

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Patrick J. Catena	-	President, District 4
Nicholas Futules	-	Vice President, District 7
Samuel DeMarco, III	-	Council-At-Large
Bethany Hallam	-	Council-at-Large
Thomas Baker	-	District 1
Cindy Kirk	-	District 2
Anita Prizio	-	District 3
Tom Duerr	-	District 5
John F. Palmiere	-	District 6
Paul Zavarella	-	District 8
Robert J. Macey	-	District 9
DeWitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12
Olivia Bennett	-	District 13

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

Tuesday, January 21, 2020 - 5:03 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:

Jared Barker - Director of Legislative Services
Jack Cambest - Allegheny County Council Solicitor
Ken Varhola - Chief of Staff
Sarah Roka - Budget Assistant

PRESIDENT CATENA: Good evening, everyone. I'd like to call this meeting of County Council to order. Please stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

PRESIDENT CATENA: We'll now have a moment of silence.

(Silent prayer or reflection.)

PRESIDENT CATENA: Thank you. Please be seated. Roll call, please.

MR. BARKER: Mr. Baker?
MR. BAKER: Here.
MR. BARKER: Ms. Bennett?
MS. BENNETT: Here.
MR. BARKER: Mr. DeMarco?
MR. DEMARCO: Here.
MR. BARKER: Mr. Duerr?
MR. DUERR: Here.
MR. BARKER: Mr. Futules?
MR. FUTULES: Here.
MR. BARKER: Ms. Hallam?
MS. HALLAM: Here.
MR. BARKER: Ms. Kirk?
MS. KIRK: Here.
MR. BARKER: Mr. Klein?
MR. KLEIN: Here.
MR. BARKER: Mr. Macey?
MR. MACEY: Present.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Here.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: Here.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Here.
MR. BARKER: Mr. Walton?
MR. WALTON: Here.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: Here.
MR. BARKER: President Catena?
PRESIDENT CATENA: Here.

MR. BARKER: All members are present.

PRESIDENT CATENA: Thank you. We'll now have presentations --- or proclamations of --- proclamations or certificates.

MR. BARKER: All will be read into the record.

11357-20, a Proclamation recognizing NIOSH-NPPTL upon the 100th anniversary of the first respirator approval. Sponsored by Council Members DeMarco, Hallam and Palmiere.

11358-20, a Proclamation recognizing Donald Similo for his 40 years of dedicated service to Elizabeth Township. Sponsored by Council Member Macey.

11359-20, a Proclamation recognizing Chief David Martin for his 27 years of dedicated service to the Homeville Volunteer Fire Company. Sponsored by Council Member Macey.

11360-20, Certificates of Recognition presented to the 2019 Highland Volunteer Fire Company Awardees. Sponsored by Council Member Kirk.

11361-20, a Proclamation recognizing Keystone State Wrestling Alliance upon its 20th anniversary. Sponsored by Council Member Baker.

11362-20, a Proclamation congratulating the Oakmont Carnegie Library upon the occasion of being awarded the PA Forward Gold Star Award. Sponsored by Council Member Futules.

11363-20, a Proclamation recognizing Bill Seyko upon his retirement from Verona Borough Police Department. Sponsored by Council Member Futules.

11364-20, a Proclamation recognizing Shen Yun Performing Arts to Allegheny County and Pittsburgh's Benedum Center for the Performing Arts on January 24-25, 2020. Sponsored by Council Members Catena, Futules, Kirk, Palmiere, Palmosina, Prizio and Duerr.

11365-20, a Proclamation recognizing Mr. Thomas Bonura for his 50 years of dedicated service to the Pleasant Hills Volunteer Fire Company. Sponsored by Council Member Palmiere.

11366-20, a Proclamation declaring Saturday, December 14, 2019 to be Jingle Bell Run Arthritis Foundation Day in Allegheny County. Sponsored by Council Member Baker.

And 11367-20, Certificates of Recognition presented to the 20th Ward Committee Members. Council Member Palmosina.

PRESIDENT CATENA: Thank you. We'll now have public comment on any agenda items.

MR. BARKER: We have one. First up, and only up, is Edward Chute.

MR. CHUTE: Okay. Ed Chute, 904 Valleyview Road, Mount Lebanon. Hello once again. You may recall that I began my comments during my most recent appearance at County Council on January 2nd with a reference to the famous anecdotal metaphor of Pope John XXIII opening a Vatican window to allow fresh air into the Catholic Church. Well, the main focus of my earlier comment was about your responsibility under the Charter to be the independent legislative branch of our County Government.

I also listed a number of avenues of opportunity for you to provide oversight beyond the pollution of our air and water quality, which I used as the presentational exemplar for your upcoming role concerning the Allegheny County Health Department.

Quite frankly, I am pleased to see that you are, once again, considering the establishment of an independent mechanism for citizens to review allegations of misconduct undertaken by police officers within Allegheny County. During the most recent campaign season, I was gratified that a number of your newly-elected members spoke in favor of just such a citizens review board.

Clearly, it is time to put campaign words into action. It is time for the Allegheny County Council to confront and rectify what a substantial number of our fellow citizens want our government to address. It is time for Council to amend the Allegheny County Code of Ordinances to establish a citizens' review board along the model already existing for the City of Pittsburgh.

Finally, I want to reiterate my assertions from our --- your first meeting of 2/20 --- 2020 that at least it is conceivable to me that it is not just possible but indeed probable that the planets and stars have aligned in such a way that our reconstituted Allegheny Council --- County Council can open a couple of windows into our county's future. We the people are --- we the people are watching. And you have your --- you have our support to do the right things and keep your campaign promises to us. Thank you.

PRESIDENT CATENA: Thank you. We'll now have approval of minutes.

MR. BARKER: We have none on the agenda tonight.

PRESIDENT CATENA: You're --- you're on the --- yeah. You're at the end.

MR. BARKER: We have none on the agenda tonight.

PRESIDENT CATENA: None on the agenda tonight.
Okay.

Presentation of appointments, 11377-20.

MR. BARKER: Approving the reappointment of William Ondek to the board of Property Assessment Appeals and Review for a term to expire on December 31, 2022. Sponsored by the Chief Executive.

PRESIDENT CATENA: We'll refer that to appointment review. 11378-20.

MR. BARKER: Approving the reappointment of Wayne Fargotstein to the Board of Property Assessment Appeals and Review for a term to expire on December 31, 2022. Sponsored by the Chief Executive.

PRESIDENT CATENA: Refer that to appointment review. 11379-20.

MR. BARKER: Approving the appointment of Jenna R. Cramer to the Allegheny County Conservation District Board for a term to expire on December 31st, 2023. Sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to appointment review. 11380-20.

MR. BARKER: Approving the appointment of Maria Graziani to the Allegheny County Conservation District Board for a term to expire on December 31st, 2023. Sponsored by the chief Executive.

PRESIDENT CATENA: That will go to appointment review as well. 11381-20.

MR. BARKER: Approving the reappointment of Barbara M. Parees to the Allegheny HealthChoices Inc. Board for a term to expire on December 31, 2023. Sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to appointment review as well. Any unfinished business?

MR. BARKER: We have none.

PRESIDENT CATENA: Liaison reports? Seeing no liaison reports, I do have a few comments that I would like to make to all of Council, some things that I'd like to consider moving forwards. One of the things that I'm suggesting, and we can obviously discuss at a later date, is committee meetings right now aren't recorded. And I would like to go back to recording them and possibly getting them televised. And I just wanted to put that out there for all of Council so they were aware of that.

Also, I want to make sure that when we discuss informational meetings for when we're talking about the

rules of Council that information meetings --- for instance we had an informational meeting where we're discussing conversation therapy. That meetings will not have any votes taken when they're informational in purpose only, that there's going to be no hidden agenda. Everything will be done upfront. So basically, we just want to make sure of that.

Robert's Rules of Order --- and these are in the Rules of Council, so there shouldn't be any surprises to anybody. Robert's Rules of Order will address decorum in all committee and regular meetings as it relates to addressing other members of Council and during debate and public comment. I would expect that everyone would exhibit proper respect and decorum when --- when discussing with other Council Members.

According to the Rules of Council, obviously, liaison reports are to be used by members to update colleagues regarding County-related Boards and Authorities. So for instance, if something came up for the jail, Bethany, who is the appointment, would discuss, obviously, that. Now, I am considering, basically, toying with the idea of creating a good and welfare section or creating another section, if Council is so inclined, to address what you're doing out in the community. But like I said, that would be up to all of Council, so I wanted to put that out there for everyone to consider.

And one of the last two things, Council, obviously, we were called out on this previously. We're presenting a lot of Proclamations, obviously, and Proclamations are obviously meant to --- for special occasions. We want to be sure that we're creating Proclamations for events that are truly significant and truly mark a momentous or a special occasion. And obviously, that's something that, obviously, I want all of Council to discuss.

And the last two things, moving forwards, you're going to see on our County Council page on Facebook the agenda and the ordinances will be published. So it'll be a little bit easier for people to see what's --- what exactly is going on or what exactly we're talking about at any given point in time, if you're on Facebook obviously. It's a matter of just trying to be transparent and putting that information out there.

And one thing I would like to say to --- the Committee assignments were given this week. I would

kindly ask that all committee chairs, that we have no bills die in committee. I would like basically --- we're a governing body, a legislative body. We should be --- we should be not afraid to have the discussion and debates that we need to have and fully vet all legislation. So I'm asking those committee chairs that, obviously, they get committee attention, and therefore, vote up or down either way. So I'm kindly asking for your guidance in doing that.

So thank you for allowing me to go over a few of these --- a few of these issues.

MR. MACEY: How about interacting with speakers?

PRESIDENT CATENA: When they're --- when they're --- that falls under the Robert's Rules of Order. Obviously, when there are speakers coming up, the concern is that the speaker would obviously address the Chair. And there's no interaction between Council and the speaker, obviously, except them addressing the Chair. We don't want to go into cheering, applauding, what have you. I mean, that all falls under Robert's Rules and the Rules of Council, so we want to be very clear that, like I said, we're not presenting favoritism one way or the other. We're a body --- a legislative body. And we're here to decide --- we're here to govern. And that's the way it needs to be.

So at this point in time, we'll now have new business, ordinances and resolutions. And we'll start with 11370.20 --- or -20.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County code of Ordinances through the establishment of a new division 9, entitled conduct, and a new Chapter 905, entitled Independent Police Review Board, in order to establish a mechanism for citizen review of allegations of misconduct undertaken by police officers within Allegheny County. Sponsored by Council Members Walton and Duerr.

PRESIDENT CATENA: Councilman Walton, since you were the sponsor would you like to comment on this at all?

MR. WALTON: This legislation, while rejected last year, demands passage. The conditions haven't changed. The challenges are no less. And the obligation of Council is to provide equity and justice for all residents of the County. I hope during this legislative session that many of the half-truths and outright lies are

not used in an attempt to discredit the legislation. I respect the rights of individuals to disagree, but if we operate with integrity, we'll engage in honest, forthright discussion and not half-truths and lies. The people of Allegheny County deserve no less.

PRESIDENT CATENA: Thank you, Councilman Walton. That will be referred to public safety. 11371-20.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing that a referendum question regarding the amendment of Article III, section 6 of the Home Rule Charter of Allegheny County, which places restrictions on the ability of certain persons to run for federal, state, county and local elected office, be placed on the November 3, 2020 General Election ballot. Sponsored by Council Members Futules, Catena and Macey.

PRESIDENT CATENA: Councilman Futules is the prime sponsor. Anything to say?

MR. FUTULES: Yeah. Thank you. I'll be brief. As a role of elected officials throughout the state, federal, local, when they want to run for an office, they really don't have to resign from their current office. And this bill has been presented years ago, and maybe it's a different world now. And it may change, but this basically gives Council Members the ability to run for another office without having to resign. And that's about it. We'll discuss it in committee.

MR. BARKER: Thank you. We'll refer that to government reform. 11372-20.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing that a referendum question regarding the amendment of Article III, section 5(b) of the Home Rule Charter of Allegheny County, which establishes term limits for certain independently elected County officials, be placed on the November 3rd, 2020 General Election ballot; and further amending Article 301 of the Administrative Code of Allegheny County, contingent upon the passage of the referendum question. Sponsored by Council Members Futules, Duerr and Catena.

PRESIDENT CATENA: Thank you. Councilman Futules is the prime sponsor. Anything to add to that?

MR. FUTULES: Yes, thank you. This is obviously a little bit more controversial, I believe, for Council Members here and other elected officials as well. But I

had thought about term limits for Council. The bill will be discussed in the committee, and they kind of work hand-in-hand with the previous bill that we just discussed. If we agree to a term limit, maybe the people would agree that maybe we have the right to run for another office without having to resign. But the idea is --- trying to put this in a package together is going to be difficult. But we will discuss this during the committee process. And I'm sure we'll have a great discussion on this. Thank you.

PRESIDENT CATENA: Thank you. That will go to government reform as well. Ordinance 11373-20.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of a structure in the County's Boyce Park by Family Links, Inc. Sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to parks. 11374-20.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing continued use of property in the county's Deer Lakes Park by the Amateur Astronomers Association of Pittsburgh for operation of an astronomy observatory known as the Wagman Observatory. Sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to parks as well. 11375-20.

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing use of property in the County's North Park for operation of a platform tennis organization by North Park Paddle Tennis. Sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to parks as well. And that's it. We now have new business. Motions?

MR. BARKER: We have none.

PRESIDENT CATENA: None? Okay. Notification of contracts, 11376-20.

MR. BARKER: A Communication summarizing approved Executive actions from December 1st through December 31st, 2019.

PRESIDENT CATENA: I need a motion to ---.

MR. FUTULES: Receive and file.

MR. MACEY: Second.

PRESIDENT CATENA: Motion has been made and seconded. All those in favor signify by saying aye. (Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries. We'll now have public comment on general items.

MR. BARKER: We have several. First up is Nicole Jones. Apparently, she's not here. Next up is Gabrielle Monroe.

MS. MONROE: Okay. Good evening, everyone. Thank you for giving me time to talk. I will try to keep this as brief as possible. I have five simple asks that we will have to continue discussing more than tonight. I know that I won't leave here with any answers. Allegheny County can be the first county in the United States for some of the things I'm asking.

One, Allegheny County should be made a sanctuary county for sex workers and consumers of sex services. This means cease cooperating with municipalities, state and federal law enforcement, including, but not limited to ICE and DHS over prostitution and related charges as well as substance-related offenses. This should not --- they should also not report to private entities like banks or employers, no databases of sex workers. Immigration offenses should not be reported either.

County amnesty for sex workers. We'd like to work with the County members --- County Council Members as well as the Allegheny County Police Department to work out some agreement so we have some safe spaces for sex workers where they can go and report violent crimes against them without themselves being arrested, which happens a lot here in Allegheny County. Everybody should have the right to safety, including sex workers.

An anonymous hotline to be created to report abused committed by law enforcement officers, jail workers and governmental officials. We have anonymous hotlines to report people for all sorts of things. We need an anonymous hotline to report out police for misuse.

The second ask will be investigations of police. We'd like to request an investigation of all sexual assault and rape via governmental officials for all prostitution and related charges. It was said at an ACLU Smart Justice public meeting that a past police officer spoke of how police officers were commenting about this on their interagency police reports in a bragging manner.

So because time is limited, also, I'd like to discuss some resources for sex workers as well as sex trafficking victims here in Allegheny County. We have none. I would also like Allegheny County Council to

consider passing legislation that bars the outing of sex workers by governmental agency. Marking sex workers' private identity very publicly leaves us vulnerable to stalkers and other violent predators.

And five, I would like to request and investigation of the Prime Corp. program.

Thank you for your time.

PRESIDENT CATENA: Thank you.

MR. BARKER: Next up is Zachary Barber.

MR. BARBER: Good evening, everyone. My name is Zach Barber. I'm a resident of Allegheny County, 3552 Beechwood in Greenfield. Lifelong resident of Allegheny County. First, I want to start by thanking the Council for last session voting to pass a resolution supporting the Allegany County Health Department in seeking strong enforcement against illegal polluters. These type of actions are going to have a really profound effect in cleaning up the air pollution that gives us some of the dirtiest air in the country. And so it's really great to know that we have the support of the members of Council who were here last session.

And --- but I'm here to say today that there's still more work that needs to be done and the Health Department still needs support from this Council. As we look ahead into 2020, the Health Department has prioritized cleaning up dangerous but legal pollution from sources like U.S. Steel's Clairton coke works. We know this is a controversial proposal, and industry is going to fight these things tooth and nail. And so it's very important that they have the support of our elected officials to represent the public interest in keeping our air clean.

We also know that the Allegheny County Health Department simply doesn't have the resources to take on U.S. Steel. When we go into the courtroom with U.S. Steel they can bring an entire law firm of lawyers. The Health Department often can only afford a few handful of lawyers, who are all doing their very best and should be applauded for that. But we should give the Health Department every tool that they could possibly need to go up against these. And so as we're considering a new budget at the end of this year, we would strongly ask that County Council consider making more resources and funding available for the County as they go after these polluters.

And you're about to have a really big opportunity to make some --- have some influence on the future direction of the Health Department through appointments to the Allegheny County Board of Health. This is the Board that directly oversees the Health Department. The current Board is, of course, made up of great people with great intentions, but we know that --- there are certain perspectives and resources that are just not available on that Board right now.

There are, for instance, no members of the Board of Health who have a legal or environmental enforcement background, and that's probably one of the largest chunks of what the Health Department does, is enforcing the Clean Air Act and County regulations. And so it would stand to reason that we should have a few members of the Board of Health who have this sort of background, who can be helping the Health Department, ensuring that they are, you know, proactively enforcing the law and able to help guide them and steer them.

And so as we consider new members of the Board of Health, we ask that you consider nominees from a broader array of perspectives, not just simply medial practice, although that is a very important part of it, but we also want to see more people with health backgrounds --- I'm sorry, environmental health backgrounds, the impacts of air pollution and water pollution on our bodies. And then we also want to see people with legal enforcement backgrounds. So these are just a few of the options that are before Council and how you can back up the Health Department. And you know, here in Allegheny County we have --- thank you. Have a good night.

PRESIDENT CATENA: Thank you.

MR. BARKER: Last up is Ron Bandes.

MR. BANDES: Welcome Council Members, experienced and new. Happy New Year. I'm Ron Bandes. I'm a Judge of Election, President of Vote Allegheny and a Director of the League of Women Voters of Greater Pittsburgh. I am a computer security analyst by training. The League of Women Voters of Greater Pittsburgh is collaborating with the County of Allegheny to provide voter education regarding the new voting system. I am the point person at the League for this effort. Implementing a new voting system in a presidential election year is very challenging. We have no opportunity to practice with

a lower visibility election. Everything must be right the first time. That means we need resources and we need everyone to help.

I recommend that the Board of Elections not wait until the next regularly scheduled meeting on April 14th to meet and plan oversight activities. In particular, the election security landscape is as hostile as ever. Paper ballots are an important security tool, but they don't automatically solve all security problems. We must be that we have procedures that not --- are not only resistant to attack, but also resilient in the face of an attack that is at least partially successful. We have wonderful talent that we can bring to bear in --- at Pitt Cyber, Vote Allegheny and Carnegie Mellon University. We should start on this now.

As if a new voting system wasn't enough of a challenge in a presidential election year, we also have new election laws. The later deadline for voter registration will be very challenging for the elections division.

I believe the biggest difficulty arises from the new mail-in ballots. The Commonwealth has, in effect, implemented vote-by-mail overnight with none of the planning that other states did before such an implementation. Oregon planned vote-by-mail for 15 years. Colorado, with the benefit of Oregon's experience, still planned for vote-by-mail for seven years. They figured out how to handle the volume of ballots, how to secure the drop-off boxes, how to handle the huge number of signature verifications that will no longer be done at the polling places. Pennsylvania has done none of these things.

There is nothing stopping Allegheny County from exceeding the requirements of the new election law. One very important thing we could do to establish a system by which absentee and mail-in voters could verify that their ballots have been received. This has long been a shortcoming of our absentee balloting and is not amplified by the much larger number of ballots that we expect to be cast by these methods. Voters should be able to call or visit a website to check the status of their absentee or mail-in ballots. This will cost money that Council will have to appropriate. Please let's get started.

P.S. I've left invitations for the Women on Council to the League of Women Voters 100th birthday party on February 15th. I've done this specifically for the

women, because this is not only the 100 anniversary of women voting in the United States. It is also the 100th anniversary of women holding public office. So thank you.

PRESIDENT CATENA: Thank you.

MR. BARKER: That's it.

PRESIDENT CATENA: Okay. Before we have a motion to adjourn, there is one other thing this evening. Usually when we have public comment, it seems like there's no response from County Council. It seems like there's lack of follow up. So moving forwards, what I've asked our Chief of Staff to do is --- obviously, when comments are made or when something's directed to us that we follow up with you directly or we follow up with the residents moving forwards so that we're getting answers to your questions so that it doesn't look like we're not a responsive body. Obviously, we hear your concerns. We hear your sentiments. And we wish to follow up with you after the meetings. And we'll be doing that moving forwards so. Thank you again for coming out this meeting.

Motion to adjourn?

MR. FUTULES: Motion to adjourn.

MR. MACEY: Second.

PRESIDENT CATENA: Motion has been made and seconded. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: Motions carries. Thank you.

MEETING CONCLUDED AT 5:31 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.

Dated the 5th day of February, 2020

 _____

Jeremy Harris,

Court Reporter