take a picture.

(Applause.)

(Pictures taken.)

PRESIDENT MARTONI: 7788-13.

MR. CATANESE: Let the record show that Councilwoman Heidelbaugh is present.

PRESIDENT MARTONI: Thank you.

MR. CATANESE: Certificate of Recognition awarded to individuals that have made significant and consistent contributions to improve South Park. Sponsored by Council members Palmiere and Harris.

MR. PALMIERE: Good evening, everyone. Mr. President and members of Council, it's an honor for me this evening to have members of the South Park --- Friends of South Park group here that I've worked with over the past couple years and had the pleasure of being a part of the people who really care about the park. Let me tell you, if you want to see a dedicated group that really cares about their park, they're right here. We have quite a few members that were kind enough to show up, and I'm going to read their names off that are here; Dave Buchewicz, our chairman, Rick Self, Butch Adams, Peg Bittner, Jim Converse, Joe Hedderman, Linda Hedderman, Sue Means, Presley Oliphant, and we're going to do a little separate one for Presley, bless her, Joe Oliphant, and Anne Oyler and Tom Woods are here. Welcome, everyone.

I'm going to take time to read the first general proclamation here, and then we're going to honor Presley separately. Okay? And David, I also have proclamations for everyone here, so if you would be kind enough to pass those out, and for the ones that couldn't make it tonight also. Okay? Thank you. All right. The first order of business here. This is the South Park Council of Friends and South Park Leaders. Allegheny County Council is

honored to present this Certificate of Recognition to the South Park Council of Friends and South Park Leaders for making significant and consistent contributions to improve Allegheny County's South Park. South Park encompasses 2,013 acres in the municipality of Bethel Park in South Park Township. The South Park Council of Friends, along with South Park Leaders, work together to provide support for park improvements.

The Friends recently completed its first project, a 20-station fitness trail around Maple Springs Pond. In addition --- and try that one sometime. I'd like to see you, Nick, do that one. I want to have a special day for us to go out there and do this. Yeah, I think you'd really enjoy it. In addition, the group agreed to dedicate funds towards establishing a fountain with lights at the pond. And we also recognize and thank you for working as an advocate to preserve, protect and improve the natural environment of South Park.

Furthermore, we appreciate your outstanding service and support for working together to conserve the park's heritage and natural beauty for all to enjoy. Sponsored by myself and Krista Harris and the rest of the Council members. Congratulations, guys.

(Applause.)

MR. PALMIERE: Now, a special presentation here. This is also an honor. This young lady is really, really --- she stood up to be counted, and it's wonderful. You hear so much about the youth of the country and so on and so forth, and here's a classic example of what we feel is hope for our future, and if this young lady continues on, we're going to be in good shape. Presley Oliphant. Allegheny County Council is honored to present this Certificate of Recognition to Presley Oliphant for making significant, consistent contributions to improve Allegheny County's South Park. The South Park Council of Friends, along with the South Park Leaders work together to provide support for the park improvements. Presley established a campaign called Save the Game Preserve. The South Park Game Preserve is currently home for a herd of buffalo, ducks, geese and a peacock. Buffalo and a small tribe of Native Americans came to South Park in 1927. The tribe left after a year, but the buffalo remained. Also on the game preserve is the Kiddoo House --- Kiddoo (changes pronunciation) House, erected in 1788. The building has been vacant for years and is in disrepair. Presley hopes

to raise funds to turn the Kiddoo House into an educational nature center. Presley's website and Facebook page continue to garner support for the South Park Game Preserve. We recognize and thank you, Presley, for working as an advocate to preserve, protect and improve the natural environment of South Park.

And furthermore, we appreciate your outstanding service and support for working together to conserve the park's heritage and natural beauty for all those to enjoy. Again, Presley is sponsored by myself, Krista Harris and the rest of Council. Congratulations, young lady. Would you like to come up here, please?

(Applause.)

MR. PALMIERE: Congratulations. Would you like to say something?

MISS OLIPHANT: Thank you.

(Applause.)

MR. PALMIERE: Before we conclude, Dave, our chairman, wants to say a few words, please. Come on up.

MR. BUCHEWICZ: I just want to say thank you for recognizing the efforts of these people sitting out here. They do a heck of a job, a nice job. And also, we had a tour of the park on June 17th with Councilman Palmiere, Executive Fitzgerald and his staff. And we did some --- we took a tour of about, maybe, an hour and a half, two hours, to go through the park to show some issues that need addressed.

And I've like to invite the members of County Council to take a tour of County park South Park, and we could take a tour. It would take about two hours or so. And if you would give us a date, we'd like to have you aboard. And then also we invite the members of County Council to our ribbon cutting for the fitness trail, on Friday, November 8th, 1:30 p.m., Station Number One off Maple Springs Drive. I handed out a packet, Exhibit II, Ordinance Number 54-02, creating the Council of Friends with Suggested Revisions by the Council of Friends, South Park. John had asked us many months ago to take a look at that ordinance and see how we can adjust it to make it more applicable to what's happening today. So it needs updated to current activity, such as fundraising and appointments to the Council of Friends. Number III, Attendance Record of the Council of Friends, South Park. I attached a spreadsheet that shows what Council members -- Council of Friends members have attended and those who

have not. So what we have to do is we have to make sure that the appointees to the Council of Friends should be familiar with the park they are appointed to, can easily attend meetings and events and that have an interest in and a stake in the outcomes of the meetings and events we have. So that's what I wanted to say. And if you don't mind, I'd like to have a picture.

MR. PALMIERE: We are going to have a picture with everyone over here, yes. Would everyone please come over and join us for a picture? I told you this is a dedicated group, folks.

(Pictures taken.)

MR. PALMIERE: Excuse me. Hang on a second. I'm sorry. I had an oversight here, and I want to correct it, please. Sharon Adams, it was her idea, the fitness trail, the whole thing, to begin with, and I failed to mention that, and I apologize to you, Sharon, and congratulations on doing a wonderful job. Thank you very much.

MS. ADAMS: Thank you.

(Applause.)

(Pictures taken.)

MR. BUCHEWICZ: By the way, we want to thank Andy Baechle for all of his involvement in South Park Friends, too. He comes to all our meetings, and we abuse him sometimes, but he does one heck of a job; also, the workers that installed the fitness trail, the Public Works people that did it.

PRESIDENT MARTONI: The remaining proclamations will be read into the record.

MR. CATANESE: 7789-13. Proclamation recognizing the South Korean National Demonstration Team and national and international Tae Kwon Do dignitaries, for performing at the request of the Grand Master, Young Bo Kong, of the Young Brothers Tae Kwon Do Institute, on Saturday, October 26th, 2013, at the North Hills Junior High School Annex. Sponsored by Councilman Burn.

7790-13. Proclamation congratulating the First Christian Church of Carnegie upon the occasion of its 125th anniversary. Sponsored by Councilman Finnerty.

7791-13. Proclamation thanking Mr. George E. Conroy for his 37 years of public service upon the occasion of his retirement from the Harrison Township Board of Commissioners. Sponsored by Councilman Futules.

7792-13. Proclamation congratulating the Mon Valley Initiative upon the occasion of its 25th

anniversary. Sponsored by Council members Macey, Danko and Martoni.

7793-13. Proclamation congratulating the Angora Gardens of White Oak Park upon the occasion of its 25th anniversary. Sponsored by Councilman Macey.

7794-13. Certificate of Recognition awarded to the McKeesport High School Class of 1948 upon the occasion of their 65th class reunion. Sponsored by Councilman Macey.

7795-13. Proclamation honoring the First Presbyterian Church of Duquesne upon the occasion of its 125th anniversary. Sponsored by Councilman Macey.

7796-13. Proclamation congratulating the McKeesport Grandparents Raising Grandchildren program awardees. Sponsored by Councilman Macey.

7797-13. Certificate of Recognition congratulating Mr. John L. Wilson upon the occasion of his 100th birthday. Sponsored by Councilman Macey.

7798-13. Certificate of Recognition awarded to Mr. and Mrs. Steve and Marjorie Katich upon the occasion of their 65th wedding anniversary. Sponsored by Councilman Macey.

7799-13. Certificate of Recognition awarded to Mr. and Mrs. James and Frances Tomedolsky upon the occasion of their 50th wedding anniversary. Sponsored by Councilman Macey.

7800-13. Certificate of Recognition awarded to Mr. and Mrs. Robert and Ethel Warman upon the occasion of their 50th wedding anniversary. Sponsored by Councilman Macey.

7801-13. Proclamation honoring in memoriam, L.C. Greenwood, former Steelers defensive end, member of the Steel Curtain defense and four-time Super Bowl champion. Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Thank you. We have a speaker for Public Comment on Agenda Items, Gary English. Gary, are you here? Gary English is not here. Okay. Motion to approve the minutes. 7802-13.

MR. CATANESE: Motion to approve the minutes of the regular meeting of Allegheny County Council held on September 24th, 2013.

MR. MACEY: So moved.

MR. PALMIERE: Second.

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

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? So ordered.
Unfinished Business. Committee on Budget and Finance,
Second Reading. 7779-13.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2013 (Submission 08-13). Sponsored by the Chief Executive.

PRESIDENT MARTONI: Mr. Robinson?

MR. ROBINSON: Move for approval.

MS. GREEN HAWKINS: Second.

PRESIDENT MARTONI: Moved and second. Question?

Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

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: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Harris?

MS. HARRIS: Yes.

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, 15, noes, 0. The bill

passes.

PRESIDENT MARTONI: Liaison Reports. Go ahead. Mike, why don't you start?

MR. FINNERTY: Oh, thank you. I wasn't really prepared. Let me get my sheets out here. I'd just like to make a mention that in the Stowe and McKees Rocks area, CSX --- you might have read about it in the paper --- is going to be putting a Pittsburgh intermodal terminal ramp, the railroad is. This is a \$50,000,000 project. It will bring a tremendous amount of jobs into the Stowe and McKees Rocks area, plus there is another development right in front of this area, this acreage. This is --- it's going to be six acres in McKees Rocks and about, I believe, 20 acres in Stowe.

And if you know where the CSX tracks go through there, it's going to be a tremendous benefit to the area. So I just wanted to make a mention of that; that it is going on. This is done, and for everybody, this is done without any money from Allegheny County. So CSX. Thank you.

PRESIDENT MARTONI: Anyone else, please? Wow. Hearing that, we'll move on. That's a first, by the way. New Business. Ordinances and Resolutions. 7803-13.

MR. CATANESE: An ordinance establishing an Allegheny County Rainy Day Fund and providing for the administration of revenue placed into such fund. Sponsored by Councilman Robinson.

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

MR. ROBINSON: No comment, Mr. President.

PRESIDENT MARTONI: Okay. 7804-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the acceptance of a donation from the Pittsburgh Penguins Foundation and Highmark for the construction of a deck hockey facility to be located in Boyce Park. Sponsored by the Chief Executive.

PRESIDENT MARTONI: That's great. Parks Committee. 7805-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing entering into a lease agreement with Allegheny County Parks Foundation for approximately 920 square feet in the Boyce Park Administration Building. Sponsored by the Chief Executive.

PRESIDENT MARTONI: Parks Committee. 7806-13.

MR. CATANESE: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing Division 1 of the Allegheny County Code of Ordinances entitled Administrative Code, Article 801.09, entitled Restrictions on Expenditures in order to enforce limitations on bonuses funded by County appropriations. Sponsored by Councilman Drozd.

PRESIDENT MARTONI: Budget and Finance. Mr. Drozd, any comments?

MR. DROZD: Yeah. Thank you, Mr. President, and thank you to my Council members. This is a follow-up to, you know, my asking VisitPittsburgh for information, which they still haven't given to Council, given to Council --- to us to review. We've sent numerous letters via Mr. Szymanski --- Szymanski (changes pronunciation), and they haven't responded. So again, this is about bonuses, bonuses that, as you recall years ago, when there were legislative staff members given bonuses and what happened as a result of that. Nobody in the non-profit sector that really cares about working, I think, should even accept it, let alone receive one.

They should do it because they really want to do an act of love. You people here serve without bonuses, and you serve at very little remuneration because you do it because you really care. And that's what they should be doing, too. So in any event, this is what it's about. I would ask Council to look at it and look at it very seriously. We need to look at this. And not only in this --- I'm not just singling out this one organization. I'm talking about any monies that any organizations receive, taxpayer hard-earned dollars. And I'll guarantee you, 99 percent of those people out there that we serve are really adamant about this. They don't really appreciate this.

In fact, I just got --- a really quick e-mail from one person. It says, thank you, as an Allegheny County --- as an Allegheny taxpayer, for submitting this legislation. So we have to respond. We really do. We just can't let this just go into committee and never come out. We really got to dig into this. Thank you very much.

PRESIDENT MARTONI: Thank you.

MR. ROBINSON: Mr. President?

PRESIDENT MARTONI: Yes.

MR. ROBINSON: I'd like to be added as a sponsor.

PRESIDENT MARTONI: Okay.

MR. DROZD: Thank you, Mr. Robinson.

PRESIDENT MARTONI: It goes to your committee, Bill, Budget and Finance. Okay? 7807-13.

MR. CATANESE: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2013 (Submission 09-13). Sponsored by the Chief Executive.

PRESIDENT MARTONI: Budget and Finance Committee. 7808-13.

MR. CATANESE: Resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting a Capital Budget pursuant to Article IV, Section 2, and Article VII, Section 4, of the Home Rule Charter, by setting forth appropriations to pay the expenses for capital expenditures during the fiscal year beginning January 1st, 2014 and ending December 31st, 2014. Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Budget and Finance. Mr. Robinson?

MR. ROBINSON: No comment, Mr. President.

PRESIDENT MARTONI: 7809-13.

MR. CATANESE: Resolution of the County of Allegheny, Commonwealth of Pennsylvania, adopting the Grants Budget, Special Accounts Budget and Agency Fund Budget, by setting forth appropriations to pay said expenses during the fiscal year beginning January 1st, 2014 and ending December 31st, 2014. Sponsored by Councilman Robinson.

PRESIDENT MARTONI: Budget and Finance Committee. Mr. Robinson?

MR. ROBINSON: No comment, Mr. President.

PRESIDENT MARTONI: Okay. New Business, Motions.

MR. ROBINSON: Mr. President, if I might?

PRESIDENT MARTONI: I'm sorry.

MR. ROBINSON: I have two ordinances that I would like to have put on the agenda so they might be referred to committee.

PRESIDENT MARTONI: Okay.

MR. ROBINSON: The first is an ordinance dealing with sponsorship policy. Mr. Szymanski and Mr. Barker are

passing those out. I want to make a motion to have these put on the agenda so that the president can refer them to the appropriate committee.

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

MS. DANKO: I'll second that.

MR. PALMIERE: I'll second that.

PRESIDENT MARTONI: We have a second. Okay? Question? All in favor?

(Chorus of ayes.)

PRESIDENT MARTONI: Opposed? Motion carries.

MR. ROBINSON: Mr. President, if I might, I have another ordinance which relates to the General Fund. I would like to follow the same procedure. I'd like to have my colleagues put this item on the agenda so that you might refer this bill to the appropriate committee.

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

MR. PALMIERE: Second.

PRESIDENT MARTONI: Question? All in favor to send it to committee?

(Chorus of ayes.)

PRESIDENT MARTONI: Again, Budget and Finance Committee. Do you have anything else on that, Bill?

MR. ROBINSON: No, sir.

PRESIDENT MARTONI: Okay. Joe, would you read the title for both of those bills?

MR. CATANESE: The first one is an ordinance amending and supplementing the Administrative Code of Allegheny County, Article 705, entitled Naming Rights, Section 5705.03, entitled Sponsorship Policy, in order to establish a codified distribution of any revenues derived from the sale of sponsorship naming rights. The second one is an ordinance amending the Administrative Code of Allegheny County, Article 801, entitled Comprehensive Fiscal Plan, Section 5801.09, entitled Restrictions on Expenditures, in order to establish the process of authorizing the expenditures from the County's General Fund.

PRESIDENT MARTONI: Thank you. They will be in committee. Public Comment on General Items. We have a number of speakers.

MR. CATANESE: Mr. President, we've got New Business, 7810.

PRESIDENT MARTONI: Did I miss that? I apologize. You can see I'm in a hurry. 7810-13.

MR. CATANESE: Urging the General Assembly to assist in the funding of the August Wilson Center and to cooperate with the County of Allegheny, the City of Pittsburgh and other supporting institutions, to create a plan to save and sustain the center, to preserve the Commonwealth's original investment and to ensure the existence of an institution made to celebrate the cultural legacy and the contributions of African-Americans in western Pennsylvania and throughout the nation. Sponsored by Council members Robinson, Green Hawkins and Drozd.

PRESIDENT MARTONI: Mr. Robinson?

MR. ROBINSON: Thank you, Mr. President, and members of Council. The motion speaks for itself, but I'd just like to add a couple comments that might help a few of the members understand the motivation for doing this. It goes without saying that the legacy of August Wilson is international, and we should be very proud that he lived, grew and wrote in our city. The August Wilson Center, located in downtown Pittsburgh, is named in his honor and is very much reflective of his success.

There are some individuals at the international and national level who have taken on this cause and are doing their part. The noted actor, Glynn Turman, who has acted in every August Wilson play, as well as former Lakers star and Duquesne University star, Norm Nixon, and his wife and family, have taken an interest in this project, and they are doing their part in Hollywood. I presume that they are looking for some heavy lifters, which is sorely needed. And I thank them for their interest.

There are other efforts, to which I am not a party, to make sure that this center survives. At this moment the fate of the center rests in the hands of the Honorable Judge Christine Ward, Court of Common Pleas. I believe Judge Ward has set a November 9th date to make a decision concerning some of the fiscal matters relating to the August Wilson Center. I do not presume to tell the judge what to do. I have great respect for her. But I would suggest that she give all the parties who want to save this center and make it viable ample opportunity to not only present her with a fiscal plan but with a plan of operation, both of which she should supervise until she is satisfied that they are up and running and running in a

fashion that all parties feel that this institution can continue as the valuable asset that it has been since its inception for western Pennsylvania. So that there is no misunderstanding, Councilman Robinson has not requested any operating funds for the August Wilson Center. To Councilman Robinson's knowledge, there are no County of Allegheny funds used to operate the August Wilson Center. We need transparency. It would, I think, be beneath us not to try to help, to reach out and try to help those who have expressed an interest in saving this valuable asset.

My motion is designed to have us offer our assistance wherever appropriate but obviously subject to the decisions made by Judge Ward. Thank you, Mr. President, and members of Council.

PRESIDENT MARTONI: I assume that would go to Government Reform Committee, Bill?

MR. ROBINSON: Unless members would like to vote today.

PRESIDENT MARTONI: That's up to the members.

MR. ROBINSON: I'll make a motion to approve.

MS. GREEN HAWKINS: Second.

MR. DROZD: I'll second that.

PRESIDENT MARTONI: We have a motion and a second. Questions? I said questions.

MR. DROZD: Okay. Thank you, Mr. President. Thank you, Council members. The August Wilson Center is kind of synonymous with someone --- we just named a bridge after a world reknown person, and August Wilson is right up there with him. He deserves to be recognized, as well as any other person within a naming right has been named. A lot of the funds there are far less than what was made in other areas and other reasons. We have the Benedum Center. We have many named after very renowned Pittsburgh people that have far more wealth than he had. He was born and raised here.

The center has also become a focal point. I don't know about --- I'm sure a lot of my fellow council members and people that are watching this have been to the August Wilson Center for different events. It's becoming a focal point for this region and this city. It's important to preserve that, and not only in the fact that we don't say, in essence, that August Wilson --- when you looked at August Wilson, you just didn't see a person that was an African-American, you seen an American. You're seeing someone that really cared about what he wrote

about. So I think it's imperative that we really look at saving this center and doing everything we can to contribute to help to save this center. And I think the state has to very, very seriously look at this. It also is a mentorship of those young people, those that I saw today over here in Langley, the young people of inner city that need something to look up to. And this is something for them to look up to and to aspire to, and they need that. They really do. So I would urge my fellow council members to vote on this now, this motion unanimously to support it and send that message, that this needs to be in place, not just for the fact that it's a center, but something as the guiding light to young people throughout the city and this region, especially in the inner cities, as with the little kids we saw today. Thank you, my fellow council members.

PRESIDENT MARTONI: Amanda?

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

In addition to the comments of my co-sponsors, I would like to point out that in my committee, the Economic Development and Housing Committee, we discussed the contributions of the arts to the economic vitality of our region, and it is well within the millions upon millions of dollars for the numbers that we were given. And the August Wilson Center can definitely be a part of this financial contribution to our region's growth. And I would remind council members that there were similar types of situations with other venues in our region. But because people pulled together, resources were pulled together, plans were made, we now have a vibrant downtown cultural district, as we call it. And let's learn from the past. If we can get together, pull resources together, create plans to become a thriving theater community and cultural district that we have, we can also make sure that we pull resources together, get a plan together, so that we can save the August Wilson Center and make sure that it contributes to the vitality and vibrancy of our downtown. Thank you.

PRESIDENT MARTONI: Anyone else? Mike, do you want to say a few words?

MR. FINNERTY: Yeah, I will say a few words in regard to this. I think it's a noble effort. I think it's something that should be preserved. I think we also have to look at the situation and say to ourselves why is this going on? Why is it going on? What's going on with

August Wilson Center that they're in such financial problems? I think it's extremely important that we look at that also. And there's --- I want this to go on. It's very important that it does go on. But I think we have to be straightforward with what we're talking about here. Mr. Robinson, in all due respect, said that he wasn't using any of the operating budget. But I looked at the capital budget that he put forth, and it's talking about half a million dollars for the August Wilson Center.

So that's something down the line that we have to think about. This motion, I assume, has nothing to do with finance at all. I haven't read the whole thing. I think it's important that we, as Council, have a chance to read the whole thing, all the whereases, to see exactly what this is saying. And I think that's extremely important because down the road we can see what's going to happen in the capital budget. Now, we, as a county, through our --- I think it's RAAC, I believe?

PRESIDENT MARTONI: Yeah, it's RAAC.

MR. FINNERTY: It's RAACs; and we give to August Wilson over \$450,000. RAAC decided to hold that money this time. There's a reason why that money is held. They didn't de-fund August Wilson at all. What they have done is say until you produce an audit they're not going to give you the funds. And I think that's important, also, that we're looking at the situation. And I think this motion should definitely be sent to a committee and definitely give everybody a chance to read it, all the whereases here, because some of the things that are said might not be exactly correct.

And I just want to make sure that we know what we're doing when we're doing something like this. We have a capital budget. Our capital budget is for roads and bridges, for the parks and --- I can't think of the third thing right now. But that's what the capital budget is usually used for, not giving it to projects or venues that need money. I'm all --- like I said, I'm all for it. We have a capital budget which is down to the bone this year. We can't be giving half a million dollars away just like that. Okay? That's how I feel about it.

MR. ROBINSON: Mr. President, if I might respond?

PRESIDENT MARTONI: Yeah, respond, and then Jim and then Amanda.

MR. ROBINSON: Thank you. I'm sure Mr. Finnerty is acting in good faith. I won't question his integrity or the integrity of anything he submitted to this council. And I'm sorry he's questioning my integrity in this regard. Having said that, Mr. Finnerty is incorrect on several points. This motion obviously relates to finances. The situation confronting the August Wilson Center is, in part, financial. Mr. Finnerty is incorrect that the County of Allegheny gives money to the August Wilson Center.

The County of Allegheny, proper, does not generate any monies going to the regional asset district. Those that believe that it does are in error in their thinking. While county residents who pay the appropriate sales tax indirectly support the August Wilson Center, they also support other worthy institutions in this community, ten of which are designated as regional assets. Also, the capital budget, as Mr. Finnerty knows, is full of projects that have not been completed. With his assistance, we now have in place a process to review projects in the capital budget.

And where those projects have not been completed or initiated, the administration has requested to share with us periodically a list of projects that perhaps we could drop from the capital budget. There are several projects in the capital budget that were initiated by Mr. Gastgeb, who is no longer here. I don't know if those projects are viable, but I'm sure eventually the administration will let us know. The capital budget, historically, has been used for many purposes, including the ones that Mr. Finnerty has identified.

The capital budget primarily is funded through bond sales. There is nothing that prevents this council for --- from offering to the appropriate entity recognized as only an operating August Wilson Center, the small sum of \$500,000, if and when Judge Ward makes a decision as to the future of that center. And I would presume that the administration, along with this council, could make a reasonable determination at the appropriate time, whether or not the August Wilson Center should be a part of our capital budget.

Lastly, there are lots of projects in the capital budget that have been there for years --- years. If we now single out the August Wilson Center, then some members may find themselves in a tangle, because some

projects that they think are very worthy, and are, may also be subject to the same scrutiny. I have asked for cooperation, assistance, help for an institution in our community. That's all I've asked for in this motion. But it obviously relates to the fiscal condition of the August Wilson Center.

One of my colleagues has indicated that she would like to look at the most recent audit for the August Wilson Center. I'm sure Judge Ward wants to look at the most recent audit for the August Wilson Center and probably has. That's appropriate. I don't have access to that audit. I don't know where it is. If that is a factor that prevents someone from voting for or against, then that's what you have to do. If you want a copy of the audit --- and it's a public document --- I'm sure you will be able to secure it.

But once you start down this path of asking for audits, then what about all the other organizations in this county, worthy organizations that we fund, are we going to ask each and every one of them for their most current audit? I think we should. I don't think we should be passing out tax dollars without having current audits. If you want to go down that road, Councilman Robinson is prepared to go down that road with you. Thank you, Mr. President.

PRESIDENT MARTONI: Okay. We have three speakers so far, Mr. Ellenbogen, Amanda and Matt, in that order.

MR. ELLENBOGEN: I want my comments to be very clear. I had --- I have a lot of great respect for August Wilson, for his memory and his works. And unfortunately, he's no longer with us. And that being said, there's a lot going on here that we don't know what's what. You know, in an emergency situation when someone's hurt, you don't start moving things and treating things until you assess actually what's wrong. I, for one, think that this is a very noble effort, but it's a little premature to me because as long as Judge Ward has this --- and I have a tremendous respect for Judge Ward and her judgment --- I'm not going to vote for or against this motion until I see what Judge Ward has to say because she's a lot more knowledgeable of what's going on or not. I don't know whether folks down there are legitimate and they haven't been able to generate funds. I don't know, and I'm not going to cast any disparagements on anyone, because I

would like to see the center saved. I just am going to delay my opinions on anything until I hear what Her Honor has to say about it. And that's --- so I'm going to abstain on this currently. Thank you.

PRESIDENT MARTONI: Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President. I am just a little troubled or perplexed by the distraction of the capital budget. I think that --- the capital budget can propose zero dollars for August Wilson Center. It could propose \$1,000,000; it could propose \$10,000,000 for August Wilson Center. We'll discuss that when we're discussing the budget. But what we're trying to do is say let's just come up with some kind of plan, and any financing that we would agree to do or not do, could be contingent upon some kind of viable plan being produced for the center to run efficiently and effectively.

As far as what's been going on down at the August Wilson Center, there are a lot of questions about that. And any plans to provide any financing and assistance can be made contingent upon answers to those questions. We're not saying, let's throw \$500,000,000. You just can't throw money at a problem. I don't think that's what Council Member Robinson is saying. I don't hear Council Member Drozd saying that. And I'm certainly not saying that. You just don't throw money at a problem. You have to look at what's going on, as well.

And that's why I keep emphasizing the word, plan, P-L-A-N. You got to have a plan, and you have to plan --- work with the plan in order to make this thing viable. Depending on who you listen to or what you believe, as far as the troubles for the August Wilson Center, some people say that it has to do with the programming, that they should have brought in programs that people in this region were interested in, maybe that would have generated enough income, ticket sales, that kind of thing.

Then some say it had to do with labor cost overruns and union policing. Those are allegations that I've heard. But again, these are things that we can look at in any audit and any plan that could be contingent upon us providing any funding, whether we want to do that or not. But we can discuss that at the capital budget meetings. You're having budget hearings; aren't you? You always do. Thank you. So --- and those are open to the public. All council members are welcome to come. Let's

talk about that then. But now what we're talking about is a plan to save the facility. That's it, nothing more, nothing less. And if there are any donations that you would like to give, I'm sure they are willing to accept those, too. Thank you.

PRESIDENT MARTONI: Okay. Matt?

MR. DROZD: Yeah. Thank you, Mr. President. Everybody has made some very excellent points in my fellow council members, and even Councilman Finnerty pointing out the audit because that's my concern, too. Any organization when asked to present an audit should be allowed to present that audit before any further monies are given. I agree 100 percent with that. I don't think the county has the money and the wherewithal. I wouldn't be supportive of putting funds into that right now, not at all.

But I agree, in this essence, with Councilman Robinson, you know. And Councilman Finnerty says there's a lot of whereases. But most of these are facts about the August Wilson Center, that, you know, it was a non-profit arts organization, its creation was funded by public and private funding. It is just facts. It's all facts, except for the last one saying, whereas, it is believed of Council that the county should be involved in supporting the center. It doesn't say financially. We can support it via by just our own moral support and getting behind the center and saying we want to say it exists.

If it means and the audit outcome is that there has to be a significant change in that organization and who runs that organization, then so be it, but we have to start somewhere. And basically, overall, the general gist of this entire --- is to ask the General Assembly to act, not to lose this viable center as a cultural center of this city and this region. So that's all we're asking them to do, if you read it very carefully. And again, I think we ought to at least do this to start it rolling. I think it needs to be --- a plan needs to be developed to save and sustain the center and how it reorganizes and how it evolves from there on. And we can be part of that. Why not? We're part of others, aren't we, in many other areas within the city? We are. Thank you.

PRESIDENT MARTONI: Okay. Thank you. Mr. Burn?

MR. FUTULES: No, Futules.

PRESIDENT MARTONI: Mr. Futules. I apologize, Nick.

MR. FUTULES: I think I'm next.

PRESIDENT MARTONI: You guys are down in line here. You're not all going to be on. It just ---.

MR. FUTULES: Okay.

PRESIDENT MARTONI: I'm going to lose track. You sort of have to remind ---.

MR. FUTULES: There seems to be a lot of controversy at this point. And I thought Mr. Robinson was intending to send this to committee, but it looks like he was encouraged to actually take it to a vote, and maybe that might not be the case. I'd like to see it sent to committee so I can hear more of the testimony and so I can understand this better because I really don't at this point. Because if you're going to force me to vote now, I got to vote no, because I don't know enough, but if you have a conversation in committee, I may change my mind and decide that what you have is correct, because the audit and the question of where's everything going, I'm in too much question right now. I can't vote on it. So I ask you to send it back to committee for the betterment. Thank you.

PRESIDENT MARTONI: Mr. Burn, and then Heather.

MR. BURN: Thank you. Very, very briefly, hopefully. Look at the language. I think a few folks said that. I don't see anything in here where somebody is attaching a dollar figure to try and preserve this great concept. I think everybody agrees that systemically something's wrong down there. The question is what. And that's what Judge Ward is vetting. That's what we want to vet along side of her. All this is asking to do is to begin the conversation on how do we predict and preserve this concept because it needs to be preserved.

Does something down there need --- or someone down there need to leave? Does some type of a systemic restructuring need to take place? I don't see dime one attached to this motion, and I don't know what putting it into committee is going to do to change what the council members are asking tonight; specifically, let's begin to have a conversation in order for all of us collectively to do the right thing. So therefore, I'd like to be added as a co-sponsor, but I do suggest to the initial sponsors that based on some of the appropriate and cautionary remarks of our other colleagues, that it may not be a bad thing to put it into committee but at the same time have a string on it, that if it sits down there and dies a slow

death before the sun sets in December, that we yank it back up and vote on it, because I honestly don't know what sitting in committee or talking about in committee is going to change. But please add me as a co-sponsor.

PRESIDENT MARTONI: Thank you, sir. I lost track. John, go ahead. Heather, you go ahead. Okay. I lost track. That's it.

MS. HEIDELBAUGH: Thank you very much. I apologize for the laryngitis. But based on the first sentence here, the first clause here says that if I vote yes on this tonight, that I'm --- my vote says I'm going to urge the General Assembly to assist in the funding of the August Wilson Center. So what I'm saying is I want the Commonwealth of Pennsylvania to fund the August Wilson Center. And let me just state for the record in doing just a little bit of research here on the computer, that the Heinz Endowment report of September 17th of '09, which would be four years ago, reported that, quote, at \$4.3 million, its annual budget is nearly ten times the average size of other African-American institutions and its 23-person staff is both more numerous and more experienced than those of similar institutions elsewhere. Some of the endowment reports also state that the total cost to the facility is \$40 million. \$10 million was paid by the state and county and city monies. I wasn't here, so I don't know. \$17.5 million was from local foundations. If you subtract \$27.5 million from the \$44 million or \$40 million, you're about \$16 million --- \$12 million to \$16 million on the mortgage.

So a small amount of money is probably not going to get this center out of trouble. I would assume --- and I'm not a real estate lawyer --- but I would assume because of the default the mortgage has been put --- the total mortgage has been put in default so that property has to be paid off. So when you're urging the General Assembly to fund what we're probably doing based on the facts, we don't really know, we're probably urging them to fund \$12 million to \$17 million to get the mortgage out of default. I would really prefer that we had some time to think about this, time to go over the facts and try to figure out whether additional money will solve long-term systemic issues. And also, let it be said for the record that I have attended the events at August Wilson. It's a beautiful facility, and August Wilson was, you know, was a

great person that we all admire. So my comments really don't have anything to do with that.

PRESIDENT MARTONI: Thank you. John? I finally got you.

MR. DEFAZIO: Am I on?

PRESIDENT MARTONI: You're on.

MR. DEFAZIO: Yeah. I kind of agree with Jim Burn, even though he more or less stole my thunder a little bit. But I want to --- I heard from Mr. Drozd. I heard from Amanda. And I wanted to ask Bill a question. I'm not looking at anything else. I'm looking at this and this is saying urging the General Assembly to assist in the funding of the August Wilson Center. As far as we're concerned here, at this point we're not committing to \$1.

MR. ROBINSON: That is correct.

MR. DEFAZIO: So I don't see how that hurts us. By that time, it should probably go into committee. And I agree with what everybody said thereafter. But I don't see a problem. We're not really putting ourselves in any kind of jeopardy if you're worried about money or anything else. At this point all we're doing is going along with this motion. And when we go to committee and we hear from the judge and all these other facts have come out, we can take a look at the rest of this and what it's going to take to save this place. It'd be nice if we could save it. I don't know if that's possible. I don't know that much about it. Thank you.

PRESIDENT MARTONI: Mike?

MR. FINNERTY: Oh, I thought you were going to Amanda.

PRESIDENT MARTONI: No, we're going to you.

MR. FINNERTY: Okay. Thank you. I'd just like everyone --- I think, Mr. Robinson, number one, my esteemed colleague, I was not ever, ever having anything to do with your integrity. I was just stating some facts that were involved in this. And I would also like people to turn to the last page, and you'll see that the General Assembly is urged to assist financially and to cooperate with the County of Allegheny, the City of Pittsburgh and other supporting institutes --- institutions to create a plan to save and abstain August Wilson Center. Mr. Robinson has stated that it definitely has something to do with finances, and I agree with that. And I think that if you look at that, you'll see that --- if you read the

whole thing and turn the page over, it states that fact, that that's what it's about.

Like I said, I think it's a noble endeavor. And I think that's possible that --- and I think it's probably very possible that August Wilson will not go out of existence. But I also think we, as a council, should sit down and look at this. I understand what my esteemed colleague, Mr. Burn, had to say about it, and I understand that, also. I don't know if things would change or not. But I would like to get some people in and talk to them about this. I mean, it's not something you can just do, and as Councilwoman Green said, throw out half a million dollars. That's what we're looking at in the end run down the line with this motion.

And this motion, if it said we would like to preserve August Wilson Center, I'd vote for a yes in a moment. But it doesn't just say this. It says a lot more, and I think that we, since it says a lot more, have to investigate it a lot more. I thank you, Mr. President.

PRESIDENT MARTONI: Amanda?

MS. GREEN HAWKINS: Thank you, Mr. President. Does anyone know what the state of the --- if I may, Mr. President, just ask a --- general questions? Does anyone know what the state of the court proceedings is? I heard the name Judge Ward thrown out, but is she judge of --- he or she a judge of bankruptcy court or Court of Common Pleas? Does anyone know?

MR. ELLENBOGEN: Common Pleas. She's a judge in Common Pleas.

MS. HEIDELBAUGH: She oversees the Executive Board.

MS. GREEN HAWKINS: Okay. In which case the Judge's decision is forthcoming. And in the interim, the judge is probably waiting to see what we're going to do. We're talking about waiting to see what the judge is going to do. She's probably waiting to see what we, as the public are going to do to determine whether or not this place should be foreclosed upon. Just thought I'd add that. Thank you.

MR. ROBINSON: Mr. President?

PRESIDENT MARTONI: Wait. Someone --- Bill, go ahead.

MR. ROBINSON: Thank you, Mr. President. With all due respect to Mr. Finnerty's comments, two members of this council have impugned my integrity in terms of

putting this together. So if I was inclined to support it going to committee, that ship has sailed. Impugning my integrity is not going to get you very far, ladies and gentlemen, not on this issue or any other. Don't try that. I'll give you tit for tat, if that's what you want to do. I didn't realize it was going to get personal. If you want to make it personal, then we can handle that but not here. That's a discussion for elsewhere.

PRESIDENT MARTONI: Let's get ourselves together here. This is getting a little --- Matt? And then I'm going to speak.

MR. DROZD: Yeah, a real quick point. Mr. Robinson, I hold you in a high integrious value. I sense here there's not --- when we send a motion forth, it should be unanimous, and I don't sense that it's there. And even though being a co-sponsor in this essence, I would ask if --- and I know you're of that caliber not to put it as a personal situation, let's put it into committee. Let's bring it in. Let's see if we can't strengthen this so we can get unanimous support. And my fellow colleague, Ms. Green, Councilwoman Green, we get unanimous support and we can also, maybe, at the same time in committee look at ways that we can help the center.

So many times we just vote on motions and it just goes on to Never, Never Land, cyberspace, you know, so to speak. I think it'll strengthen it by going into committee, and I think it should go into your committee. I really do. And make it unanimous. Let it come out with the unanimous support of this council because I don't think we got this right now. And it needs to go with a unanimous one voice. I really believe that.

MR. ROBINSON: Mr. President, there is a motion and a second on the floor.

PRESIDENT MARTONI: John? Go ahead.

MR. DEFAZIO: You know, the only thing is this is clear-cut. There's two different issues here. I know, Mike, you said he may want to do something later, but this particular motion only talks about this right here now. When you're talking about \$500,000, that doesn't fall into this particular motion. That's all I'm saying. I mean, you know, we're talking two different things. Maybe there's a lot of people here that may not want to do that there, but they'll go along with this right here. So you know, it isn't committing to anything on this. That's all I'm going to say on it.

PRESIDENT MARTONI: How about any further questions, first of all? Let's get this thing resolved. Go ahead. I'm sorry, Bob. You had your hand up and I looked at you and didn't call you.

MR. MACEY: Thank you, Mr. President, and members of Council. I'm deeply concerned that we may lose the August Wilson Center, but I believe that we can rise above all that. And if we have a plan, and if we have all the facts, we have an audit, if we know what the problems are, we get a determination from the court, as I said, if we have all the facts, I certainly believe that the governing bodies, the state, the General Assembly, the county, the city, we can make a plan, put together a plan to save this very worthy institution. But we need the facts. Thank you.

PRESIDENT MARTONI: Okay. Thank you. Anyone else? We're going to have to move on this. Jim?

MR. BURN: Briefly. I would just --- to my good friend and colleague, Councilman Robinson, you saw earlier tonight I put a motion --- I have a proclamation honoring the Korean Tae Kwon Do demonstration team and one of the tenants of that organization, and I can't wait to go and watch them perform. It's going to be very nice. One of the disciplines, and you know this, and many of you know this, is self-control, holding emotion out and think about the bigger picture. I would urge you --- I've signed on. I'm going to --- I'll stay with it. But I truly believe that if we put this into committee with those strings that I discussed, you're going to catch more folks with honey than you will with vinegar.

I understand you're upset, and I'm not debating the reasons for why you're upset. But at the end of the day, it's about objective and to pull the emotion out in order to do that. And I think that if this goes into committee and we have that conversation and we keep it on a tight leash, we're in a better position than if we do this tonight. But you're the prime. If that's what you want to do, I'll stand with you. But I think we'll do better if we stepped back and let the emotions, as Johnny would say in the negotiations, have a little cooling off, get it in there and do it right, but that's all I can say.

PRESIDENT MARTONI: Well, Bill, one more time. Okay?

MR. ROBINSON: There is a motion and a second on the floor.

PRESIDENT MARTONI: There's a motion and a second on the floor. Question? Roll call.

MR. CATANESE: Mr. Burn?

MR. BURN: Yes.

MR. CATANESE: Ms. Danko?

MS. DANKO: Aye.

MR. CATANESE: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. CATANESE: Mr. Drozd?

MR. DROZD: Abstain.

MR. CATANESE: Mr. Ellenbogen?

MR. ELLENBOGEN: Abstain.

MR. CATANESE: Mr. Finnerty?

MR. FINNERTY: Yes.

MR. CATANESE: Mr. Futules?

MR. FUTULES: Yes.

MR. CATANESE: Ms. Green Hawkins?

MS. GREEN HAWKINS: Aye.

MR. CATANESE: Ms. Harris?

MS. HARRIS: No.

MR. CATANESE: Ms. Heidelbaugh?

MS. HEIDELBAUGH: No.

MR. CATANESE: Mr. Macey?

MR. MACEY: No.

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, 9, noes, 4 and 2 abstentions. It passes.

PRESIDENT MARTONI: Thank you for that lovely debate. Now we're going into Public Comment on General Items.

MR. ENGLISH: Permission to speak, Council President?

MR. CATANESE: Mr. President, that's Mr. English. Mr. English was on the list as an agenda topic speaker.

PRESIDENT MARTONI: Okay. That's fine. You were on the list to speak at the beginning.

MR. ENGLISH: Thank you. Since you had a long list of proclamations, I didn't get a chance --- you know, I came in a little late ---

PRESIDENT MARTONI: That's okay.

MR. ENGLISH: --- because usually it runs long.

PRESIDENT MARTONI: Don't use your time doing that. Just do it.

MR. ENGLISH: I don't know what you did on the Rainy Day Fund, but I hope you voted no. The county already has annually a \$12,000,000 fund balance but the county could make an open request for any needed funds. The Rainy Day Fund is duplicative, open for abuse and used for political pet projects, such as the August Wilson Center. The August Wilson Center should have never been built. The John Heinz History Center failed to adequately represent the history of the American --- African-American culture, creating the desire and need. Cost overruns have contributed to their insolvency, but the center's financial plan was doomed to fail, as it was designed to appeal to the African-American community, which makes up just 13. --- 13.4 percent of the population of Allegheny County.

Councilman Robinson believes it's in everybody's best interest to provide more funding, despite the \$13,000,000 in public funding and dedicated RAAC funding. Urging the General Assembly to provide more funding is fiscally irresponsible. Saving the Civic Arena was in everybody's best interest, too, but my plea to this council was ignored. I suggested merging the history --- the history centers of August Wilson and John Heinz under the Civil Arena dome. The collaboration would strengthen the attendance of both centers, and the August Wilson Center would reclaim the residents in the lower Hill District where more of the black history took place. Instead of --- instead, politicians have demolished the arena with a \$9.3 million debt, spent over \$15 million in state RCAP funds for redevelopment, though the redevelopment rights were given to the Pittsburgh Penguins in a covenant in 2007. The SEA is not finished seeking tax dollars for redevelopment, and the graft, corruption and tax dollar waste continues while ignoring historic preservation and the will of the people.

I can tell you a lot of how our state tax dollars are being abused, and the SEA is a number one abuser. I would say to Councilman Futules, whatever

happened to the review of authorities in Allegheny County that were supposed to take place a couple years ago? That was your bailiwick; was it not? I see so much abuse of the SEA. They're so pathetic they had to apply for a state grant to pay for their own salaries. Take a look at the DCED grant. If you have any questions, I'll be more than happy to field them.

PRESIDENT MARTONI: Thank you, Mr. English.
Thank you.

MR. ENGLISH: Thank you, Council President.

PRESIDENT MARTONI: Yes, sir. Jesse Forquer?
Jesse, are you here?

MR. FORQUER: Yes.

PRESIDENT MARTONI: If I mispronounce it, will you correct me, please?

MR. FORQUER: That's close enough. I get a lot worse than that.

PRESIDENT MARTONI: Okay. Thank you. I gave it my best shot.

MR. FORQUER: I have three pages I'd like to read here, and they're in over 40 size type. And basically what I want to --- well, first of all, I would say good evening. My name is Jess Forquer. I'm a commissioner from Robinson Township. I'm chairman of the --- vice chairman of the board and chairman of the Finance Committee. And I want to talk about some TIF issues that we've been working through. Maybe some of you people have read about some of those in the paper. In 2011, when the assistant manager's position became open in Robinson, I convinced our board to hire a financial manager.

One of the first assignments I gave our financial manager was to review the property tax collection process in our TIF districts. Although there was only one TIF district in Robinson, the Redevelopment Authority decided to divide it into two separate tax increment financing districts and bond them separately. The two districts are the Mall-JCP Associates District and the Peripheral District. The TIF agreements were enacted by resolutions and were signed in 2001. One of the first things our financial manager found was that there were terms in the agreements that were intended to limit property tax appeals, and they were being ignored. Our board then approved an audit tax --- of tax collection in

both TIF districts and a review of legal and financial controls in the agreements.

In the beginning, in order to obtain financial documents from the Redevelopment Authority, it became necessary to issue right-to-know requests. I came here tonight to talk about some of the problems we are currently trying to work through with the Redevelopment Authority concerning our tax increment fine agreements --- finance agreements in both of the TIF districts. Although the current management of the Redevelopment Authority wasn't around when the TIF agreements were passed by resolution, they are reasonable --- responsible for the financial management and oversight of the TIF districts.

PRESIDENT MARTONI: Keep going until you've read it.

MR. FORQUER: Our review of the financial reporting, and TIF district management leaves a lot to be desired. We also found that we're not --- we were not receiving reports we should have been receiving. The Montour School District diverts 61 percent of their property taxes to TIF, Allegheny County, 55 percent and Robinson Township, 55 percent in bonds. There was \$18,130,000 in TIF bonds publicly issued for the Mall-JCP Associates District. The amount of TIF tax that was generated, in that district, in 2010, before tax appeals were granted, was \$1,930,420.

We agreed to restructure the agreement in January because the authority stated that the contract was ambiguous. And we were lucky to convince the developers to do that. Everybody signed these agreements, and they went along with it, and we did restructure that contract, so we're in fairly good shape on that one. I've been trying to get information out of the authority concerning when the two remaining bonds on that contract are going to be paid off, and they've been reluctant to give me information. The Peripheral District bonding is a very different story. Approximately, \$8.4 million in bonds were privately issued by the authority and sold directly to the developers in 2001. Per the authority, there is still approximately \$8.2 million in principal alone due. There were three bonds issued at interest rates of 9, 12 and 16 percent. Most of the TIF payments made to the Peripheral developers to date were payments in interest only. The authority is cooperating with us in that they are withholding payments to the developers right now until

we get these contract issues straightened out, and so is the Township withholding funds there.

There is evident that --- evidence that there was never going to be enough taxes generated in the Peripheral District to fund over \$8,000,000 in bonds. And of course, keep in mind they were privately issued. They were not publicly issued. I find it amazing that this contract has no end date. To date, the authority has not mailed a formal proposal to developers, so there is no paper trail. However, we're talking to the developers directly ourselves, and we think we've been making some progress there, and we hope to have a settlement soon on that.

The other thing I wanted to talk about with this board tonight is this. You appoint people to the RAAC Board, and you have a lot of say-so in what goes on in that respect. I think what we need is an advocate for the taxpayers on that board. And there needs to be more oversight. I don't like their reporting. That needs to change. You have some hammer to help with things like that. The other one that's been somewhat helpful to us is Rich Fitzgerald, and I want to thank him for his assistance for these things, as well.

But I know that next year, you know, you've got one of your board seats coming open there, and I'll tell you, in Robinson Township they call me the bulldog, and I want you to know that I will be available, if you're looking for somebody to go on that board, I'd love to be on it. I'd love to assist you. So I thank you for an opportunity to speak tonight and God Bless America and good evening. Thank you very much.

PRESIDENT MARTONI: Thank you, sir.

MR. FUTULES: Point of Privilege, Mr. President. Jesse, could you give a copy of that to Mr. Catanese, so we could have that?

MR. FORQUER: Yeah.

MR. FUTULES: Are you able to do that? I'd like to have a copy, so us members can have that.

PRESIDENT MARTONI: Before the next speaker, would everybody listen up for a minute? Would it be possible that we stay after the meeting for another group photo tonight, because the first group photo --- it didn't come out well. Did everybody hear me?

MR. BURN: No, sir.

MR. ELLENBOGEN: He said you can't sneak out.

PRESIDENT MARTONI: They need time after the meeting to take another picture.

MR. BURN: I take it I didn't photograph well.

PRESIDENT MARTONI: Did everybody hear me? I made the announcement, so should all be there. Jennifer Myers? Jennifer Myers, are you here? Susanne Park, are you here? Come on, Susanne, you're on.

MR. FUTULES: Jennifer Myers?

PRESIDENT MARTONI: No, I called Jennifer Myers.

MR. FUTULES: She's not here.

PRESIDENT MARTONI: Wake up.

MS. PARK: Good evening, County Council. My name is Susanne Park, and I am a resident of the City of Pittsburgh. I'm here in support of Councilwoman Danko's proposal for a three-year moratorium on shale gas drilling in Allegheny County parks. I have to admit that I'm one of those people that's been burying their head in the sand on this issue of shale gas drilling. After going to a couple of community meetings early on, I found the whole thing profoundly depressing. The get-rich-quick attitudes of people selling the lease and rights to their land and the averse in the faces of so many public officials, combined with the secrecy surrounding proprietary chemical formulas of the gas company, filled me with alarm, and I was frankly overwhelmed. But the recent discovery of high levels of radioactivity and chemicals found in Blacklick Creek in Indiana County, which flows into our Allegheny River, has jolted me out of my stupor. According to researchers from Duke University, the levels of radium present in water discharged from a treatment plant on Blacklick Creek are 200 times higher than can be found upstream at the plant.

These treatment plants supposedly remove 90 percent of the radium found in fracking wastewater, yet the levels being reported after treatment remain 200 times above normal. According to the study, even if we stopped disposal of fracking wastewater today, there's enough contamination already built up to designate that area as a radioactive disposal site. Radium has a half-life of 1600 years. According to the Environmental Protection Agency's website, long-term exposure to radium increases the risk of developing diseases such as lymphoma, bone cancer and leukemia. These effects take years to develop.

Blacklick Creek has been contaminated with radioactive wastewater that flows into the Allegheny

River. The Allegheny supplies 50 percent of our drinking water. The effect of this contamination on our people will take years to become clear. County Council members, I am not asking you to do a 180 degree on your stamp on gas drilling. I am asking you to be the pragmatic, level-headed judicious officers we elected to protect us. I'm asking you to demonstrate that the health and welfare of your constituents mean more than filling the county's coffers, and that the health of our county parks' land and water resources will be protected for future generations. Please support the moratorium on fracking in our county parks. I thank you for your time and your service to Allegheny County.

PRESIDENT MARTONI: Thank you.

(Applause.)

PRESIDENT MARTONI: Aaron Booz? Aaron?

MR. BOOZ: Aaron Booz, 3181 Bel Air Drive, Whitehall. I'm here to talk first about Mr. Fitzgerald's proposal to drill for coal under the South Park fairgrounds. That would be under the fairgrounds area where people, including myself, exercise and also where children's sport teams practice. He's given many general assurances but very little specific information. Not only that, I think his loose treatment of the facts on the subject of fracking Deer Lakes Park should give you pause, as well.

An example is a month ago he came before you at this podium and said that the Friends of South Park had proposed this idea to him and had voted in favor of the coal mining. Well, the chairman of the Friends of South Park very clearly rebutted him in a letter to the editor of the Post-Gazette. And as this man explained, the vote at the meeting was a very casual one, taken among people who just happened to show up that day, who had just heard Mr. Fitzgerald's happy talk, and the language of the 14 to 3 vote they took was merely to investigate the issue, not squarely in favor of money and coal.

And from the research I've done, the previous County Executive here and Council had rejected the idea of strip mining coal in the park in the last decade. And even a lawsuit from the person who owned the mineral rights couldn't change that situation. I'm wondering what's so different now. Is it just that we have a different County Executive and one who believes that a good purpose for county parks is exploiting fossil fuels?

The public has gotten precious few details about this proposal. And strip mining for coal under a children's sports field at least deserves close scrutiny and many would say should be rejected out of hand.

I hope that you get the details on this and share them with the public because we just haven't received very much. And I hope you do that before you take a vote. Secondly, several people I've spoken to have asked me to mention that live feed of the videos from these council meetings hasn't been available. The tape is available later, but the live feed has been down for a couple months, as far as I can tell. So I think that should be fixed. And then, finally, to change topics again, Mr. Fitzgerald continues to go around the county talking about how he wants to frack under our county parks, and so I feel compelled to respond. Signing a lease to allow more fracking next to the park and to pump these toxins under it is not harmless. You would have increased air pollution. You would have more heavy truck traffic. The silica sand, which is harmful to lungs, would be in much greater quantity. You'd have the horizontal bores going under the park. On that subject, the industry's own research shows that they don't know how to ensure that the radioactive chemicals stay in the pipe. This isn't a problem for just one driller. It's an industry-wide problem that's never been solved.

The statistics are from the industry, that six percent of the cement casing fails on installation and 50 percent fails in 30 years. The fluids underground migrate through fissures that are already existing, and through cracks that are opened up by the fracking, which probably happens at 10,000 to 15,000 pounds per square inch. And that migration could end up in the fracking lakes. So 50 percent of well bores do fail in 30 years, so you have a 50 percent chance of migration from each of those pipes over the next 30 years. That's not that long.

And 50 percent is the type of odds that can be taken into a casino. Please gamble with your own money, if you like, but I'm asking you that you not roll the dice with our fishing lakes in Deer Lakes Park. The million dollars you could get could be used to build some new buildings, et cetera, and buy some picnic tables. But I'm not a gambler, and I'd rather have the parks as they are. Please protect our parks, and thank you.

(Applause.)

PRESIDENT MARTONI: Mary Ruth Aull? Mary Ruth, are you here?

MS. AULL: I'm here.

PRESIDENT MARTONI: Okay. Come on.

MS. AULL: Hi. I'm Mary Ruth Aull from Penn Hills. We are under way to the sixth manifestation of life on this planet Earth. Fracking releases methane, which is over 100 times worse than carbon dioxide. As the planet warms, the ocean waters warm, releasing methane. The Arctic tundra, which has kept to carbon stable all these years, is melting and releasing methane. Plus, all the CO₂ we are polluting into the environment is causing runaway climate change. In July 2013, studies show that 41,000 square miles of the Arctic, half the size of the State of Kansas, is melting every day. Our life support system is at stake, and yet we are choosing to do even more harm by fracking. In 2010, the World Bank said that a five degree increase in temperature of the planet is likely, unless drastic action is taken. During one of the mass extinctions, the Permian mass extinction, where volcanoes release methane, 95 percent of all life went extinct.

We are currently at 400 parts per million, and the number for Earth's life support system is 350, and yet we are choosing fracking. There has been no precedent like this on Earth before and it is our obligation to do something, like stop fracking. This is the most urgent of times. Corporations have trillions of tons of carbon they want to release, plus we have a crisis of leadership with our politicians. We have runaway climate change now. Extinction does not happen overnight. We are seeing it take place right now as we watch the death throes of our beloved planet, droughts, massive flooding, uncontrollable fires, death-causing heat waves.

We already have climate refugees in the poorer countries. E.O. Wilson says that 10,000 species goes extinct annually, and Paul Ehrlich says that the industrial civilization is a likely producer of conditions for nuclear winter. The fossil fuel industry spends billions on ads, lobbying and buying politicians, just as the tobacco industry did about tobacco not causing cancer. They sat on scientific studies that proved smoking caused cancer, yet they took an oath and testified at Congressional hearings that tobacco did not cause cancer.

Are you going to listen to the fossil fuel corporations as they lie to us, too, or are you going to listen to the scientists, paleontologists, geologists, environmentalists, climatologists and researchers and those here tonight who are alerting us to the dangers of burning fossil fuels? No fracking in our parks or anywhere on this planet we call home. There are other solutions available to us, which is solar. My solar panels saved 2,000 pounds of CO2 in September alone. I say, shine, baby, shine, no fracking. Please view thelasthours.org. It is only a 13-minute presentation to hear the scientists, climatologists, environmentalists telling us all of this and more. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Mel Packer?
Mel, you're up.

MR. PACKER: Thank you, Mr. President. I have two separate documents for the Council, if you need copies of each, including a 12-page letter from Darlene Harris, the President of City Council, urging you to give serious consideration to fracking and detailing some of the effects and dangers of it. I hope you'll read that.

PRESIDENT MARTONI: Thank you.

MR. PACKER: Mel Packer, 623 Kirtland Street, Pittsburgh, 15208. On Saturday and Sunday just passed I spent a great deal of time with about 7,000 young people, mostly students who came to our city excited about trying to fix the world's environmental problems. They came to something called PowerShip. They spent money here. PowerShip rented the entire convention center and many of them stayed in local hotels. They paid their own way or were sponsored by the student environmental clubs. They were an amazing group of young people. Yes, I felt old.

Our family had four in my home from Stanford University and Whitman in West Virginia. All four of them are very serious environmental studies or environmental geology majors. These are study majors which I, frankly, could likely not have even have tackled when I was young. Frankly, I did feel a little dumb around some of these people. It was rather amazing. They were bright, committed, active, and involved in organizing groups in their hometowns and on their campuses, and it seemed like almost all of them were interning during breaks in various efforts in groups working on conservation and environmental problems.

The level of scholarship and involvement astound me, both of which not always go well together due to time demands. The kids, 20 and 21, who stayed with us, spent 12 hours a day at PowerShip, and then sat at our kitchen table with their laptops working on their own research projects for their field of study well past midnight both nights they were there. But no matter which of the kids we talked to --- and I call them kids, and I called them kids to their face, too --- whether they were simply blind to environmental studies or other fields, when we told them Mr. Fitzgerald wanted to frack under our county parks, to a person, the look was one of either amazement or puzzlement.

Then they would say why? Why would anyone do that? Parks are for people to use and to play in. Or doesn't he care about the parks? Or doesn't he realize what fracking would do to the water in those parks? Or simply, they said, you can't be serious. And so we saw about 300 of them leave the conference, which they paid to attend on Saturday, to help protect our parks coalition and hold a march and rally out at the courtyard of this building, which meant skipping the workshops they paid for. Finally, when PowerShip ended Sunday night and most of them caught late buses, trains and planes back, about 1,000 of them stuck around to stage the biggest environmental march and rally this town has ever seen.

Where did many of them head to? To this very building again, where they knew that ten of us, myself included, and local residents, in part to protect our parks, were conducting a peaceful sit-in and occupation of Rich Fitzgerald's outer office. About 300 to 400 of them managed to make it to the courtyard. About 100 came to the building and sat down in the lobby outside the office to lend support. Do you think they would have come if Rich Fitzgerald was not trying to give one of his major financial backers for Marcellus coalition the right to poison the land and water?

Do you think they came --- or they would have come if he was offering to build hiking trails, bike trails, something else that might benefit? Of course not. They came because they know, as many of you know, I think, that fracking is a toxic process that endangers the park, water and land for years to come. We've given you evidence many times over. We'll keep giving you more evidence as more studies prove --- prove us right and

water gets poisoned or lakes and streams have fish killed, and more ridiculous and high levels of radiation are found in our drinking water from frack fluid. We'll keep doing that because we have to. And those kids are with us --- I ask for the same privilege as the gentleman from Robinson. It will take me about 30 more seconds. Can we shut that off? Thank you.

The kids who are with us understand very clearly that fracking, like some other fossil fuel inventions, is endangering the future of this planet and our children's futures with it. And they'll keep giving you evidence, too, no matter where they are, no matter what they have to do, no matter if they fight standing with bottled water from their campus, or lying down in front of the trucks, taking coal from mountaintop removal sites, they have no choice. It is their future. It will be their planet, not my planet and not ours. And you, like them, should do what you can to reduce the environmental disaster facing us, by voting to keep fracking away from county park land. You can do that for three years by supporting Barbara Daly Danko's moratorium or by telling Rich Fitzgerald no with ten veto votes, when he finally brings a proposal to ruin our parks. It's your choice now, but it's your children and grandchildren who will either suffer from or enjoy the results of that vote. Thank you.

(Applause.)

PRESIDENT MARTONI: Mr. Detwiler? John, are you here? Yes, you are.

MR. DETWILER: Thank you. John Detwiler, 5723 Solway Street. My representatives are Councilwoman Heidelbaugh, Councilman DeFazio and Councilwoman Danko. I'm concerning about fracking in the parks, and I have one straightforward request. Out of respect for good government and common sense, act upon the moratorium that Councilwoman Danko has proposed before you take any action to approve the lease for fracking. While the Executive is in a rush to start drilling, some people hope the moratorium bill will be forgotten. So far, there have been no public meetings or hearings, no timetable for acting on it.

But still, listening to County Council meetings, I'm encouraged that members of this body are embracing their responsibility of a distinct branch of government and not orchestrated by the Executive. I'm not selling anything, but I have some first-hand experience that you

might take into account. I retired from this county government after overseeing a big technology outsourcing project. So I know something about the county's technical capabilities. And before that, I spent over 30 years on both sides of the table with engineering specifications like this RFP for drilling Deer Lakes Park and even more complex specs.

I studied the RFP. And if you was to approve a contract based on this spec, you will have no chance at all to act on behalf of the parks and the public after a contract is awarded. You, on County Council, need time and the citizens need you to take the time to understand what's at stake in this lease. You're very busy. You have a very limited staff to help you. But the Executive won't do your due diligence for you, and you have only one shot to get this right. This RFP is a wide open door for the drillers to do whatever they want in the park. Here's just one example. The Executive has held up CSSD, the so-called Center for Sustainable Shale Development, in the spec assuring protection for the park's environment. But CSSD is a shell of an organization with no substance. It held one splashy press conference more than six months ago and doesn't seem to have conducted any business since. Back then, it displayed a handful of industry practices with no teeth at all, as its first attempt at standards, and hasn't been heard from again.

Its own charter virtually guarantees that it will never put any effective constraints on drillers. Its credibility is zero. And even its financial sponsor has been backing away from it. So delegating the CSSD just won't do. Don't vote on a gas lease without answers to these questions. Is fracking a reasonable industrial process to allow in county parks? And if fracking is a reasonable industrial process, does Allegheny County government have the ability to ensure that it's done correctly? You have a proposal for a three-year moratorium. Coincidentally, the City of Pittsburgh's ban on drilling is three years old this month.

We worked on this issue as citizens and public officials for three years or more, and we would answer no to both of those questions. But before you take up the matter of a lease, you need to answer for yourselves. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Lucas Lyons?
Lucas?

MR. LYONS: Lucas Lyons, 1902 Meadville Street, North Side. Okay. So I guess --- I heard Mr. Fitzgerald speak in a Post-Gazette video this past week. And he said something like, you know, there's people on both sides of the aisle and everyone is making their points. This right here, this is not equal to what the Marcellus Shale Coalition and all these corporations offer. Where are the corporations in the crowd? Where are the people defending fracking as safe in the crowd? They're not here. They haven't been here for a single meeting yet. They're not here tonight. No one is going to defend this stuff.

However, one thing I want to mention is Penn State. They have a Marcellus Outreach Center fully funded by, of course, the Marcellus Shale drillers. That's one of the main sources of studies for economy and jobs and stuff like that in the State of Pennsylvania. I have a study here by the WaterWatch. It's a non-profit organization that said the Penn State study under-counted the number of wells drilled in Pennsylvania, thus over-estimating the number of direct jobs for wells. The Penn State study exaggerated a portion of gas company spending in the State of Pennsylvania, thus overstated direct job creation. The Penn State study included payments to landowners as economic influx to the area. They also failed to mention that many of the high-paying gas industry jobs created would go to transient out-of-state workers with the shale gas industry and not to people in New York and Pennsylvania. Okay?

The Penn State misused study --- let's see. Penn State misused study results by not accounting for the economy's scale. So originally, this --- they were talking about New York State in this, and they originally said that drilling was going to bring 62,000 jobs. When you bring those five things that they said were wrong in all these Marcellus Shale reports coming out of Penn State, it brings it down to about 6,000 jobs a year. Okay? That's until 2018. We are looking at a very small fraction of possible jobs. And the jobs that would be created here are going to be Texas-based non-union jobs.

So for all of you that are making these, jobs, jobs, jobs, economy, economy, economy, jobs for Texans, money for Texans, poison for us. I'm getting sick and tired of this stuff. This is not an equal fight. I guess

I don't have enough time, but I wanted to mention that the EPA --- we can't count on them to stand up for us. There's an article, and I want you to look it up, in the Los Angeles Times. It found internal EPA documents that they censored information on poisoning --- methane poisoning of wells in Dimock, Pennsylvania. They also found that the EPA censored information on wells in Texas by Range Resources, of all companies. Twice the EPA has pulled articles showing that Marcellus Shale drilling has contaminated groundwater.

The EPA is not on our side. They're appointed by the governor, who has \$1.3 million of lobbying money, funds his campaign. He's going to fund his campaign again. We need to stand together as residents of Allegheny County, and we need to stand against this. We can wait. We can do three years in moratorium. And we can get an independent study to show the real impact of jobs, not a jobs report from a Penn State coalition --- Marcellus Shale coalition. Let's talk to Carnegie Mellon. Let's talk to Pitt. Let's get a real job report. Let's get a real environmental impact study. And let's put an end to this right now.

(Applause.)

PRESIDENT MARTONI: Thank you. Terri Supowitz? Not here? Okay. Timothy Ludwig? Timothy Ludwig, you are here.

MR. LUDWIG: My name is Tim Ludwig, 18 Greismere Street, in Etna. I've come to address two issues that are before you. The moratorium still is referred to committee; as one councilman said, Never, Never Land. Let's hold a meeting. Last meeting, I believe, it was --- somebody talked about and agreed upon that a meeting would be held. The second issue I'd like to bring up is the RFP that's out there. It is due on the 25th, so just a few days from now. It is a land use issue, which you guys have discussed. And I would stress that you don't give away your power, that you actually are involved in the RFP, you don't just leave it up to the Executive. So please get involved.

In the RFP, I haven't --- I don't have a technical background like the one gentleman that spoke earlier. But what was brought to my attention was page 89, the contractor integrity provisions. When I saw those pages, it was kind of laughable, because it stresses a couple of main points. Number one, that the contractor

shall maintain the highest standards of honesty and integrity during the performance of this contract and shall make no action in violation of state or federal laws or regulations or any other applicable laws or regulations or any requirements applicable to contractor or government contracting with the Commonwealth.

Now, I would stress that you would change the language from the Commonwealth to the County of Allegheny, to be Allegheny County or the leaseholder, because if we look at one company that's probably favorable for this lease, Range Resources, they have violated the state law 210 times. Now, 210 times is 17 percent of their wells. They've drilled 1,217 wells, 210 violations. Now, we're looking at contractor integrity. Seventeen (17) percent of the time they're just blatantly violating the law. It goes on in this integrity provision that contractors, affiliates, agents and employers shall not influence or attempt to influence any Commonwealth employee or breach of ethical conduct. It just brings to mind the last election when the County Executive here said, if you want a friend --- you want a friend for the industry, you need --- you know, donate a little bit to my campaign here.

It goes on that --- and because I only have a brief amount of time --- contractor -- I mean, its partners shall not violate any state --- or any federal, state environmental law. Again, I stress 210 times they've done this, also, any other crime involving moral turpitude or business honesty or integrity. Currently, Range Resources is in a lawsuit for conspiracy to hide unhealthy test water results in Washington County. I would have to say that's completely --- violates that part.

The last little part is, any time that a contractor violates one of these, it does say that the Commonwealth may, in its sole discretion, terminate the contract for cause upon such notification when the Commonwealth otherwise learns that the contractor has officially been notified, charged or convicted. Please change that language to Allegheny County, so that if there is a violation, you can terminate the contract right away and end this. Thank you.

(Applause.)

PRESIDENT MARTONI: Thank you. Lester Ludwig?
Lester?

MR. LUDWIG: My name is Les Ludwig. I live at 6589 Rosemoor Street, and you're all aware that I'm a candidate for Mayor of the City of Pittsburgh. I'm also a food technologist by degree, and I have to agree with all of these people who spoke, who are even more aware than I, this issue of fracking is extremely dangerous. And as far as I'm concerned, I have to make the statement directly; I'm against it. And I'm against it professionally. I had the situation when I was stationed at Walter Reed Army Institute of Research, as a kid 20-some years old, testing the food supply from the five posts that surrounded Washington, D.C. They wanted to change the dairy supplier. There was a monopoly in the D.C. area, so they changed it, and the milk was absolutely rotten. The flies were flying out of the cartons when you opened them. And I would walk into the dining hall and have all of my fellow service people say to me, what are you doing? When are we going to have a decent pint of milk?

I was also approached. I could have lied. I could have changed the record. I could have turned in results that would have been favorable. I took the stand to stand tall. I remember when the lieutenant colonel, who got me the job, came and saw me before I left the service. He said thank you for a job well done. Now, I want to turn to another subject as quickly as I can. There's an election coming, and it clouds issues. But it doesn't cloud how you measure results and the results of what's going on with MBRO, Management Budget Revenue Opportunities, which you have said, sir, you are writing legislation for the county to participate. It's unbelievable. When I wrote my last flyer, it was seven cities. That's a month ago. There are now ten, ten cities that are participating.

Why? Why are they running to jump on this bandwagon, and why should we delay a moment in finishing this legislation? So that we can move forward to getting --- to making money, money that's needed desperately for government. Now, there's 10. A month from now, will there be 20? I won't be surprised, and I am actually trying to get an evaluation of a projection all the way out to 100 percent of major cities and see what effect it would have on the deficit of the United States. And I am the father of this movement. I turn to you again and I say, let's move forward. Let's not delay. I thank you for your attention.

PRESIDENT MARTONI: Thank you, sir. Do we have a motion on the floor to adjourn?

MR. DEFAZIO: So moved.

MS. GREEN HAWKINS: Second.

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

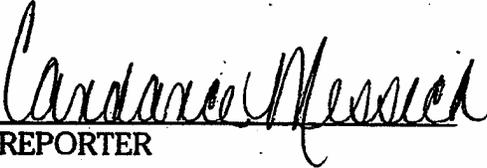
(Chorus of ayes.)

PRESIDENT MARTONI: The meeting stands adjourned.

MEETING ADJOURNED AT 6:49 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.


REPORTER