

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

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

Allegheny County Courthouse
Fourth Floor, Gold Room
436 Grant Street
Pittsburgh, Pennsylvania 15219
June 9, 2020 - 5:00 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
429 Forbes Avenue, Suite 1300
Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

Willy McKain - County Manager
Ken Varhola - Chief of Staff, Office of County
Council
Jennifer Liptak - Chief of Staff, Chief Executive
Jared Barker - Director, Legislative Services
Sara Roka - Budget Manager
Jack Cambest - Solicitor

PRESIDENT CATENA: I would like to call this meeting of Allegheny County Council to order this evening. Please rise for the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE RECITED

PRESIDENT CATENA: We'll now have a moment of silent reflection. Thank you, everyone. Please be seated. Jared, would you please take roll?

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. Macey? 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: We have 13 members present.

PRESIDENT CATENA: Thank you. I will now have the chief executive's quarterly address. Chief Executive Fitzgerald?

CHIEF EXECUTIVE FITZGERALD: Thank you, Mr. President, and members of council. The last time I came before this council was March 10th of this year, two days before we declared a state of emergency. A couple days later we basically shut down a lot of this --- big portion of this county. So needless to say, a lot has transpired in the last time since I became before this body on many,

many levels, including what we're dealing with now nationally as well as locally; our demonstrations and outrage over the murder of George Floyd at the hands of Minneapolis police officers. Talk about that in a minute, but I want to update first on the coronavirus pandemic and the COVID-19 health issues. As everyone knows, we are now in the green phase. For about six weeks we were in what would be the red phase, which just about all businesses were shut down except for essential businesses. It's had such a deleterious effect on our economy; obviously the health of the folks in Allegheny County in Southwestern Pennsylvania, Pennsylvania, and this region.

But I will say I want to thank Dr. Bogan and her team because when you compare what has happened here in Allegheny County, a large urban county, compared to what's happened in other parts of the country and even other parts of the state, we've certainly fared much better in the health aspect and the economic aspect, as other folks have. Just to put a little bit of that in perspective, as of today since the middle of March 2027, people have tested positive for coronavirus in Allegheny County. Compare that to Philadelphia County, which is around 19,000 people. A county that's not all that much bigger than we are population-wise. And a county that's significantly smaller than us, Montgomery County has 7,500 cases of COVID-19. We've had 351 hospitalizations and unfortunately 169 people have passed away in Allegheny County due to COVID-19. I want to thank, again, Dr. Bogan and Dr. Mertz, and Dr. Brink; Jen Fidner, our transition; Ron Sugar, who had been there has gone onto --- over to the north side health council; Deputy Kim Joyce. And we've had such great support of what I'll call the medical eds and meds ecosystem that we have here in Southwestern Pennsylvania, Pitt Med, UPMC, AHN, Heritage Valley, Saint Clair all working together in a very common way to benefit all of us. And it's one of the good things I think we do in this region is when we work together, we're able to meet some challenges. And we certainly have this challenge and we're going to have this challenge obviously for many, many days to come until a vaccine and/or cure are found. So we obviously are still making sure that we do our physical distancing, wearing our masks, and all the things that Dr. Bogan and her team continue to advise us on where we go.

This week, some of the restaurants, hair salons, gyms, nail salons, some of those businesses are able to open again after being devastated for many, many months. And the economic suffering that has gone on for business owners and workers who haven't been able to work has been, is significant as anything we have seen since the early '80s and the collapse of the steel industry. So hopefully as things start to get back to what we would consider I guess some sort of a new normal, that these businesses can start to flourish again in some manner. So again, I want to thank everyone for their level of cooperation and the work that they continue to do.

I also want to thank Matt Brown and the emergency operations center. Our folks out there, you guys have gone and toured it. It's not been open all that long and it's really come into great, great effect. Matt, you know, bringing together PPEs for not just our essential workers, but workers around this region. And we can't thank enough the employees who put themselves out there every day working in our Kanes, our jail, public works. I also want to give a shout out to, you know, some of the key folks in the administration. I want to thank my chief of staff, Jennifer Liptak, County Manager Willy McKain. They have been at work every single day serving this public. Amie Downs, Darla Cravotta, Jess Mooney, on and on of the people who just continue to come in and work. That is beyond though what has gone on in the Kanes, keeping that population safe. Deputy Warden Harper and the work he has done.

Just let me give you some numbers out of our Kane Centers. We have 10,066 patients that have come through over these last three months, all tested. 989 of them tested negative. Seventy-eight (78) tested positive. All --- well, all but one at Glen Hazel. Every single one at Scott tested negative. Everyone at Ross. One positive in McKeesport. Unfortunately, at Glen Hazel, we had 18 fatalities. The other 60 folks have recovered and are now off of that. So again, I want to thank Dennis Biondo, Dr. Fatigati, and the team out there, and the employees who have just done a tremendous job in making sure that, you know, the vulnerable population is safe. We know what has happened in some other facilities around the country, even in this region. So we want to really give them a lot of thanks for the great work that they have done. Marc Cherna and his team at Human Services reaching out to the

most frail and people that are most vulnerable to continue to work to help those folks and do the things that we need to do really at all four of the facilities and all the different facilities that we have, I want to thank them.

I want to talk again about the jail a little bit. I also want to thank Deputy Warden Laura Williams and Dr. Stechschulte for the medical staff and the great work that they have done there. They've tested 72 inmates who tested, 44 of them tested negative. Twenty-two (22) tested positive, none of which are at the facility at this time so there are no active cases at the jail. Again, when you look at some other facilities around the country and around the state, that's a rarity. So we want to thank the work that they've done. And in that time since March 15th, 1,647 inmates have been released. I want to thank Judge Clark, Matt Dugan, the District Attorney's Office, and all the folks that have worked to release those inmates. This was one of the initiatives that I had worked on long before COVID came along. COVID has actually obviously sped some of that process up. But we've gotten people out, low level jail inmates that now can be out of there to try to keep that facility as safe as we can.

As we know, we had an election last week. And I've been getting --- we have been getting national attention, state-wide attention. There are still six counties out there that have not finished counting the votes in Pennsylvania. We had our votes counted. I know I want to thank Councilman DeMarco. I know he was there watching and helping the process along. Within 18 hours of the polls being closed, our polls or 100 percent of our precincts were reported and our votes were put up. 312,704 as of late yesterday. There are still some coming in on the mail because the governor had extended the mail order. And we have 6,799 that made the deadline, came in afterwards. Those will be cast tomorrow. They will be counted tomorrow. There were also 6,100 provisional ballots. Some may be eligible, some may not. They'll compare those against folks that may have had their ballot come in, may not have had. They'll work that out over the next couple of days. But of those 312,000, over 210,000 of those were done by mail. And I really want to thank the election department, Dave Voye, Chet Harhut, Jerry Tyskiewicz, and really everybody. It was a --- I can't say enough about the great work that they did. Not just

on election day and not just on that Tuesday and Wednesday counting those votes, but in processing over 200,000 ballot applications, working over Memorial Day weekend. They gave up their weekends, three shifts, working midnight shift, working daylight shift that whole weekend making sure that folks got their ballots, got them in time. Many did not. We understand that and we understand there are still going to be challenges. But we expected about a 22 percent turnout in the primary. And that's typical when you do not have a challenge at the top of the ticket for either party, and that's what we have here in this instance. We had over 40 percent turnout, almost 41 percent turnout, way beyond. So we had great participation in that.

We still have challenges going forward because this fall, we certainly anticipate an even higher turnout. Maybe double that. And how to process all of that is something we're going to have to continue to work on moving forward. But the team in processing all of those votes was incredible. If you think about the old days, they processed it. It was a machine. You pressed a machine and it automatically tabulated. They had to process 300,000 pieces of paper that they had to go through scanners, go through open envelopes, go through that process. Much, much more difficult in dealing with what we had to deal with, in addition to dealing with the pandemic and trying to keep people safe. So we're going to have challenges moving forward. What you saw before as far as the consolidation of the polling places, we had consolidated to about one-third of normal. We had 416 polling places. Normally we have a little over 1,300. But that was only for the June 2nd primary. On November, we go back to the normal, unless there's some sort of legislation that would change that. One of our big challenges is going to be trying to find and recruit those 6,600 poll workers that process all the voters coming through on election day. That's going to be a challenge and we certainly want to work with the state department and others throughout this summer to try to make that process as smooth as we can.

I also want to thank our public works department. They've continued to operate, continue to pave roads, and doing all the work on landslides, catch basins, and all the work --- public works continues to do. During this shutdown and during this pandemic, our workers

have continued to work to serve the public and I really can't say enough about the great work that they did. In addition to the parks. Our parks remained open throughout this entire process. Some of the programming obviously did not. Some of the things like shelters and others did not. But as far as our trails, as far as our fields, things like that, they remained open. And I think in many ways, they helped alleviate some of the pressure of people being forced to be inside during the stay at home orders that we have. The golf courses are now open again. People have been out there. We have many great work with the sign department, the sign shop putting signs all over the county parks to advise people with physical distancing, staying safe, and all these type of issues. Outdoor facility rentals are now permitted again in the green. Ones who had been cancelled previously will also provide full refunds to anybody who requested them, but they can still give them and keep doing them.

The one issue that I think, bringing you some bad news tonight. We were interested in opening the pools again. We know that that's an important thing, the four county pools that we have. We need 150 lifeguards to staff those pools and the marketing department has been advertising. Has been just about every avenue you can think of. Unfortunately, as of today, we only had 24 lifeguards who have applied, which is not going to be enough for us to be able to open our pools. So this will be --- I can't remember the last summer that we didn't have our pools. It is certainly disappointing, but I don't know of any way around it at this point as we're almost in the middle of June to be able to open the pools. We didn't really know until the Friday before Memorial Day that the state had lifted the pool --- the limitations on pools. So it made it very difficult. We were scrambling, obviously still during the election, which was a full-time endeavor as well. So it put is in a very, very difficult position.

I want to talk about revenues a little bit because I know you've probably been hearing a lot about that. As far as our property tax revenues, they've actually been fairly stable in some ways, down a little bit, but not to the level of some of the other revenues that we rely on, particularly our sales tax. Our drink tax, as restaurants and bars were closed for a number of months. Car rental tax. Obviously people were not

traveling and renting cars. Hotel motel, we know what that industry has gone through over the last couple of months. And with the casino being down, our gaming revenues are also down. So there's a significant list of revenues that's going to impact our budget as we move forward. So we'll be working with you and working with the budget committee and this council on figuring out some of those issues.

We also will be working with you, and I'll be submitting at the next meeting legislation dealing with the CARES Act. You may have heard about the CARES Act. That is something that federal legislation that was passed to try to give monies to local and state governments. Those that are over 500,000 in population, which obviously we and about six other counties in the Commonwealth fit that bill. It is a piece of legislation that is over 300 pages. Our budget department has been pouring through that. They've been working with an accounting firm to be able to make sure that we spend this money and delegate it properly. There's a lot of limitations on what we do. And we've got to make sure we do it right because if we spend it improperly, we'll be on the hook for making up those dollars and we'd have to go back to the property taxpayers. And we want to make sure we do that properly. It's going to be for COVID-related expenses. It is not for revenue replacement. So those things I talked about, drink, car rental, hotel, et cetera, it's not able to be used to supplement those. Congress is talking about another piece of legislation that may replace some lost revenues for state and local government. But as of yet, that has not happened.

Also on the economic front, I wanted to just point out some of the things that have happened that have been pretty good. The BRT. We were awarded almost \$100 million from the Federal Transportation Administration. I want to thank our delegation. I want to thank the Trump Administration. I want to thank Congressman Doyle, Congressman Kelly, Congressman Lamb, and Congressman Reschenthaler. Thank Councilman DeMarco. I know he was lobbying for that as well. It was a bipartisan effort that we worked. That's going to be huge, huge economic development project, as well as a transportation project to alleviate the fourths and fifth corridor into downtown and Oakland, the two biggest job centers that we have here in this region. So we're very much thankful for that and

looking forward to Port Authority to moving forward with that project.

The Port Authority obviously has been affected almost as much as anybody throughout this pandemic. The disrupted public transit agencies all over the country has been --- and we're no exception. We were actually on track to have our best year until this ridership them plummeted about 75 percent. April and May, the Authority lost about \$15 million in passenger and advertising revenue, and expect to lose about \$6 to \$8 million a month until the ridership rebounds. And a lot of that will come with the confidence that people have to ride the system again. And plus, that's just on the revenue side. There's also the COVID preventative measures. That's probably going to cost the Authority about \$1 million a month as well. And they also, kind of the bad news on top of that is state revenues obviously from PennDOT and the Turnpike Commission is also down. So this is going to be a real challenge moving forward. We did find out that the CARES Act will be giving the Port Authority about \$140 million. I want to thank Congressman Lamb, he's on the transportation committee, for helping us secure those funding to try to keep the Port Authority folks that need that service obviously during this economic time is going to be very important.

We got some good news about a month ago. In mid-May, Zoom, which I don't know how many of us knew about Zoom before this. I certainly didn't. But Zoom has decided in two cities that they're going to locate major operations, Phoenix, Arizona and Pittsburgh, Pennsylvania. So we're looking forward to them locating about 250 jobs, software engineers here. And for them to pick Pittsburgh during this time is a real shot in the arm for us in Southwestern Pennsylvania. Also last week, ROAI did announce that they did close on the \$2.6 billion investment that Volkswagen has made with them. That's \$1 million in cash and \$1.6 million in other services. So that will continue to add more employees here for what we see going forward. And in talking to the developers of the major developments that we have going on in this region, just about every one of them are continuing forward. They're not pulling back. So we think that we're going to continue to see the growth when things come back a little bit and folks are still very bullish on what

we are and what we have going on here in the coming months.

So let me make sure I covered all the things. Oh, the airport. We all know what's going on there. It's also a place that's been hit pretty hard. They did get some CARES Act money to try to buffer some of their revenues. They do see some growth starting to come back. Nowhere near the kind of ridership that they had and the passenger traffic that they had before. But again, like a lot of industries, we hope they're able to come back and get to the point where they were before. With that, let me open it up to any questions you might have and any discussion going forward.

PRESIDENT CATENA: Thank you, Mr. Executive. Are there any questions?

MR. WALTON: I have one.

PRESIDENT CATENA: Chairman --- Councilman Walton.

MR. WALTON: Thank you, Executive Fitzgerald. In this time of crisis, I laud your administration for the leadership that it's provided and help steer us through some of these troubled waters. Specifically I have a question regarding the CARES component. You indicated there will be a substantive amount of resources provided to the county for COVID-related issues. Does that include contract tracing and those kinds of employment opportunities that may emerge as a result of contract tracing and the training that is needed to place those people into the workforce?

CHIEF EXECUTIVE FITZGERALD: My sense is yes. I hate to answer questions and make sure I'm not --- but those are the kind of things; testing, contracting, PPEs, public safety. Things along those lines, Councilman. That's exactly what we're talking about. So again, it's a 300 page bill, 311 I think to be exact, with a lot of language in there that we, you know, got to continue to work through. And we want to work with you on that as well. And I will tell you that our team, again, the budget --- Mary Soroka and her team looking at it with some of the experts that we've hired to do this will be very helpful. But the team is really --- again, every day they're in there. I neglected to mention Steve Pilarski, deputy manager, also in every day. Those folks were living at the election department for about ten days to get through this. And the fact that we were able to do it

as smoothly as we can, again, it's a testament to the team you see in front of you.

MR. WALTON: And a second point. While there are always going to be some adversarial comments made about what took place or what takes place in the election process, I can't help but say that the work that was ultimately done was exemplary. When you go back --- and if I heard you correctly, you indicated that there were 320,000 votes cast of which 210,000 were mailed ballots. So we're talking about an inordinate amount of work. And you compound that with a completely new election process, managing that and reducing the polling places by two-thirds. So I say that the administration has done an incredible job. And that while we have a lot of work to do to get ready for November, I think this gives us an example to build a plan, an infrastructure plan, an operating plan that gives us an incredible opportunity to ensure that everyone that wants to cast a ballot will have an opportunity to do so and will be truly encouraged to participate. Thank you.

CHIEF EXECUTIVE FITZGERALD: Thank you. It is the goal to allow --- obviously to have as much participation as we can, as well as keep people safe. And those two things aren't always easy to do in this instance, you know. Not everybody wants to wear their mask. Not everybody wants to be six feet away. Not everybody --- so it's a challenging process, in addition to changing everything for the first time in 15 years. That's challenging in and of itself in the easiest of conditions, to have COVID, adds to it.

PRESIDENT CATENA: Councilman DeMarco, I believe you have a question.

MR. DEMARCO: Thank you, President Catena. County Executive Fitzgerald, thank you for coming before us tonight and giving the quarterly address. I'd like to echo my colleagues' comments before about thank you for the leadership that you've shown in navigating us through this pandemic. What I want to talk about is a concern about something you just said related to the election. You know, while our elections division did a great job in many ways, I have some serious concerns and they exist --- you just said that it was going to be a challenge to take and recruit 6,500 workers to work the 1,323 polls in the fall. When we took and we voted for the poll consolidation this year, it was because of the pandemic

and we were told that workers were calling in and saying they were afraid to work, so we needed to consolidate them. I requested a list on April 26th that we'd go out and we'd take and survey our workers and find out when --- who was going to work and who wasn't. This was before we released the number of sites for polling locations that we would have, so we would be able to determine how many we would be able to staff. When we did the resolution, it was for the primary only. Now, I also requested at a follow-up Board of Elections meeting, which you agreed to, you even asked the elections folks. I was concerned about majority and minority participation, you know, on those boards. I never got that list, you know, either.

So I guess where I'm going with this is people out there are concerned that the polls were consolidated. Lines were long in some places. Folks didn't feel that they were represented at others. And I've been assuring them --- well, the centralized canvassing. The job that the elections folks did at the warehouse was exemplary. Great job there. But folks were concerned why weren't their ballots scanned at the precincts and why wasn't the post put on the door telling them how many votes were there. So I explained why we hadn't been able to get people to training and things like that. But I've been assuring people that in November as much as you can give anybody assurance of anything in the future, that we were going to be back to normal with a 1,323 polls and things like that. That the scanners would be at the polls. That they would be able to scan their ballots. So I'm concerned that, you know, with that comment there. Can you commit to the people today that you will do everything possible to ensure that come the fall, that these people can go back and conduct elections the way that they have done in the past?

CHIEF EXECUTIVE FITZGERALD: That's the plan. And by the way, even if you and I didn't want to, state law says what we did last week was only for the June 2nd primary. So we are required as of now the way the legislation is written that we have to go back to the 1,323 polling places. I am concerned of getting 6,600 workers. I think we got 1,400 workers. Maybe a few more than that. That was doable the other day. We were able to do that. I don't know that we can get 6,600 workers. I just know too many who have said no. I can't give you an exact number, but I just think anecdotally so many who

did. So we're going to have a challenge if there's no vaccine, if things are as they are right now in how people will feel. We will also have a much larger turn out. Just to put the numbers in perspective, so four years ago, we had over 600,000 people show up to vote in November of 2016. They were almost all in person. I think 660,000 votes, 30,000 absentee --- 630,000 or so in person. Let's assume we double everything from Tuesday and we go to 400,000 mail-in votes and 200,000 in-person votes. We'd probably --- again, it'll be challenging. New machines. The scanners will be, I believe, required. I don't know the answer to that. I think we probably would have the scanner. I think they made a decision about not using the scanner I think as an ease of trying to do it like we did; to be able to get the results back more quickly. But those are some of the discussions we can certainly have with the election department. We relied on their expertise, Director Tyskiewicz, Voye, Chet, the team in telling us what was possible, what they could do, and how we could operate the system. It's a challenge. It always will be a challenge. But again, I will tell you that we're getting statewide and national attention for, again, how good it was. Look what's going on today in Georgia. The lines are --- I can't tell you how long they are. Maybe a mile long in some of these. So every state has had this challenge during this pandemic of the in-person voting and how difficult it is. So we need to continue to work on it. I don't want to just say hey, we did everything good. We don't have to make improvements. We do have to continue to make improvements and I'm committed to doing that.

MR. DEMARCO: And let me qualify that. We did do a lot of great things. And as you said, 18 hours after the polls had closed, we were able to present in-person numbers and we had the mail-in ballots. The other thing that concerns me was we had 280,679 ballot applications. We sent out like 279,600 some ballots, but we only got 209,000 returned. That means 25 percent of the people who took the time to fill out an application or go online, which I believe signifies an intent to vote, didn't cast a vote. Now, talking with the elections folks, we have about 60, I think we have 60 --- just over 6,000 ---

CHIEF EXECUTIVE FITZGERALD: 6,000, 7,000, yeah

MR. DEMARCO: --- in provisional ballots.

CHIEF EXECUTIVE FITZGERALD: And about 6,800 other ballots that have come in.

MR. DEMARCO: Right. But the majority of the provisional are going to count because those people don't have a mail-in ballot that was returned. So when I look at this, I look at 25 percent is a big number.

CHIEF EXECUTIVE FITZGERALD: Yes, it is.

MR. DEMARCO: You know what I mean? I think it's great that we give people more options to be able to weigh in and be able to vote. But we're certainly not there yet and my concern is you get to the fall. We know that the turn-out is going to be boasted significantly. We know some of the problems we had here. I'm concerned about any, you know, attempt to consolidate, you know, the polls then to something similar to what we just saw, which would be a mess.

CHIEF EXECUTIVE FITZGERALD: I don't think we could. I don't --- my intent would be not to recommend that. And again, we're not even allowed unless there would be some change in legislation. I will tell you two pieces of change I would like to see from the state, and I've stated this publicly. I think the election departments need to be able to start counting the ballots before seven o'clock in the morning. We were able to turn it around in 18 hours because everything kind of went right as it could go. But think about doubling that number now to 400,000 instead of 200,000. You're going to be waiting until Thursday or Friday to get results on a state which might be the state to decide who the next President is. They need to allow election departments in the state to start opening those ballots Thursday, Wednesday, so that you have them all done by Tuesday. Not to release them, not to let those numbers out, but to start doing the count. That's number one.

Number two, I think to allow people to apply for an absentee or mail-in ballot one week before Election Day is too quick of a turnaround time to send them a ballot, have the ballot come back. They ought to move that time back to at least two weeks, maybe even three weeks. If you're going to apply to a mail-in ballot, you've got plenty of time. Don't wait 'till that last week to do that and put the election department in a scurrying, you know, condition. So at least those two are two of the things I could --- like to see the state department and the state legislature work on. I've had those

conversations with some of our delegation members, as well as the Department of State.

MR. DEMARCO: I'd be happy to work on some of those with you. I think to be able to open the ballots early, maybe not even tabulating them.

CHIEF EXECUTIVE FITZGERALD: No. No. Open them up and flatten them, unfold them and flatten them to get them ready to be scanned, you know. There's no reason we can't do that.

MR. DEMARCO: I agree.

CHIEF EXECUTIVE FITZGERALD: Thank you.

PRESIDENT CATENA: Are there any questions on the phone for the county executive.

MS. HALLAM: Yes, I do. This is Stephanie Hallam.

PRESIDENT CATENA: Go ahead, Councilman Hallam.

MS. HALLAM: Okay. I just have a few quick questions, County Executive. The first question is regarding using coronavirus relief funding to supplement the state aid for rental assistance. And if you could speak to any plans for that. And if there are none already, if we could potentially work together in the coming weeks to develop a plan to use that funding, specifically so assist folks who haven't been able to afford their rent and we have the eviction moratorium ending soon and just to develop a plan for that.

CHIEF EXECUTIVE FITZGERALD: Yeah. And going back to the beginning of this, I was very, very supportive of having our courts work with folks regarding holding off on evictions, holding off on sheriff sales and such, you know, for mortgage issues that have come up during the economic crisis. I guess I have a little bit of background in this because back in 2008, I worked with Judge McCarthy and Sheriff Mullen at the time we were going through the housing crisis at that time and they set up a special court, Judge McCarthy did, to try to help people and bring folks together with their mortgage company, with their bank to go through this. And I think a lot of that has occurred this time as well. But as you indicated the CARES funding could possibly be used for some of those type of supplemental help to people who need that. And I know Lance Chimka, the economic development director, has been working with some community leaders on some of that. I'm sure that's part of the process going forward that we'll be working with.

MS. HALLAM: Okay. Great. The second question --- I appreciate that. The second request, you mentioned the jail earlier. I've been looking at the numbers and I have noticed that in the past month, the population has increased by over 100. And I know that with all the work around the --- you have committed to decreasing that jail population. So I was wondering if you have any answer for the population from your office.

PRESIDENT CATENA: You're really broken up, Councilwoman Hallam.

MS. HALLAM: Can you hear me now? Is that better?

PRESIDENT CATENA: That's better. We were kind of getting every other word, Councilwoman. So if you could repeat that, I'd appreciate it.

MS. HALLAM: I'm sorry. Yeah, I can repeat that for you. So let me know if it starts breaking up but I tried to move a little bit. Anyway, you had mentioned the jail earlier in your address. And I had been looking at some of the statistics and I realize that in the past month, the population has actually increased by over 100 folks. And I'm just wondering, you know, especially given some of your comments regarding the MacArthur Grant and reducing the total jail population, what are some plans that you see coming from your office in coordination with other departments in the county to reduce the population even further?

CHIEF EXECUTIVE FITZGERALD: Well, that's been an initiative. I think it was probably about five years ago that I had asked the institute of politics informing U.S. Attorney Fred Thieman working with Chancellor Mark Nordenberg to come up with some really --- a robust plan to help us reduce jail population. That was moving fairly well, but probably not as fast as I would've like to have seen. The coronavirus pandemic certainly sped a lot of things up. You know, Matt Dugan, the public defender, and his team have been working tirelessly and will continue to do so. That is really the only area that the administration and the county administration has impact on that. The courts --- and I've got to give Judge Clark a tremendous amount of credit for the work that she's done, but it's adult probation. It's the courts. It's the district attorney's office. It's a whole lot of factors that come into play. Quite frankly, none of which is say the warden or the jail. They just have to take in

whatever is basically sent to them. So if it's up 100 it's because for whatever reason I can't explain why that would be. But they want to make sure that they're there making the argument to the judges and the magistrates and the district attorney's office to try to get low level offenders out, people that just may not be able to afford bail, things along those lines. Matt Dugan and his team, you know, continue to make that case. We've used them at MacArthur Grant to hire additional public defenders personnel to be able to provide that. And we'll continue to do that. Again, we don't have all of the authority to just wave the magic wand to have that happen, but we want to be partners with all those stakeholders that I indicated.

MS. HALLAM: Okay. Thank you so much.

PRESIDENT CATENA: Thank you. Are there any other questions on the line?

MR. FUTULES: Nick Futules.

PRESIDENT CATENA: Councilman Futules, go ahead.

MR. FUTULES: Thanks for coming in. It's not necessarily a question, but more or less a comment on you had mentioned the loss of tax revenue. Specifically I'm thinking the stadium, the convention center, the hotel tax, street tax, the one percent RAD tax, and even the casino money that supports the CDBG. I read somewhere where they average --- they thought the losses would be somewhere around 20 percent. I'm not sure if that was accurate or not, but I think it's a challenging thing for us this --- for us this year because a lot of these programs that support, specifically the RAD, supports the zoo, the parks, the libraries, et cetera. I think it's important for us as council members to keep abreast of how things are going because we're being asked by our constituents what's going to happen to our funding. And the administration's been good with us as far as keeping us abreast. But I just want to publically say that it is a concern for all of us, including the members of council.

CHIEF EXECUTIVE FITZGERALD: You're absolutely right. And I think the RAD board did announce they were going to be reducing across the board approximately 20 percent. I think that was a preliminary finding. I don't know. I guess we'll see as the rest of the year develops, how those revenues come about. Kind of the double whammy on this is all those that were impacted are impacted on their own revenue side, whether it's the zoo, the aviary,

the museums, the arts and culture, the opera, the symphony. All those things that we value so much, their revenues are down because they weren't able to operate. They could get no attendance. They couldn't get anything. And then also the supplemental money that they get from RAD and others is also being cut as well. So they're getting hit from both ends. So I think this is obviously going to be the most challenging year that I certainly have served both as a councilmember and as a county executive. The one good thing, and I think this council deserves a lot of credit, is we built up a rainy day fund. And our bond rating was as high as it's been in almost 40 years. And having that rainy day fund has been able to help buffer some of the things that we've been going through and will continue to go through over the coming months. So being fiscally responsible all these years and being able to build up that fund balance. And I want to thank, again, the manager and the whole team, Solicitor Szefi, everybody that's worked on this, including past budget committees that have worked on this over the number of years. We --- you know, it's called a rainy day fund, and you know, we hit the 100 year rainstorm this year. And it's continuing to come. So we're going to work with all of our partners and do the best we can, Councilman. But you're right. There's a lot of folks out there that have been hit pretty hard.

PRESIDENT CATENA: Thank you. Are there any other questions on the line? Hearing none, thank you.

CHIEF EXECUTIVE FITZGERALD: Thank you, guys. Stay safe.

MR. MACEY: Thank you.

PRESIDENT CATENA: Okay. We'll now have proclamations/certificates. These proclamations and certificates will all be read directly into the record. 11511-20.

MR. BARKER: A certificate of recognition presented to Officer David Machesney and Officer Michael Cavaliere of the McCandless Police Department sponsored by Councilman Kirk.

PRESIDENT CATENA: 11512-20?

MR. BARKER: Certificate of recognition presented to Rockwell's Red Lion Restaurant in Elizabeth Borough, Pennsylvania upon the momentous occasion of their 40th anniversary. Sponsored by Council Members Macey and Palmiere.

PRESIDENT CATENA: 11513-20?

MR. BARKER: A proclamation recognizing the 150th anniversary of the Monongahela Incline sponsored by Council Member Macey and all other members of council.

PRESIDENT CATENA: Thank you. We'll now have public comment on agenda items. On the agenda items, we had close to 400 comments come in actually before the deadline and about 150 come in after the deadline. In consultation with our solicitors, Solicitor Cambest, what we're going to do for the sake of time basically is read the person's name and whether they were for or against. And then we'll actually be putting the comment actually into the minutes moving forward, so that people will be able to see, when the minutes are published, the comments will actually appear out there in the minutes for this meeting. So that is the process for this. It's going to obviously take some time. So I'm going to turn it over to Ken to start reading the names and the positions. So are there any questions from my colleagues?

MR. FUTULES: How many did you say?

PRESIDENT CATENA: About 400.

MR. FUTULES: We're going to listen to 400 names?

PRESIDENT CATENA: We're going to list the 400 names and the positions that they've taken. It's going to take a little bit of time, so please be patient.

MR. FUTULES: Okay.

PRESIDENT CATENA: Thank you.

MS. HALLAM: I'm sorry. Could you explain that to me one more time? So I know we entered there were 288 public comments submitted. What are the rest of them?

KEN VARHOLA: Yeah. We have about 288 that have submitted on time. We had about 65 that submitted after the deadline.

MS. HALLAM: Okay.

KEN VARHOLA: So we'll be reading about 288 names.

PRESIDENT CATENA: So 288 names.

MS. HALLAM: Okay. Thank you very much.

And will these --- will the copies of the public comments, is there a way to post those online somewhere on the county council website since we're not reading them all into the record now?

PRESIDENT CATENA: No. They'll actually be placed in the minutes when the minutes are available.

MS. HALAM: Okay. And when is that? Is that not approved until the next meeting?

PRESIDENT CATENA: That's approved at the next meeting typically.

MS. HALLAM: Okay. Is there any way to do it prior to then or is that kind of our only option?

PRESIDENT CATENA: Let me check. I mean, our solicitor --- I'll defer to our solicitor on that.

MS. HALLAM: Yeah. I'm not actually arguing it's a violation of the ---. I know that the qualifications for that are that they all have to be sent up. But I'm just asking for increase of transparency if there's a way that we could post them online so that we don't have to wait to be able to see them.

ATTORNEY CAMBEST: Well, they would --- Councilperson, they would be --- technically once the minutes are approved, they would be part of the record. And if we want to make that online if it's not already, we can do that. Unless you would speed up the process of approving the minutes and having a special meeting just to approve the minutes, it'll have to wait until the next regular meeting.

MS. HALLAM: Okay. Thank you for that. I appreciate it.

PRESIDENT CATENA: Councilman Walton?

MR. WALTON: So in an effort to expedite the process as well, as opposed to identifying each name read, if we do those who support the legislation and those who do not support the legislation. And so we don't have to spend 30 seconds per name with those identified.

ATTORNEY CAMBEST: Does that make a difference? That's how we have it organized.

PRESIDENT CATENA: Okay. Councilman DeMarco?

MR. DEMARCO: Yeah. Mr. President, I have a bit of an issue here with this thing here. This is public comment on agenda items. The whole idea behind public comment is the public, the people we represent are supposed to have the ability to come before us, weigh in, and we're supposed to take those comments into consideration where we determine how we're going to vote. I know that I haven't seen 288 emails. I know that I haven't had the opportunity to read those comments. So you know, to take and just say hey, listen, we're giving you your say, but we may vote on something and we're going to completely disregard whatever you have to say, but just

to mollify you, you can look at the minutes, you know, after the next meeting and you can see that we included in the minutes. How do they know that we're taking into consideration, you know, the concerns or the things that they would like to convey to Council?

PRESIDENT CATENA: Well, I understand.

ATTORNEY CAMBEST: The process has been, even when we had public individuals here personally to make their public comment, we have always asked where there are multiple people with similar comments that if they had a representative who would read one and then the others would be made part of the record. That has worked in the past. I think under the COVID-19 situation that we have and the ability of attempting to get as much public comment as we could, that we be the reason, at least in my opinion, that if we would do it this way, we are making that public comment part of the record. Now, if you as an individual councilperson believe that you want to review each of those 375 comments before you vote, that's your prerogative. You can do that. But I don't think based upon the Sunshine Act, the emergency order that we're under, doing it this way would be a violation of the Act. There's nothing --- the Act only says we have to provide the public comment, not that you have to read it, you have to take it into consideration before you make a vote.

MS. HALLAM: Mr. Catena, I want to ask a question if I could.

PRESIDENT CATENA: You're breaking up again, Councilwoman Hallam.

MS. HALLAM: Can you hear me now? I moved it a little bit. I just wanted to ask a question. So my understanding of the Sunshine Act is that the only way for the public comments to not be read in the meeting is that what Councilmember DeMarco said, that we received all of them in advance as Councilmembers. Can you confirm that we did receive copies of all 288 comments? Because I tend to agree with Councilmember DeMarco that I don't believe --- I saw the list of all the names, but I don't believe that all of the comments in full were sent to us. Can someone speak to that?

PRESIDENT CATENA: Hold on, Councilwoman Hallam.

ATTORNEY CAMBEST: I think, Councilperson, as far as identifying the individuals, the staff was able to do that at least up until this meeting. They have informed me that they do have every written comment. Now,

you know, the other alternative could be they put a written comment in. If you want to delay any vote on anything on this agenda until everybody reviews the comment, we can do that and take it up at the next meeting.

MS. HALLAM: I just think that my understanding is that the Sunshine Act makes it mandatory that we receive them all prior to the meeting.

ATTORNEY CAMBEST: Well, we have. We have received them prior to the meeting.

MS. HALLAM: Councilmembers? All councilmembers have received them all?

ATTORNEY CAMBEST: No. No. Councilmembers haven't received them.

MS. HALLAM: Because that's my understanding of the Sunshine Act is that all councilmembers must receive all public comments even if they're not being read at the meeting. That we have to receive them all prior to the meeting. Is that correct?

ATTORNEY CAMBEST: I don't have the Act sitting in front of me, but that is not what the act states. There's no requirement that you as a councilperson review every comment that comes in, public comment prior to taking a vote. The requirement is that we give the opportunity to the public to submit a comment. You don't have to read it. You don't have to answer it. You don't have to make a reply to it. It's only whether or not the body, the elected body receives the public comment.

MS. HALLAM: Right. But what I'm thinking is that we did not as elected members of county council receive all of the comments. Maybe the office did, but we as the elected body did not receive all of those comments.

ATTORNEY CAMBEST: Well, our staff received it. They're your representative. That's the --- I mean, that's the procedure. It's not that a --- a person to give a public comment does not have to send their comment directly to each and every councilperson for their review. It comes into the staff. It's here. If you want to see it, you can review it. But there's no requirement that that's what occurs.

MS. HALLAM: Okay. So the Sunshine Act, to clarify, does not require that the elected body themselves see all of the public comments prior to the meeting?

ATTORNEY CAMBEST: No. The only requirement is that you give them the opportunity, the public, to make

their comment. Under COVID-19 and the emergency order, that has been slightly modified to prevent somebody to send it in and not be here to make a comment. And we've been working under that situation for the past couple months. But there's no requirement that you review it, they send it to you, and that you even make a comment about it.

MS. HALLAM: Okay. I'm sorry. I misunderstood. I was pretty sure that the Sunshine Act said that we had to receive them from the staff ourselves.

ATTORNEY CAMBEST: The body receives it, but not each individual councilperson.

PRESIDENT CATENA: Councilman Demarco?

MR. DEMARCO: I'm confused here, Mr. Cambest, because you said that as long as this came in the body, you're talking about the staff acting as us, then could we just eliminate public comment on agenda item from future meetings since if they want to take it, someone wants to weigh in, they could just go talk to the staff. They don't have to come and talk to us.

ATTORNEY CAMBEST: You can't eliminate their right to make public comment.

MR. DEMARCO: Well, no. They could make it to the staff is what you're saying.

ATTORNEY CAMBEST: No.

MR. DEMARCO: You're saying if the emails went to the staff and the staff didn't forward it to us, that it's still okay that we vote on it. So something just doesn't sound right or at least doesn't sound good government.

MS. HALLAM: I agree, Councilmember DeMarco.

ATTORNEY CAMBEST: They're your representative. Your procedure in any municipal body is that the public comment, if they're in person, they have to have it in writing to us by what?

MR. DEMARCO: Monday.

ATTORNEY CAMBEST: Monday at five o'clock. They technically have to have it. If they don't have that in, they do not have a right under the Sunshine Act to make a public comment at a meeting, unless we give them, which we have, the ability to waive that rule and the ability to do that. So this body through its staff receives a request for public comment under normal circumstances so that they're placed on the agenda, then they come before us. They have the right. They can request public comment.

They don't have to show up, which they do all the time. And we don't have to take into consideration the fact that they asked for a public comment. If they don't show up and give it, there's no requirement under the Sunshine Act that we have to do anything other than accept their application to make a public comment on the agenda item. All I'm saying is under the COVID-19, the rules were changed to permit the public, because obviously they can't be here under the rules we're under, to submit in writing, and that we would make their comments part of the record, and that's what we're going to do.

MR. DEMARCO: And I understand and I'm okay with it up to that point, right. My issue is you have people, in some of the emails that I did see, you have some folks that are just weighing in and saying I'm against them. And you've got some folks that say hey, I'm in favor of this. But you also have folks that are weighing in and writing emails and talking about their personal experiences or something that happened to them. Well, if I don't have the opportunity to review that, I can't take and give weight to that when considering a piece of legislation.

MR. CAMBEST: I mean, that's your right personally as a councilperson to review 1 or 300 before you take the vote.

PRESIDENT CATENA: Well, Councilman DeMarco, we have a few options. I mean, we can gladly read all 400 comments tonight.

MS. HALLAM: This is Councilmember Hallam. May I ask a question about this? So I know for a fact that we did not receive ---.

PRESIDENT CATENA: I'm sorry, 288, whatever Ken said or whatever.

MS. HALLAM: I know we did not receive those all in our email. So the ones that we did receive, how was it determined if we were going to be sent the public comment or not? Was the staff going through and deciding which ones we would get? Did they try to pick a fair amount of opposition and support? I'm just trying to understand because I want to say that I got about 50 that was forwarded to me from the public comments. And knowing that there's so many more, how was the decision process made what we were going to see.

PRESIDENT CATENA: Okay. Explain that.
Hold on, Councilwoman Hallam.

MR. DEMARCO: That's not the question, Ken. Mr. President, while the chief of staff is consulting with Solicitor Szefi, you know, an answer would be that we don't vote on something tonight where we've had comment made that we haven't had a chance to review.

PRESIDENT CATENA: Let me ask. Are all the comments related to the one specific piece of legislation? All 200 --- or no. All of the --- are related to that specific piece of legislation?

ATTORNEY CAMBEST: Are there any related to 11465-20?

MR. BARKER: No.

ATTORNEY CAMBEST: No. There's no comment on anything you're voting on tonight.

PRESIDENT CATENA: Well, no. Well, there is. There is comment on what we're voting on. I mean, ---.

ATTORNEY CAMBEST: I mean, technically under new business ordinances and resolutions, your procedure basically is to send them to committee. And if somebody wants to read all 285 prior to that coming out of committee, you'll have plenty of time to do it before you vote on them.

PRESIDENT CATENA: So but if we do, if the motion is made to waive the second reading tonight, then they won't have the ability to do that, if that is the case.

ATTORNEY CAMBEST: Well --- but they'll exercise their right before reading it to vote to waive the second reading and vote on it. That's your discretion.

PRESIDENT CATENA: So at this point in time based --- that I'm hearing all public comment is based upon the one piece of legislation really we can hold off on --- I mean, we'd have to make a motion once we got to that point in time, but hold off on voting on that piece of legislation until everyone's received the comments, all of the comments. Is that my --- is that a correct interpretation or a correct statement?

ATTORNEY CAMBEST: No. There's no requirement to do that. But if ---.

PRESIDENT CATENA: I mean, if council feels appropriate, I mean, they want to do that, I mean, that would be --- I mean, is that a correct statement?

ATTORNEY CAMBEST: I mean, you could do a number of things. It could go to committee. If they want to take a vote to waive the second reading, they can do that.

If they want to take the vote, if they want to take the vote to waive the second reading, if somebody wants to make a motion to table and you table it until the next meeting, you have that option. You have plenty of options for you to do. But technically, you're not voting on it if it goes to committee.

PRESIDENT CATENA: Okay.

MS. HALLAM: President Catena?

PRESIDENT CATENA: Yes.

MS. HALLAM: I just again would really like to hear an answer about why we did not receive them all as councilmembers and how the ones that we did receive were chosen before we move on to anything else.

PRESIDENT CATENA: Yeah. Hold on.

MS. HALLAM: Okay.

PRESIDENT CATENA: The honest answer to that, Councilman Hallam, is that staff hasn't had the chance to get them all out to us. There was no rhyme or reason what ones were sent. It was they were coming in fast and furiously and the staff did their best to keep up with what was coming in to us and trying to get them out to us. But they obviously didn't and they switched to this to try to basically on Solicitor Cambest's advice to try to keep up with who was basically opposed to it versus who was in favor of it and basically putting their names out there. So there was no --- I mean, there was nothing wrong with what they were doing. It was they were trying their best, but the volume was just too much.

MS. HALLAM: So was it a first come, first serve basis? So I don't see exact number of e-mails of public comment that was sent, but let's say it's 50. Does that mean that the ones that were sent to us were the first 50 comments?

PRESIDENT CATENA: You're breaking up. I'm sorry again.

MS. HALLAM: Can you hear me now?

PRESIDENT CATENA: Yeah.

MS. HALLAM: Okay. So I want to clarify. So let's say we received 50 public comments sent to us as councilmembers to our email, the ones that we received personally. Okay. Were those 50 that were sent, was it a first come, first serve basis? Like were we sent the first 50 received or was it, you know, scattered throughout the receipt of those comments how they decided how they were going to send them?

PRESIDENT CATENA: I think they were trying to keep up with the flow, and unfortunately, I mean, the flow got higher than they could handle. So there was no rhyme or reason why they were sent what they were sending. I mean, they were just trying to get them out as quickly as possible and then they had to switch to basically this other way of trying to take track of who was for and who was against, and trying to --- the best of a bad situation, I mean, with the volume that was incoming.

MS. HALLAM: Okay.

MR. MACEY: Mr. Chairman?

PRESIDENT CATENA: Yes.

MR. MACEY: Bob Macey. I'm just curious. Would it be helpful to staff to not have to deal with those comments that were sent in after the deadline? Because if it's after the deadline, then they don't count.

PRESIDENT CATENA: That's not part of the count, Councilman Macey.

MR. MACEY: I thought that's what we were talking about.

PRESIDENT CATENA: The 288 number is the total number. We got actually more than that if you go after the 5:00 p.m. deadline.

MR. MACEY: Mr. Chairman, I know that, but we're not counting those. Okay. I was a little confused there. All right. Thank you.

PRESIDENT CATENA: You're welcome. Councilman Walton?

MR. WALTON: Mr. Chairman, as our solicitor has shared with us, we are potentially addressing a problem that we don't have. But if we move forward with the agenda, let's address the agenda and if a problem arises, then we resolve the problem. It is currently not a problem. We are anticipating some action that may or may not take place. So until that problem arises, I suggest that for the interest of good government, we move forward.

MS. HALLAM: President Catena?

PRESIDENT CATENA: Yes. Go ahead, Councilwoman Hallam.

MS. HALLAM: Yes. I would just like to point out that in the interest of good government, we need transparency and accountability. And so regardless of anything else, regardless if this legislation comes up for a vote tonight or not, it is very important that when the public perception of county council is that we are

accessible to that, and that our processes are transparent. And a way to provide that is to ensure that when we tell folks they can submit public comments to our meeting as per the guidelines of the Sunshine Act, we need to make sure that those public comments are actually made public, are sent to all elected members of this body, and that at the very least they are read into the record. But I agree with Councilmember DeMarco that it's very important that we have access to all of these ahead of time.

MR. WALTON: Mr. Chairman, in an effort to move this process forward, there has --- I would love for my colleague to demonstrate that in every instance or in the overwhelming majority of instances that public comment from every member --- I mean, to council to the body has been shared consistently, uniformly, with every member. Now, there's never been unanimity in the process in the years that I've been here. And I suggest that, again, there's no lack of effort and transparency, and there is no problem other than we're filibustering about a problem that we may not have. Every individual has the ability to resolve problems. Currently at this particular intersection, there is not a problem. So I suggest we move forward until there is a problem.

MS. HALLAM: President Catena?

PRESIDENT CATENA: Yes, go ahead.

MS. HALLAM: So my biggest concern is that this is a problem because folks were submitting comment on agenda items. The items are coming up for agenda and those public comments have not been received by their elected representatives. So my concern is what is the point of having people write to their elected representatives if the elected representatives don't see the comments, you know. We are preventing the public from being heard and preventing us as councilmembers from being informed by their comments, you know. And I love our staff so much, but you know, in other situations, what if the staff was filtering the comments if we were only seeing some and not all of them. So again, I'm absolutely not accusing that, but also I think it's important that we stick to the rule of the law. If we're accepting public comment, we need to at the very least as elected representatives receive them for the items that you will be about to discuss on the agenda. So I think it is very

important that we discuss this now and we prevent this situation from happening in future circumstances.

ATTORNEY CAMBEST: Okay. Let's clarify as we have done already tonight, but we'll clarify it again. What we're doing is not a violation of the Sunshine Act. The Sunshine Act requires that you permit the public to make a comment if they so desire on legislation that will be acted upon at a public meeting. We have done that. So there's no violation of the Sunshine Act. If you believe to have complete transparency, we have transparency because we are going to make anybody's comment part of the record. That's the requirement under the Sunshine Act and also under the emergency act that was rendered back in March. That we merely make this meeting and the comments part of the record and available for anybody to review. If you don't want to vote on the item that's up for vote tonight under our unfinished business, or if you do not wish to vote on any of the items that may be up for under new business, you have that right. You don't have to vote. But I can guarantee you, I think from what I've heard from the staff, that every person who's made a public comment and submitted it up until our time limit has been submitted to the staff. They have attempted to get those out to each and every councilperson. To be honest with you, I don't know any other municipal body that sends out public comment ahead of time to the council individuals, to the elected officials, because normally and under normal circumstances, the individual is here at the meeting and makes the public comment for you to hear. So all we're trying to do is comply with the emergency act that we have --- that we have to take this public comment. We have to make it part of the record. That's what we're doing.

MS. HALLAM: I appreciate your opinion. I respectfully disagree. I think that this is a violation of the intent of ---.

ATTORNEY CAMBEST: That's fine. And if you believe it's a violation, you know what your procedure is to go forward with that. If you think it's a violation, there's provisions under the Sunshine Act to take legal action.

MS. HALLAM: Yes, I do. I totally understand my right to. Thank you very much.

PRESIDENT CATENA: Council, so at this point in time, Councilwoman Hallam, I think we're going to move

forward. We'll just --- we're going to skip public comment at this point in time and we'll move on to the approval of minutes. 11514-20.

MR. BARKER: Before proceeding, I believe Mr. Macey and Mr. Klein are both present via telephone at this point. Mr. Macey, Mr. Klein?

MR. MACEY: Yes. Been here. Did that.

MR. KLEIN: Yes, I am here.

MR. BARKER: 11514-20. Motion to approve the minutes of the November 6, 2019 regular meeting of council.

PRESIDENT CATENA: Okay. It should be noted that these minutes are quite older. There were several errors in them. And when they were originally provided by the stenographer earlier this year, there was a correction process that was obviously delayed by the COVID-19 mitigation. So obviously is there a motion to approve?

MR. DEMARCO: So moved.

MR. MACEY: Motion to approve. Second.

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

ALL RESPOND AYE

PRESIDENT CATENA: All those opposed? Motion carries. Presentation of appointments?

MR. BARKER: We have none.

PRESIDENT CATENA: Unfinished business, 11465-20.

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the administrative code of Allegheny County through the creation of a new article 914 entitled "Clean Construction" in order to protect the health, safety and well-being of the County's residents by requiring the use of environmentally responsible equipment in the course of completing certain County construction projects. Sponsored by Councilmembers Prizio, Bennett and Duerr.

PRESIDENT CATENA: Thank you. This was referred to the Chair on public works. So Councilman Macey?

MR. MACEY: Thank you, Mr. Chairman. I think this is great legislation. What it does is it cleans our air. And the committee met on May 20th and we had a little discussion, but it was pretty easy to figure out that clean air is better than dirty air. And in fact, it's the Pennsylvania Department of Transportation has already initiated that. We thought it was just a

no-brainer. So we sent it to the full council with affirmative recommendation. I make that motion. Thank you.

MR. PALMIERE: Second.

MR. FUTULES: Second.

MS. HALLAM: Personal privilege, Councilman Catena?

PRESIDENT CATENA: Go ahead.

MS. HALLAM: Yes. I'm sorry. I thought that I had requested to be added as a co-sponsor at the public works committee meeting and I didn't hear my name read. So I just wanted that corrected for the record.

PRESIDENT CATENA: Can you please ---?

MR. BARKER: No problem.

MS. HALLAM: Thank you.

MR. BARKER: I believe everyone wants to be added.

MR. KLEIN: Mr. President, this is Paul Klein and I would ask that my name be added as co-sponsor as well.

PRESIDENT CATENA: Okay. Is there anyone that doesn't want to be added? Hearing none ---.

MR. FUTULES: I want on.

PRESIDENT CATENA: Who doesn't?

MR. FUTULES: I want on, not off.

PRESIDENT CATENA: Okay. Everyone's on. So we're good. So the motion has been made and seconded. All those in favor, signify by saying aye.

ALL RESPOND AYE

MR. BARKER: We need a rollcall on that one because it's an ordinance.

PRESIDENT CATENA: So we'll do a rollcall. Go ahead, Jared.

MR. BARKER: On the motion to approve, Mr. Baker?

MR. BAKER: Yes.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.
MR. BARKER: Ms. Kirk?
MS. KIRK: Yes.
MR. BARKER: Mr. Klein?
MR. KLEIN: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: Yes.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: Yes.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: Yes.
MR. BARKER: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes, 15. No zero. The bill

passes.

PRESIDENT CATENA: In the interest of time for liaison reports --- go ahead.

MR. WALTON: Under unfinished business.

PRESIDENT CATENA: Yes.

MR. WALTON: Pursuant to the rules of council, article four section B, subsection 1.3, I move that we bring from committee, from the public safety committee bill number 11370-20 and consider it for passage tonight.

PRESIDENT CATENA: Is there a second?

MS. PRIZIO: I second it.

MR. DUERR: Second it. Councilman Duerr.

PRESIDENT CATENA: Motion has been made a seconded.

MR. FUTULES: What bill is he referring to?

PRESIDENT CATENA: Civilian police review board, I believe.

MR. FUTULES: Okay.

PRESIDENT CATENA: So this is the ---?

MR. FUTULES: Is that the technical name?

MR. WALTON: The independent police review board.

PRESIDENT CATENA: Independent police review board.

MR. WALTON: And this is merely a motion to remove it from committee and bring it to the floor for

discussion and a floor vote. This vote just moves it from committee.

PRESIDENT CATENA: So this is taking it from committee obviously. This doesn't vote for or against the bill itself. This is just removing it basically from committee for a discussion this night and an up or down vote this night. So at this point in time ---.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Yes, go ahead.

MR. DEMARCO: Do I have the ability to say something?

PRESIDENT CATENA: Yes.

MR. DEMARCO: I want to say this bill was sent to the committee and it failed last year because people had concerns about some of the language in it. Chairman Bennett in the public safety committee had talked about hearings and things that she wanted to have and a process that she wanted to follow in order to draft this legislation to be able to bring this out. To date, there's been no amendments or no changes on this legislation. I just wanted to remind the members of council of this, that this has not changed from what failed last year.

PRESIDENT CATENA: Thank you. Duly noted. Please take a rollcall vote.

MR. MACEY: Mr. President?

PRESIDENT CATENA: Yes?

MR. MACEY: This is a bill that is in committee. All right. As far as I understand, we don't have a cost. We don't have a structure. We don't know exactly how this is going to work and I think it needs to be vetted. And it shouldn't be vetted at a council meeting. Look at the rules of council. We don't debate that.

PRESIDENT CATENA: Let's not discuss the merits of the bills. This is simply whether we want to remove the bill from committee or not. And that's what the vote is going to be on, whether we want to talk about the bill tonight or we want to leave the bill in committee. So please take a rollcall vote, Jared.

MR. BARKER: On the motion to pull, Mr. Baker? Mr. Baker? Ms. Bennett?

MS. BENNETT: No.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.
MR. BARKER: Mr. Futules?
MR. FUTULES: No.
MR. BARKER: Ms. Hallam?
MS. HALLAM: No.
MR. BARKER: Ms. Kirk?
MS. KIRK: No.
MR. BARKER: Mr. Klein?
MR. KLEIN: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: No.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: No.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: Yes.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: No.
MR. BARKER: President Catena?
PRESIDENT CATENA: No.
MR. BARKER: Ayes, five. No, seven.
MR. BAKER: Mr. Baker. It's Councilman Baker.
I'm so sorry. I'm a no as well. I'm in a loud venue.
I'm sorry. I'm a no.
MR. BARKER: I record Mr. Baker as a no.
MR. BAKER: Sorry. Thank you. Sorry.
PRESIDENT CATENA: So I'm sorry.
MR. BARKER: The vote, it's now five in favor,
eight opposed.
PRESIDENT CATENA: Okay. So the motion fails.
MR. BARKER: Correct.
PRESIDENT CATENA: So in the sake of liaison
reports, I'm asking that we dispense with liaison reports
this evening and if we could just go into the new business
because we still have to deal with obviously the public
comment on this agenda item. So I'll read 11516-20.
MR. BARKER: An ordinance amending and
supplementing the Allegheny County Code of Ordinances,
Division 5, entitled "Health and Sanitation," through the
creation of a new Chapter 600, entitled "Less Lethal
Devices," in order to protect the public health by

eliminating the use of certain devices within Allegheny County. Sponsored by Councilmembers Hallam and Bennett.

PRESIDENT CATENA: Obviously we still have the elephant in the room of public comment.

MS. HALLAM: President Catena, point of personal privilege?

PRESIDENT CATENA: Go ahead.

MS. HALLAM: Yeah. So I'd just like to say, so initially myself and Councilmember Bennett had planned to motion to waive the second reading and bring this to a vote tonight because we do believe that this is something that's very timely and very crucial. And that, you know, the members of our community truly cannot wait a moment longer for this sort of legislation to be passed out of the protection for their health and well-being. But seeing the issues that we have had with not all members of council receiving all of the public comments, I just want to say that despite that being our intention tonight, I cannot in good faith move forward with trying to get a vote on this tonight because I truly feel that co-governing and bringing everyone's voices to the table is one of the most crucial pieces of legislating. And the fact that that did not happen here with the agenda items and the public comment about them tonight, I cannot in good faith do that. So I just wanted to say that.

PRESIDENT CATENA: Thank you, Councilwoman Hallam. If that is the case, I will directly send this to committee and it's got to go to, because of Division 5, Health and Sanitation, it's going to go to Health and Human Services.

MS. HALLAM: Can I --- excuse me, President Catena. I know this is within your right to send it to whatever committee you want. But I do believe that since we are talking about the safety of the public and public safety officers, that it is important that this goes to the public safety committee for discussion. Can you explain your decision otherwise?

PRESIDENT CATENA: Yeah. Because it's under actually Division 5 entitled "Health and Sanitation". And Health and Sanitation actually obviously would go to the health committee, Health and Human Services.

MS. HALLAM: Oh, okay. Are you able to make a decision to put it in any committee that you think is most fit and that's the one you're choosing?

PRESIDENT CATENA: I try to look at what the division title is and go from there. So with health --- with Division 5 and it changing health and sanitation of the county code, I mean, that's where it sort of makes the most sense, I believe.

MS. HALLAM: I respectfully disagree, but thank you for your explanation.

PRESIDENT CATENA: You're very welcome.

MR. FUTULES: President Catena, point of order.

PRESIDENT CATENA: Yes, go ahead.

MR. FUTULES: This is Councilman Futules. You went by the county code as far as putting it into a committee. And as a discretionary, it would have gone into public safety or even government reform. So there were three different options, but you chose to use what the code was, not at a discretionary. I just want everybody to know that. Thank you.

PRESIDENT CATENA: Thank you.

MR. PALMOSINA: President Catena?

PRESIDENT CATENA: Yes, go ahead.

MR. PALMOSINA: This is Councilman Palmosina. So we received I guess approximately 40 to 50 emails. So I guess there's about another 230 or 240 emails still out there. How long will it take for us to receive the rest of the emails?

KEN VARHOLA: They'll get them by the end of the night.

PRESIDENT CATENA: By the end of the night they'll be sent out, Councilman Palmosina.

MR. PALMOSINA: Okay. Just a question. Thank you very much. I appreciate it.

PRESIDENT CATENA: You're very welcome. Any other questions for me? Hearing no other questions, we'll go into 11517-20.

MR. BARKER: A resolution approving a project for the benefit of Duquesne University of the Holy Spirit to be financed by the Allegheny County Higher Education Building Authority by the issuance of the Authority's taxable or tax-exempt revenue bonds, in one or more series, to be designated Allegheny County Higher Education Building Authority, University Revenue Bonds, Series A of 2020 Duquesne University, or such other designation as may be determined by the Authority and the University, in an aggregate principal amount not to exceed \$80 million, provided that the taxing power of the County of Allegheny,

Pennsylvania shall not be obligated in any way with respect to the Bonds, and declaring the financing of such project as desirable for the health, safety and welfare of the people in the County. Sponsored by the Chief Executive.

PRESIDENT CATENA: That's got to go to Economic Development and Housing. And then we have new business. I believe that we have a few non-agenda item motions to be introduced. Mr. Duerr?

MR. WALTON: And I have one, too, as well.

PRESIDENT CATENA: Mr. Duerr?

MR. DUERR: Hi, President Catena. Yes, President Catena. Yes. Can you hear me?

PRESIDENT CATENA: Yes. Go ahead.

MR. DUERR: Okay. So yes. I have two motions I would like to introduce tonight. Jared, I sent them out to co-sponsorship before the meeting. The process, would I --- because they weren't on the agenda, do I need a motion to put them on or can I just, you know, explain the motions and take a vote on them?

MR. BARKER: In all fairness, it's ---.

MR. MACEY: It needs to be on the agenda.

MR. BARKER: It probably would be wise to do an agenda, to do a motion to add them to the agenda. I will need to know what order you want to do them in so I can read the titles and all that kind of stuff, too.

MR. DUERR: Okay. Jared, I would like to do --- let's do the governor ones first and the state legislature ones second.

MR. BARKER: Understood.

MR. DUERR: Okay. So the first motion that I drafted was simply taking the governor's recent recommendation for law enforcement reform and making sure and declaring that we support those efforts, as well as empathizing to the municipalities within Allegheny County. While we can't dictate to them what they can and cannot do with their local police department municipalities, that we're urging that they adopt these measures that the governor is suggesting within a timely manner so we can all move forward together with some concrete law enforcement reform. So that would be the first motion that I am bringing forward. And if anyone would like Jared to read the specific language regarding that motion, like I said, we sent it out to everyone before the meeting

tonight. But I'm sure Jared would like to clarify anything specifically in that motion before we vote on it.

MR. MACEY: Point of order, Mr. Chairman.

PRESIDENT CATENA: Go ahead.

MR. MACEY: I think we need to follow the rules of council. And these motions, although they may have merit, need to go through the process. And this is just another way of someone politically making a statement. And I just think it needs to be done the right way. And in addition, Mr. Chairman, I think we need to go back to your original agenda for this year and educate some of our new county people or county councilpersons on the rules of council decorum and the program.

MR. WALTON: Mr. President?

PRESIDENT CATENA: Thank you. Councilman Walton?

MR. WALTON: Specifically under article four, legislative and legislative action, under section A, item three for the issue of motions, motions shall be formal requests for some specifically identified action or shall express the sense of council on specifically identified subject matter. Motion shall not require public notification prior to passage, the approval of the chief executive, or second or subsequent readings. A motion is adopted or defeated by a simple majority of the seated members of council. Motions are also used to receive and file correspondence from the chief executive and other elected and appointed county officials. The order of motion is governed by Roberts Rules of Order. As described by Member Duerr, I think this comports with the rules of council.

PRESIDENT CATENA: I agree. So we're going to have --- is there any further discussion? Has there been --- I assume you'll make the second, Councilman DeWitt?

MR. WALTON: Second.

PRESIDENT CATENA: Okay. Motion has been made a seconded. So we'll have a voice vote.

MR. DUERR: President Catena, this is a vote to put it on the agenda. Correct?

MR. WALTON: No, for the passage of the motion.

PRESIDENT CATENA: The passage ---.

MR. DUERR: Oh, just for the passage. Okay.

PRESIDENT CATENA: The passage of the motion that was suggested. And we'll do --- since actually --- we'll be official here and do a rollcall vote.

MS. BENNETT: Doesn't it have to be added to the agenda?

MR. WALTON: No.

PRESIDENT CATENA: No. It could be on it. No.

MR. WALTON: No, it doesn't.

MR. BARKER: It's under the rules. It actually does not. The solicitor, I believe, was recommending that we do it to be abundantly cautious.

PRESIDENT CATENA: Is that truly necessary, Jack or ---?

ATTORNEY CAMBEST: I mean your rules --- the rules state that you can do it that way, that's fine.

PRESIDENT CATENA: I mean, the rules of council basically state that it can be added, so it's right there.

MR. WALTON: Want to read, Jack?

PRESIDENT CATENA: Jared, take a rollcall vote, please.

MR. BARKER: On the motion to approve, Mr. Duerr's motion. Mr. Baker?

MR. BAKER: No.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: I'm not --- because we just got this tonight, I have no idea what the governor has proposed. So I can't take and support it, so I'd have to be a no. But it's not because I want to vote no on something. It's I just have no idea what he's referring to in here. No.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Ms. Kirk?

MS. KIRK: I'm also someone who just received this motion just over an hour or so ago before the meeting started. I have to vote no due to lack of information and transparency.

MR. BARKER: Mr. Klein? Mr. Klein? Mr. Macey?

MR. MACEY: No. Yes.

MR. BARKER: You can't have it both ways, Councilman Macey. Can Mr. Macey repeat that?

MR. MACEY: That's not funny. No.

MR. BARKER: Mr. Macey I'm recording as a no.
Correct?

MR. MACEY: Correct.

MR. BARKER: Mr. Klein, did you cast a vote?

MR. KLEIN: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: Yes.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: Yes.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes, 11. Nos, 4. The motion
passes.

PRESIDENT CATENA: Mr. Duerr, I believe you have
a second one?

MR. DUERR: Yes, second motion. So my second
motion, and I do want to thank --- I had some discussion
regarding the second motion, too, which has been amended
to include the speaker of the houses and the house
leadership through efforts today to try and move these
pieces of legislation in Harrisburg forward with --- I had
--- I'd like to thank Councilman DeMarco for bringing that
information to me. So we've amended the motion to include
that, Councilman DeMarco. So the second motion simply
urges our Allegheny County delegation and house leadership
to bring to the floor the many bills that have been
sitting in committee in Harrisburg. Many of which 2019.
Many --- all of which having to do with law enforcement
reform. Bring them up in discussion in committee and up
for full vote in Harrisburg as soon as possible. And
Councilman DeMarco, if you wanted to mention anything
about what the speaker was doing today, you know, if you
would like to speak to anything to that. Like I said, I
did add it to the motion, but I would like to give you a
chance to speak to his actions today as well before we
vote on it.

MR. DEMARCO: Thank you, Councilman. When
Councilman Duerr called me today to tell me that he would
be putting up the motions and then I saw the motion, I

alerted him to the fact that the Speaker of the House, it was yesterday, sent a letter to the governor requesting the governor hold or call a special session for the legislature to come in and to be able to consider these police reforms and the bills and things that had been introduced. So I shared that with him, which he added to this.

PRESIDENT CATENA: Anything else, Council DeMarco? Okay. Okay. The motion has been made. Do we have a second?

MR. WALTON: Second.

PRESIDENT CATENA: Motion has been made and seconded. I assume we'll do a voice or a rollcall vote on this one as well. Go ahead, Jared.

MR. BARKER: The motion to approve. Mr. Baker?

MR. BAKER: No.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Again, I haven't seen these bills. So when we talk about 1664, 1382, 1666, I don't know what else is in these things. But because my colleague reached out to me today, I'll vote yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: I'm a yes on this, but I want to point out that I think it's important we start passing our own legislates not just being supportive of work the state is already doing. But I vote yes.

MR. BARKER: Ms. Kirk?

MS. KIRK: Once again, I just received this at 3:16. I didn't have a chance to look at the bills, didn't get a private call, and I would have liked to have received a copy of the bills in with something with such short notice. So for now, due to lack of information, I have to vote no.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes, but with the caveat that from now on, anyone that has intentions of making motions, that we should be notified ahead of time. Thank you.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: I have to say that this --- all these pieces of legislation have been advocated by State Senator Costa regarding additional training and funding, additional funding opportunities as result of adherence to higher standards. Senator Fontana advocated that all second class counties and below are required to have independent police review boards. Legislation by the state --- the legislative black caucus requiring a licensing procedure to hold police accountable. That they be licensed in the same sense that barbers, nurses, doctors, pharmacists, lawyers, have clear-cut and well-defined standards. That this legislative action has been bottled up for over a year and that recalcitrant legislators have blocked this. The time is well-past to pass this legislation and I fully support the amendment.

MR. BARKER: I assume that's a yes. Mr. Zavarella?

MR. ZAVARELLA: Yes.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Aye is 12. No is 3. The motion passes.

PRESIDENT CATENA: Okay.

MR. DUERR: President Catena, Point of Order just to quickly talk about. You know, members of council, I apologize in getting these motions out late. You know, as many of us know, these subjects are of utmost importance right now. It was not my intention to blindside anyone. I was attempting to call as many members of council and get these out to members of council as quickly as I could. You know, like I said, I had conversations with Councilman DeMarco and quite a few other councilmembers support it. I apologize if I wasn't able to get to you in time. You know, in the future, I will do my best to make sure these motions and any future ordinances are out well ahead of time, so if there's any questions you can contact me. So thank you. That's it.

PRESIDENT CATENA: Thank you.

MR. FUTULES: Mr. President, can I have a point of order?

PRESIDENT CATENA: Yes, go ahead.

MR. FUTULES: Next time we have a motion for some sort of ordinance of any sort, when you ask the question, that's when people make comments. But once we make the rollcall, no one is supposed to make any comment other than yes or no. I'd like to remember --- remind members that that is the rule. Please abide by it. Thank you.

MR. WALTON: That's not the rule. That's not mandated.

MR. FUTULES: I'm pretty sure it is.

PRESIDENT CATENA: Okay. Well, can we please not get into this this evening, Councilman Walton and Councilman Futules? We're going to move --- I'd like to move on. Ms. Bennett?

MS. BENNETT: Thank you, President Catena. Yes. I also have a motion this evening. I apologize that it was not sent out on Friday. I was trying to get everybody's agreement on it before I sent it out to members. So it had been sent out on Monday. But in essence, it is just a motion to move forward the work since declaring racism as a public health crisis now moving forward with the actual work that needs to be done to address that --- to address racism in our region. The motion basically indicates that we will, we will participate with the city's equity taskforce and we'll be --- there will be a representative from the county council on the city taskforce to do the work along with the city and eventually expand into the county. But this again is the very first step. And it's just saying that we'll cooperate and support the city's COVID-19 equity taskforce. And that's basically what the motion is.

PRESIDENT CATENA: Thank you. Everyone has the motion in front of them. Correct? Everyone ---.

MR. DEMARCO: I don't.

MS. KIRK: Yes.

PRESIDENT CATENA: Was it sent out to them?

MR. BARKER: They were emailed along with ---.

PRESIDENT CATENA: I'm sorry, Jared?

MR. BARKER: All of the non-agenda items were emailed along with the agenda materials.

PRESIDENT CATENA: Okay. This was sent out in the email packet on Friday.

MR. BARKER: Today.

PRESIDENT CATENA: Or today. I'm sorry.

MS. KIRK: Today at 3:16 if you're looking for it.

MS. BENNETT: No. Mine should have been sent out on Monday. Mine was sent out Monday.

PRESIDENT CATENA: Yeah. It was sent out today at 3:16. So is there a second?

MS. HALLAM: I'll second that, President Catena.

PRESIDENT CATENA: Thank you. Motion has been made and seconded. Is there any discussion?

MS. KIRK: President Catena, it's Kirk.

PRESIDENT CATENA: Yes.

MS. KIRK: I just have a couple questions. I guess I don't understand it. Maybe Councilman Bennett could explain it a little bit better for me to understand it. So what does that entail? So we would put someone on the taskforce? I assume they're welcoming us to do that. And what that means for the rest of the council, and is there like a cost involved or how does that work? And is this a permanent taskforce? It's a taskforce, so I assume it has an end date at some point. But I just need a little more information. I don't have a problem with it. I just don't understand it.

MS. BENNETT: Yes. Councilman Kirk?

MS. KIRK: Yes.

MS. BENNETT: Yes. Councilwoman Kirk, yes. That is exactly what that means. There will be --- the City Council has written in to their legislation for the equity taskforce for the county, to have a county participant from county council on that taskforce basically to connect services. So in order to work on some of this, we'll need the Allegheny Health Department and other county partners. So the person from the county ideally would be the connector to those county services that will be needed to do the work, the equity work in the region. So yeah, that's what that looks like. And since this is us going onto the city, there wouldn't be any cost for the county because we're participating with the city.

MS. KIRK: One more quick question to add on to that. Sorry. So if --- so whoever it is goes on the council, they learn information. They share information basically between the two entities. And then at some

point, we're not obligated to go one way or the other, but you would share information to perhaps better improve Allegheny County, that's the main goal I assume.

MS. BENNETT: Correct. Correct.

MS. KIRK: Thank you. I appreciate that.

MS. BENNETT: You're welcome.

PRESIDENT CATENA: Is there someone else?

MR. KLEIN: Councilwoman Bennett, this is Councilmember Klein. I don't know if you know this at this time or this is something that will be determined later, but are we talking about one representative from county council or how will that be determined?

MS. BENNETT: So yes. One representative from County Council and some of the preliminary requirements will be that the person representing on Council will have to have some --- will have to live in the city and have some --- would be over some city constituents since this is the city's taskforce. So that would be kind of the model as to who would be able to serve on the county, because, of course, again we're participating with the city, so we would want to make sure that the person representing the county also has a city tie as well.

MR. KLEIN: Thank you for that, Councilwoman Bennett.

MR. WALTON: Additionally, that individual would be selected by the city from our council?

MS. BENNETT: Correct.

PRESIDENT CATENA: Is there anyone else on the phone that has any questions or comments? Hearing none, does anyone have a problem or reservation just doing a rollcall or doing a simple voice vote?

MS. HALLAM: I would prefer let's do a rollcall vote on this, President Catena.

PRESIDENT CATENA: Okay. As requested, Jared, go ahead.

MR. BARKER: On the motion to approve, Mr. Baker?

MR. BAKER: Yes.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.
MR. BARKER: Ms. Hallam?
MS. HALLAM: Yes.
MR. BARKER: Ms. Kirk?
MS. KIRK: Yes.
MR. BARKER: Mr. Klein?
MR. KLEIN: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: Yes.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: I will never cede my right to editorialize, but yes.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: Yes.
MR. BARKER: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes, 15. No, zero. The motion passes.
PRESIDENT CATENA: Mr. Walton, I believe you had a point of PERSONAL privilege?
MR. WALTON: I'll pass tonight. Tonight has been --- I'll come back in two weeks.
PRESIDENT CATENA: Okay. Thank you.
Notification of contracts 11515-20.
MR. BARKER: Communication summarizing approved Executive actions for the month of May, 2020.
MR. FUTULES: I will make a motion to approve.
PRESIDENT CATENA: Okay. A motion to receive and file. Second? Is there a second?
MR. MACEY: Second. Whatever.
PRESIDENT CATENA: Motion has been made, seconded. All those in favor, signify by saying aye.
ALL RESPOND AYE
PRESIDENT CATENA: All those opposed? The motion carries. Public comment on any general items.
MR. BARKER: We actually had 15 individuals who signed up for general comment.
PRESIDENT CATENA: Okay. Let's roll.

MR. BARKER: First up is Victoria Wengler who lives at 362-4 McKee Place in the City of Pittsburgh. In light of the COVID-19 pandemic passing legislation that has the power to slow the spread of diseases, whether it be the common cold or Coronavirus, is crucial to protecting the health of the people of Allegheny County and our economy. Most of my roommates and I are restaurant workers and it is often impossible to find coverage for a shift on short notice. This often results in working with people who are sick and have the power to contaminate food. One summer I worked in a restaurant where the flu spread around our entire staff and every person still came in for work. Passing and paid sick days ordinance will not only protect our workers, but it will protect the people receiving services as well. Protecting yourself and others is a human right and the threat of losing money cannot interfere with this indelible right. COVID-19 has laid out the unique issues of the American healthcare system and how we protect our workers. There is obvious need for change in our healthcare and labor system. Allegheny County should be pioneering this vital shift in protecting laborers and ensuring that the government has more appropriate responses to international pandemics.

We cannot ignore the other disease facing families amid the pandemic, domestic violence. In addition to passing the paid sick days act, it is crucial that you include paid safe days to give workers the time they need to protect themselves from violence. A paid sick days act that includes paid safe days has the power to protect public health, mental health and public and familial safety. Allegheny County should never again be a place where women get fired for dealing with matters relating to domestic abuse. It's on the recent case concerning a Mad Mex employee. This woman never should have been --- had to choose between going to the hospital after being beaten by her husband or going to work. This bill has an intense power to change how we protect public health and simultaneously protect families all over Allegheny County.

Next up is Jenny Cusak of 3327 Ward Street in the City of Pittsburgh. Please consider and support the extension of the paid sick days act to cover all employees in Allegheny County. Public health concerns for employed Pittsburghers have been exacerbated from the COVID-19

outbreak as we see the entire world is experiencing vast challenges. Allegheny Council has the opportunity and responsibility to increase protections for all residents of Allegheny County, which will continue to keep people safe and allow the economy to recover. For example, recently a lawsuit was filed against the local chain Mad Mex for firing a manager at the Waterworks Mall location because she requested time off to deal with a domestic violence situation. Although the Pennsylvania Crime Victims Employment Act prevents employers' retaliation against employees, if PSDA was extended to all of Allegheny County, this could give the Plaintiff in this case an extra cause of action. Providing paid safe days within the PSDA could help prevent and address correctly domestic violence, which previous legislative history can support the improvements to overall economic and public safety. Paid sick days would cover not only availability for employees to seek medical attention, but it would include time off to have locks changed, meet with legal advocates, and attending court hearings. These actions are necessary steps providing employees what they need in order to be safe in the future and return to their employment.

Next up is Caitlyn Bruce of 3606 Bandera Street, also in the City of Pittsburgh. Pittsburgh needs a police review board. The city needs more accountability for police to reduce funding, reduce militarization, and create more transparent and accountable processes to stop police killings. I am outraged to see that protests here are being met with tactics of escalation and violence, tear gas and rubber bullets, and that our elected officials are framing police as victims when they are clearly equipped as soldiers and aggressors.

Next up is Katherine Jenkins of 203 Carnegie Place, Pittsburgh, Pennsylvania. She wishes to speak about the police civilian board. I feel incredibly strongly that there needs to be civilian review board regarding the use of force and policing approaches within Allegheny County. While I do believe most of our officers are doing all they can to maintain peace and equity in our county, recent events make it clear that there needs to be increased oversight and positions in place when inequities emerge as they will in our race-based society.

Next up is Lauren Russell who lives at 246 St. Claire Street, Number 3, also in the City of Pittsburgh.

I'm writing to urge you to support the proposal for a civilian police review board. It is clear that our current system is racially biased and causing unnecessary injury, death, and trauma to members of our community. The killing of Antwon Rose and the beating of Jordan Miles are already hard evidence for the need for civilian police review board, but so is the police's disproportionate use of force at some Pittsburgh protests in recent days. When I saw a highly militarized SWAT team and what appeared to be battle gear barreling down my tiny residential street in East Liberty on Monday, I was hard-pressed to understand how making residents feel like we will in a battle zone would de-escalate the situation. Inconsistencies between police accounts and eyewitnesses reports of what happened on Monday underscore the already urgent need for a civilian police accountability review board. Thank you for your consideration.

Next up is Patrick McCelvey at 263 40th Street, Floor 1, also in the City of Pittsburgh. On the topic of the civilian police review board, I write to request that Allegheny County create a civil police review board. This is one of many imperative actions needed in order to address ongoing anti-black violence in our community.

Next up is Shelby Brewster of 3519 Penn Avenue, Apartment 1 in the City of Pittsburgh. The Council should immediately work to create a civilian police review board. The establishment of this board for police oversight is sorely needed, though coming too late. The murders of black folks by law enforcement, those entrusted to serve and protect the public, are unconscionable acts of violence. Not just as a concerned citizen, but as a human being, I urge the Council to do everything in their power to stop the targeting, harassment, assault, and murder of black folks by police.

Next up is Brian Englert of 710 Corbin Street, West Mifflin, Pennsylvania. The general topic he signed up for was donation of PPE made to the jail, but he did not expand upon that at all. There was just the one-liner.

Next up is Phillip Yates of 210 West Street in the City of Pittsburgh. I'm a resident of Wilkinsburg and I'm writing to strongly urge all councilmembers to support bill 11370-20 and create an independent police review board for Allegheny County. This should have passed last year. The shameful recent conduct of police nationwide,

including here in Pittsburgh in response to peaceful protests makes it clear how urgent the issue is. While I know Pittsburgh has its own review board, police and the rest of the county must be accountable as well. Black lives matter.

Next up is Derrick St. Pierre of 4052 Penn Avenue, Floor 2, also in the City of Pittsburgh. In light of the recent violent actions by Pittsburgh Police in relation to the systemic and violent racism of American policing in general, I urge to you support bill 11370-20 to make a county-wide independent police review board. We must abolish the police. And while this bill is not an immediate solution, it is a first step in police accountability and stripping them of the power that they so often abuse. I saw with my own eyes the first protests in downtown Pittsburgh on May 30th. I've seen video of the police on June 1st unjustifiably declaring a peaceful protest and unlawful gathering and then using chemical warfare to disburse a peaceful crowd. The evidence of brutality inflicted by the Pittsburgh Police on peaceful protestors is everywhere. The toxic and violent culture in the Pittsburgh Police must be addressed.

Next up is Evan Lee of 3707 Beachwood Boulevard in the City of Pittsburgh. The militarization of police forces, including Pittsburgh Bureau of Police, is both a threat to the welfare of citizens and also an irresponsible use of the city's budget. Municipal funds could be much better spent in measure --- preventative measures, preventative and palliative, that would actually serve the community through social work and other projects, and which would not result in the present dangers to citizens, especially black communities and citizens in the City of Pittsburgh. Reform efforts like the aid can't wait are often poorly enforced and dangerously vague, and are largely ineffective where these reforms are already in place, and should instead be efforts to defund.

Next up is Crystal Grobowski. She does not appear to have left an address. I call on councilmembers to look to what Minneapolis is doing in disbanding their police department replacing them with transformative justice public services. Allegheny County residents want to see this kind of action taken by our districts and councilmembers start this conversation today. Ms.

Grobowski also attached a lengthy newspaper article from Fox News that we can distribute to the councilmembers.

Next up is Gabrielle Monroe of 322 Mall Boulevard, Number 213 in Monroeville. Hello there, County Councilmembers. I'd appreciate it if comments were not edited this time, okay. Thanks. All people in Allegheny County deserve rights, resources, protection. Again, I will ask Allegheny County Council to protect sex trafficking victims and sex workers in Allegheny County. Cops in Allegheny County have sexually assaulted sex workers and potential sex trafficking victims in the course of arrest. This is unacceptable behavior. We need county council lawmakers to protect sex trafficking victims and sex workers in Allegheny County. Rape is never a punishment. Rape is always a crime. Request for the sixth time, Allegheny County sanctuary for sex trafficking victims, sex workers, and substance abuse, or I'm sorry, users in Allegheny County amnesty for sex trafficking victims, sex workers, and substance users investigation of law enforcement and prison officials for sexual misconduct. Investigation of the pride core program and the independently owned pride program reparations fund for sex trafficking victims and sex workers assaulted by governmental officials. Proclamation request for International Whores' Day June 2nd, conversion therapy for sex trafficking victims and sex workers. County and building lease for \$69 a year to open and drop-in resource center for sex trafficking victims and those at higher risk for sex trafficking. Once again, I'm requesting publicly to have a meeting with council folks. Both my public requests and calling and talking to Ken have gone ignored by the majority of councilmembers. This is unacceptable. Sex trafficking victims and sex workers deserve to be protected in Allegheny County. Also defund the cops.

Last up is Alexis Mighty of 3 East Chester Street in the City of Pittsburgh. The Pittsburgh I Can't Breathe Group would like to state our demands for the Council. One, stop arresting peaceful protestors who are only exercising their right. Two, remove the three out of five compromise from the Constitution. I'm sorry, three fifths compromise from the Constitution. Three, defund police program and add more funding to the educational system. Four, convict and sentence killer cops with no bail. Five, police can't turn off body cam during shift

and footage automatically goes to evidence. Six, Allegheny County Council votes for a community-controlled police review with demographic oversight over police. The Board will be demographically elected and giving it the power to hire and fire an issue binding opinions. Seven, and the policies that have led to the mass incarcerations of black and brown youth and end the school's prison pipeline. Eight, fund public schools and youth programs to give kids resources more than Pittsburgh Police and schools. Nine, environmental justice, clean air, and water for all, especially black and brown working class neighborhoods most impacted by corporate and institutional negligence. Ten, funding for homeless shelters. Eleven, black homes matter. More affordable housing and create protections for renters to address the increasing shortage of affordable quality housing and genderfication of black and brown working class neighborhoods. Twelve, build a mass movement of youth and workers to fight for a new system and a better world free of police violence, racism, and white supremacy. And 13, work towards the collective liberation of all people and a world where police and prison are obsolete. Until black and brown folks are liberated, no one is. And that's it.

PRESIDENT CATENA: Thank you. Before we make a motion to adjourn this evening, there's two things I'd like to address obviously. The first being obviously with the public comment this evening, that wasn't our finest hour. So we need to do better. And one of the things I tasked our chief of staff actually with was looking at a software program where instead of basically comments coming in and having to be forwarded to all of us, that we would have immediate access, a livestream basically, or access to live comments so that we could actually as members all go in and look at them. So hopefully once we get that up and --- I mean, once we take a look at that, hopefully we can get that up and running. That should alleviate that problem and get us to where we need to be with that. Because that, like I said, wasn't obviously our finest hour.

And I'd also like Council to consider, obviously I think something --- we learned a lot this evening, I believe. This was a learning experience for all of us. And what I heard seemed --- what I pretty much heard consistently was that we need to do a better job keeping each other informed ahead of time and not doing stuff last

minute. So I think we can all commit to doing a better job basically to keep others informed and not blindsides members and the things that are happening at the very last minute, because that's not good government. That's not what good government's about. That's not transparency. So we want to basically give every member a credible opportunity basically to digest the subject and basically look at it and see what we can do better. And I think, like I said, I mean, I think we all agree that we can do better. So it's a learning experience for all of us. It's been tough during the pandemic and that's not an excuse. I think it would be a lot different obviously if we were seeing each other face-to-face on a biweekly basis, but obviously that hasn't happened. So I thank you all for your commitment this evening. I thank you all for what you do. And I'd like a motion to adjourn.

MR. DEMARCO: So moved.

MR. MACEY: Motion to adjourn.

MR. FUTULES: Motion.

PRESIDENT CATENA: Second?

MS. HALLAM: Second.

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

ALL RESPOND AYE

PRESIDENT CATENA: Motion carries. Thank you everyone.

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 17th day of June, 2020

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Jeremy Harris,

Court Reporter