ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

BEFORE:

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

- District 13

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

Tuesday, December 1, 2020 - 5:01 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.

225 Ross Street Suite 202

Pittsburgh, PA 15219

(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

Olivia Bennett

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

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PRESIDENT CATENA: I'd like to call this meeting of Allegheny County Council to order. Please rise for the Pledge of Allegiance. (Pledge of Allegiance)
         PRESIDENT CATENA: Please remain standing for silent prayer or reflection.
         (Moment of Silence)
PRESIDENT CATENA: Thank you. Please be seated.
         Jared, please take roll.
JARED BARKER: Mr. Baker?
        MR. BAKER: Here.
JARED BARKER: Ms. Bennett?
MS. BENNETT: Here.
JARED BARKER: Mr. DeMarco?
MR. DEMARCO: Here.
JARED BARKER: Mr. Duerr?
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        MR. DUERR: Here.

JARED BARKER: Mr. Futules?
        MR. FUTULES: Here.
JARED BARKER: Ms. Hallam?
        MS. HALLAM: Here.
JARED BARKER: Ms. Kirk?
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        JARED BARKER: Here.
JARED BARKER: Mr. Klein?
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        MR. KLEIN: Here.
JARED BARKER: Mr. Macey?
        MR. MACEY: Here.
        MR. PALMOSINA: I'm here.
JARED BARKER: Ms. Prizio?
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        MS. PRIZIO: Here.
JARED BARKER: Mr. Walton?
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       JARED BARKEK: Mt. nacci
MR. WALTON: Here.
JARED BARKER: Mr. Zavarella?
MR. ZAVARELLA: Here.
JARED BARKER: President Catena?
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        PRESIDENT CATENA:
        JARED BARKER: We have 15 members present at the
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         PRESIDENT CATENA: We'll now have proclamations.
        These will all be read into the record, and we're going to do them as a group since they're all for the same group is
        11675 through 11682.

JARED BARKER: These are all certificates of
        achievement presented to members of Boy Scout Troop 85
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notification of contracts. Is there any public comment on
                agenda items?
KEN VARHOLA: Yeah.
                                                                                   There's public comment on
                 agenda items, President Catena. The first up is Dixie
                 Tymitz.
                DIXIE TYMITIZ: Dixie Tymitz Wallingford Street
in Pittsburgh. This year in 2020 the White House used the
virus pandemic as a pretext to close the border
                virus pandemic as a pretext to crose the solling indefinitely and stop hearing asylum applications.
                Neither are our immigrants here safe. DACA recipients fear deportation as the Supreme Court considers their
                feat depotration as the Supreme court constitution status. Immigrant workers work hard in fields and factories. Many without basic safety measures, and the virus strikes over and over again. Here in Pittsburgh
                virus strikes over and over again. Here in Pittsburgh
that great giant UPMC does not adequately protect the
cleanup crews that come in after surgeries doing dangerous
              work. These are discouraging, breathtaking examples of self-centeredness and lack of caring in our government and in our businesses for the good capitalism can be brutal in the front. Despite the advice of scientists worldwide we chose to expose the whole country to the virus so we could keep making money rather than find support for those who will and have become sick in uncontrolled environments not able to either support or cure themselves.
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               able to either support or cure themselves.
This bloody virus attacks especially vulnerable people such as immigrants, people of color, laborers and small business owners who live from paycheck to paycheck.
                They have no money stored up to help them endure this enemy we cannot see. We do have heroes. They are exhausted, worn down and in danger because they never give
              exhausted, worn down and in danger because they never give up their efforts to save us. It's been an effort so beautiful we ache at the sight of them putting themselves in danger trying to save us and shining a light on the essence of humanity so bright if floods our hearts with new hops for humanity. I know many of you have been fighting this fight. You may be sick and tired of it and the setbacks. I tell you that if you will pray for courage and look to the needs of your community a great energy and happiness will come to you and we the people although we need you. Thank you very much.
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               need you. Thank you very much.

KEN VARHOLA: Thank you, Ms. Tymitz. Next up is
Mike Treat. Why has Warden Harper decided to stop
allowing access to physical books in the county jail?
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upon receiving the eagle scout award. The awardees are
              Matthew Waszkiewicz, Anthony "AJ" Bosco, Nathan Janero,
Nick Stevenson, Nathan Welch, Benjamin Edwards and Erik
Mahaffey all sponsored by council members Macey and
               Zavarella.
               PRESIDENT CATENA: Is there any public comment
              PRESIDENT CATENA: Is there any public comment on any agenda items?

JARED BARKER: We have none.

PRESIDENT CATENA: Okay. We have no minutes to approve. For presentation of appointments 11674-20.

JARED BARKER: Approving the re-appointment of Tonya Johnson to serve as a member of the Accountability, Conduct and Ethics Commission for a term to expire on the presember 31 2025 sponsored by Council Member Macey.
              December 31, 2025 sponsored by Council Member Macey. PRESIDENT CATENA: That will go to appointment review. 11677-20.

JARED BARKER: Approving the appointment of Tim
              Hazel to the Board of Property Assessment Appeals and Review for a term to commence on December 15, 2020 and
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               expire on December 15, 2023 sponsored by Council Member
               Catena.
              PRESIDENT CATENA: That will go to appointment review. 11683-20.
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             review. 11683-20. JARED BARKER: Approving the re-appointment of Ed Sperling to the Board of Property Assessment Appeals and Review for a term to expire on December 31, 2023 sponsored by Council Member DeMarco. PRESIDENT CATENA: Unfinished business I believe we don't have any. JARED BARKER: I apologize ---. PRESIDENT CATENA: Liaison reports. Any liaison
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             PRESIDENT CATENA: Liaison reports. Any flear reports this evening?

JARED BARKER: Before proceeding Mr. Sperling will be referred to appointment review, correct PRESIDENT CATENA: Oh, yeah. Appointment
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                                                                                                                              correct?
             PRESIDENT CALL. review, yeah. No liaison reports. We'll go on to new business. 11684-20.
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3.8
              JARED BARKER: An ordinance of the County of
             Allegheny Commonwealth of Pennsylvania authorizing the acceptance of two parcels of land from Allegheny Land
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             acceptance of two parcels of land from Allegneny Land
Trust located adjacent to the county's North Park
sponsored by the chief executive.
PRESIDENT CATENA: That will go to parks. Time
for new business motions. We have none. We have no
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Next comment is from Khalid Raheem regarding the proposal 1137-20 for an independent police review board of Allegheny County, proposed legislation for an independent police review board to be introduced at the Allegheny
                       police review board to be introduced at the Allegheny County is problematic and needs further revision. We contend that its enactment will result in the supplanting of the original demand for a diverse and representative model, the ombudsman model. This supplanting will be achieved not by formal legislation as had been previously recommended by expert testimony, i.e. Ms. Beth Pittinger but rather than passage and implementation of this legislation. We also contend that Section 905.12 Number 6 will continue to provide municipalities, police.
                        will continue to provide municipalities, police departments and police union representatives with the legal loophole for excusing excessive and/or deadly force
                        by police. We recommend that that be either modified or
                       we recommend that that be either modified or removed. The original community demand that envisioned a civilian police review board was a diverse board representative of the residents of Allegheny County consisting of members of various races, ethnicities, genders, ages, economic strata and experience with law enforcement and the criminal justice system. This board will be responsible for investigating allegations of
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                      will be responsible for investigating allegations of police misconduct and abuse within the county and render judgment recommendations on the matter. The ombudsman model places the full weight of this investigative and decision making power in the hands of a single person. Allegheny County consists of a 130 municipalities and 109 which have their own police departments. If this legislation is passed in its current form, what is to be the relationship between the review board and the ombudsman? What is to be the role or function of the review board's executive director and
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                        function of the review board's executive director and investigative office staff to the ombudsman? If the present legislation is enacted, the TPRR will have the authority to investigate only one police department in the county, the Allegheny County police.

One hundred and nine communities with their own
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                       police departments will have the opportunity of opting into a system voluntarily if they so desire. Would failure to opt in to a civillan police review board place a municipality under the jurisdiction of the ombudsman? If so, an ombudsman model will have established in
                        Allegheny County where said ombudsman having jurisdiction
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Page 6 over every police department but two, the county police and the City of Pittsburgh.
We believe that most police chiefs would prefer
to deal with one individual in an investigative capacity
rather than a diverse order of nine representatives. The current proposed legislation appears to be an end rush to establish an ombudsman model in Allegheny County. While the independent police review board should have the authority to pass judgment on the content and adequacy of police training, the finding of inadequate training ought not to automatically render officer culpability irrelevant as stated in the section of the proposed legislation.
This bill should be amended to allow the board the authority to render judgment upon an officer's behavior according to standards of common sense, common morality. By common sense is meant the judgment of a normal, rational, adult human being would make about a given set of circumstances. For a suspect --- for example the suspect turns his back on an officer and begins to flee in a direction opposite the officer. A normal, rational, adult human being would conclude that the officer is no longer in danger. Common sense coupled with common morality or common decency would dictate that is That is the last comment, President Catena.
PRESIDENT CATENA: Thank you. Hearing no other comments is there a motion to adjourn? MR. PALMIERE: So moved. MR. MACEY: Second.
PRESIDENT CATENA: Motion has been made and seconded. Will all those in favor signify by saying aye? (Chorus of ayes.)
PRESIDENT CATENA: All those opposed? Motion carries. Have a safe night ladies and gentleman. Take Page 7 1 2 **CERTIFICATE** 3 4 I hereby certify, as the stenographic 5 reporter, that the foregoing proceedings were 6 taken stenographically by me, and thereafter 7 reduced to typewriting by me or under my 8 direction; and that this transcript is a true and 9 accurate record to the best of my ability. 10 Dated the 18th day of December, 2020 11 12 13 Jeremy Harris, 14 Court Reporter 15 16 17 18 19 20 21 22 23

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