

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Patrick Catena	-	President, District 4
Robert J. Macey	-	Vice-President, District 9
Samuel DeMarco, III	-	Council-at-Large
Bethany Hallam	-	Council-at-Large
Jack Betkowski		District 1
Suzanne Filiaggi	-	District 2
Anita Prizio	-	District 3
Tom Duerr	-	District 5
John F. Palmiere	-	District 6
Nicholas Futules	-	District 7
Michelle Naccarati-Chapkis	-	District 8
DeWitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12
Olivia "Liv" Bennett	-	District 13

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

January 24, 2023, 5:05 p.m.

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

IN ATTENDANCE:

Jared Barker - Director, Legislative Services

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

(Pledge of Allegiance.)

PRESIDENT CATENA: Please remain standing for a moment of silent reflection.

(Moment of Silence.)

PRESIDENT CATENA: Thank you. Jared, please be seated. Jared, please take roll.

MR. BARKER:	Ms. Bennett?
MS. BENNETT:	Here.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	Here.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Here.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Here.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	Here.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Here.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	Here.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Here.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Here.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS:	Here.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Here.
MR. BARKER:	Mr. Palmosina?
MR. PALMOSINA:	Here.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	Here.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Here.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Here.
MR. BARKER:	We have 15 members

present at the moment.

PRESIDENT CATENA: Thank you. We'll now begin with Proclamations and Certificates.

12557-23.

MR. BARKER: A proclamation honoring Big Brothers Big Sisters of Greater Pittsburgh for recognizing January as National Mentoring Month, sponsored by Council Member DeMarco.

MR. DEMARCO: Mr. President, could we hold off on this one because I don't see the representative? Oh, he - okay. My fault.

Folks, since 2020 - well, you were elected in 2021; right? Since 2021 many duties that were formerly handled by Councilman Tom Baker, you know, the king of proclamations to fall into me. This is another one, but one I'm happy to take and do, because this is for Big Brothers and Big Sisters, so we prepared a proclamation recognizing them and the incredible work that they do on behalf of serving the young men and the young women in our communities.

I'd like to read this proclamation right now. Whereas for more than a century, Big Brothers and Big Sisters of America has operated under the belief that inherent in every child is incredible potential. As the nation's largest donor and volunteer supported mentoring network, Big Brothers and Big Sisters of America makes meaningful monitored matches between adult volunteers and children, ages six through young adulthood in communities across the country. Call them bigs and littles.

Whereas the Big Brothers and Big Sisters of Greater Pittsburgh is our region's premiere evidence-based youth mentoring agency earning national recognition for program quality and organizational excellence, and whereas, Big Brothers and Big Sisters of Pittsburgh serves more than 1,500 children throughout Greater Pittsburgh and the Counties of Allegheny, Washington and Greene.

Children are of ages 6 through 18, who are encountering challenges such as low-income households, underperforming schools, bullying and incarcerated parents, which are all factors that increase susceptibility of negative outcomes. And whereas, Big Brothers and Big Sisters of Pittsburgh provides children facing adversity with strong, enduring, professionally supported one-to-one relationships between the bigs and the littles, which changes the lives of these boys and girls forever by empowering them to stay in school, make positive choices and reach their fullest potential in life, and whereas as a result Big Brothers and Big Sisters of Pittsburgh programming earns the following evidence-

based outcomes after 12 months in the program and mentees show a 66-percent development of increased feelings of social support, 87 percent reported high educational expectations, 57 percent earned above average grades in school, and 86 percent reported disapproval of risky behaviors.

And whereas Allegheny County is committed to supporting its youth by eliminating circumstances that promote negative outcomes and welcomes the collaborative environment of the region's non-profit, civic, governmental and other organizations to come together and support our region's youth with proven reliable solutions.

Now, therefore be it resolved that we, Allegheny County Council Member Sam DeMarco and all the members of Allegheny County Council, recognize January as National Mentoring Month and proclaim January 24th, 2023 as Big Brothers, Big Sisters Day in Allegheny County to recognize the successful outcomes produced by Big Brothers Big Sisters of Greater Pittsburgh in direct support of the well-being of our region's youth.

In witness thereof, we would heretofore cause the seal of Allegheny County to be affixed this 24th day of January 2023. Congratulations.

MR. MITRIK: Thank you.

MR. DEMARCO: And you have to say a few words.

MR. MITRIK: Of course. Of course. I just want to say thank you to Councilman DeMarco. On behalf of Big Brothers Big Sisters, it's an honor to be here. The work that we do is rewarding, but it's not always easy. I'm sure just like everybody else, so to be able to come up here and receive this on behalf of the Agency is really motivation to continue to do what we do, continuing to serve these kids and invest in these children, and also these families. So thank you again.

(Photographs were taken.)

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

12558-23.

MR. BARKER: A memorial proclamation recognizing the heroic life of Brackenridge Police Chief Justin McIntire who was killed in the line of duty, sponsored by Council Members Bennett, DeMarco, Futules and all other members of Council.

PRESIDENT CATENA: 12559-23.

MR. BARKER: Recognizing the firefighter of the month and years of service award recipients for the men and women of the Highland Volunteer Fire Department, sponsored by Council Member Filiaggi.

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

MR. BARKER: We have several. First up is Eliana Beigel or Beigel (changes pronunciation).

PRESIDENT CATENA: Not here.

MR. BARKER: Next up is Tanisha Long.

MS. LONG: A lot of unfamiliar faces, mainly because I don't see you guys at the Jail Oversight Board meetings, which is where the issue with Bethany Hallam occurred. And I say issue in quotation marks, because I really don't find issue with it.

What I take issue with is the continued silence of council members meeting after meeting when Judge Elliot Howsie talks bad on Bethany Hallam, interrupts Bethany Hallam, does not allow her to conduct her official business as a council woman. Those are things that you don't speak up on. But when she accidentally calls Judge Howsie a prick, that's apparently an issue.

Mr. DeMarco, you put forth this motion to censor her because you said her public behavior was unbecoming of a councilwoman. I would ask you to consider your own public behavior, because this is from your Twitter. You're under Rep. Adam Schiff's Twitter saying yes - and please excuse my language, I'm just quoting the councilman. Yes, douchebag, because I'm white and a Republican, I must be racist, that's how you think, isn't it? What an asshole.

So if Councilman DeMarco is so concerned about the public behavior of Bethany Hallam, I would ask him to check his own public behavior. Because how this looks to me, this looks partisan, this looks sexist, this looks like someone who has never shown his face at the Jail Oversight Board meeting, trying to silence one of the few people who stand up for incarcerated people. One of the few people who stand up for incarcerated people who you spent quite some time on Twitter talking bad about, saying that they're probably there for a reason, denying racism in policing, saying that everyone who is incarcerated at our jail deserves to be there and that your concern is more for the people outside of the jail.

People like me, who have been incarcerated for reasons not my fault, through County error, through an address problem. People like Councilwoman Hallam, who has her own lived experiences and takes those experiences and translates them into better things for people incarcerated. When she walks into that jail, people have a shimmer of hope that things are going to get better. And I'm sorry, I have not seen, outside of Councilwoman Bennett, Councilwoman Hallam and Councilman Catena, I have not seen you at the Jail Oversight Board meetings. So for you to waste our time, the public's time and disrespect us and disrespect the dignity of your offices by putting forward or even supporting a motion to censor this woman for saying the word prick, when this is the person bringing forth the motion is ridiculous. And to even vote yes on it would be the highest sign of hypocrisy.

I would highly recommend that Council takes their very limited time and uses it on the first Thursday of every month to go to the Jail Oversight Board meeting and work for all of the citizens of Allegheny County, which include the people at the jail. That's my time.

MR. BARKER: Next up is Muhammad Nasir. Next up would be Nadia Narnor.

PRESIDENT CATENA: Oh, I'm sorry.

MR. BARKER: Oh, I apologize.

MR. NASIR: I had to put that Tweet back. Just give me a second.

My name is Muhammad Ali Nasir. I go by Manny. I'm the Advocacy and Policy Civic Engagement coordinator for 1 Hood Media. I'm a survivor of the ACJ and I'm really uncomfortable in this room. I'd rather not be here.

I spend all of my Tuesdays outside of the ACJ tabling, waiting for people to get released. And that's where I would be right now, if it were not for me standing up in support of Ms. Bethany Hallam.

I've seen over 350 people come outside of the ACJ. Like I said, every Tuesday since April of 2022. And everybody that speaks to me, everybody that speaks to us, talks about how horrible the ACJ is. Everybody talks about the deplorable conditions, the food. Everybody talks about rat droppings, rodents. Everybody talks about how disrespectful the staff and the COs are, and we all know that, you know what I'm saying. And you know, I've come to some of the JOB meetings, and I've seen some of

the meetings on YouTube, and you know, I hear the official reports and statistics, yadda, yadda. But I don't get my information from the officials. I don't even really listen to what the warden says. I get my information directly from the source, from the people who are directly impacted, for the people that survive, because as we know not everybody survives the ACJ.

So before I was a part of 1 Hood, I worked for an organization called Bukit Bail from Pittsburgh. Not really work, I volunteered. And I posted bail personally for over 50 people, all right. And I cannot count how many people came up to me and said me posting their bail, getting them released saved their life. And I believe it, you know what I'm saying. And I cannot count how many people came up to me outside of the ACJ where I'm actually about to go, as soon as I get done here, with tears in their eyes, crying just because we offered them a little bit of care and support and humanity that's missing from the ACJ, and all of you know that. You all know that. You should, because it's your responsibility, you know what I'm saying? The only person that I've ever seen give an iota of care and concern for the conditions and for the people inside of the ACJ is Ms. Bethany Hallam, and so that's the reason I'm here. I won't be here for long, but I'm saying on behalf of 1 Hood Media, 1 Hood Power, the Bukit Bail Fund, Jail Bail PGH, Community Care and Resistance in Pittsburgh, we support you, we thank you, we appreciate you.

MR. BARKER: Next up is Nadia Narnor.

PRESIDENT CATENA: Next.

MR. BARKER: Jack Alto.

MR. ALTO: Good evening. It's been awhile.

There's been a lot changed since I've been here, but one thing that has not changed has been Bethany's commitment to the people of this county.

Remember that poem first they came for the communists and then they came for the incurables, and then they came for the Jews. That is directly applicable to prisoners. They are our most vulnerable, and that is where government abuse occurs immediately. That's a government facility. And for all of you to not be in those meetings and then to take this action is an abomination. That's disgusting to me, that you're wasting your time trying to censor Bethany Hallam.

I'm enraged that I have to come down here and I can't delegate to Bethany to handle this because you're all interfering. And on top of that, we saw evidence of your behavior in public anyway. It's unconscionable.

And this jail is a reflection of what our society is. Why are we spending so much money and so effort to lock people up? It's at - there's an issue at the city level separately closing summer pools and putting that funding toward police, but when you don't give people outlets, what are they going to do. If you fund - if the city - again, I know it's a separate issue - funds lifeguards in public pools, the teenagers are occupied, they have things to do, things to learn, grow, live their lives. But when you set up this posture of incrimination and jailing first, you're setting society up for failure, and that's a reflection on all of you.

And I see Bethany Hallam is the one who's working to change that and you're getting in her way, and that pisses me off.

MR. BARKER: Next up is Mike Suley.

MR. SULEY: Hello, everyone. My name is Mike Suley. I've been here before. How are you all doing? And now for something entirely different, all right. I'm going to be brief.

For three months I kept coming and saying, you know, give people a second chance, give taxpayers in all areas of the county, give them a chance, give them another bite of the apple, okay. There's a bill tonight to - I understand there may be an amendment. I hope it passes, because I might just stay here until someone - until you folks pass this. 12524-22. That's this year. That's - just vote yes.

And I'll apologize, my friends call me a one-trick pony. All I ever talk about is assessments, but you know what, a lot of people pay taxes and some people - tens of thousands of people are paying more taxes than they should be paying. And I'm looking to you, all 15 of you to fix this. Thank you very much.

PRESIDENT CATENA: Next?

MR. BARKER: Next up is Janet Lunde.

PRESIDENT CATENA: Not here.

MR. BARKER: And last would be Ann McStay.

MS. MCSTAY: First of all, I really appreciate that we can speak in public freely. This is a wonderful country, and I'm really proud of it.

PRESIDENT CATENA: Can you lower the mic some?

MS. MCSTAY: And I'll say it again, I'm really proud of this country, and I'm thrilled that we can speak in public. This is fabulous.

That said, the motion presented - that will be presented today to censor a JOB member for using a single inappropriate word in public discourse evidences to me as a taxpaying citizen of the county, the JOB is focused on a member's lapse of decorum rather than its primary responsibility, the task of ensuring the county's jail is run with proper care and attention to serious problems, ensuring that the prisoners' health and welfare are attended to in equal measure with their making recompense for the crimes and misdemeanors they have committed if they have.

If censors are to be issued, there are two particular cases of failure to fulfill official responsibilities that do deserve attention. As county executive, Rich Fitzgerald, is by statute required to attend every JOB meeting, yet as to my knowledge attended only one in his ten years holding this office. By statute he is not allowed to delegate his attendance to anyone else, yet he does this every month, blatantly refusing to abide by the rules for his own office.

Mr. Fitzgerald breaches his contract with the voters by doing this. They put him in office to oversee the county's operations and he breaches it with taxpayers who fund his salary. He's beholding the citizens of this county's operations and with the taxpayers - I'm sorry, yet does not fulfill his statutory responsibility as a member of the JOB, and therefore does not participate publicly in any review that is publicly at those meetings, in review of the jail's operations, its prisoners health and welfare, its staff's performance or the warden's responsiveness addressing egregious issues.

These issues include poor and sometimes contaminated food, violence against and high death rates for prisoners, the withholding or complete unavailability of critical medicines for medical care for health compromised prisoners - am I past my three minutes? Oh, thank you. High staff turnover rates, dangerously short-staffed CO shifts and other serious problems, which have been reported over and over again in the meetings that I've attended and that I've heard about from others.

On the JOB itself, Judge Howsie, as self-appointed chair generally avoids pressing for meaningful accountability from the warden. If I understand it correctly, he received a \$10,000 campaign donation from Mr. Fitzgerald and could be seen to be beholding to Mr. Fitzgerald with the consequent conflict of interest affecting his willingness to act impartially toward other JOB members who question the status quo and toward the JOB's essential task. That task is to make sure that prisoners, corrections officers, staff members and the public are safe, that all of these constituents, especially families of prisoners are informed about conditions in the jail, are kept apprised of loved ones well-being not held - not made to wait three days to find out about a broken arm with their son. This was talked about last week. And are ensured by reliable evidence of appropriate treatment - I am finished now?

PRESIDENT CATENA: Yeah, if you could wrap it up?

MS. MCSTAY: Okay. Well, basically the censure motion about a verbal faux pas is a waste of time and disservice to the county. If we cannot have people who are in the highest positions in this county be held accountable, especially for the highest budget institution that the county supports, where is the reasoning for censuring someone over a single word, when as we just heard other people do it?

PRESIDENT CATENA: If you could wrap it up.

MS. MCSTAY: And I'm finished. Thank you.

PRESIDENT CATENA: We'll move on to approval of minutes.

12560-23.

MR. BARKER: A motion to approve the minutes of the December 13, 2022 regular meeting of Council.

MR. MACEY: Motion to approve.

MR. DUERR: Second.

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

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries.

12565-23.

MR. BARKER: A motion to approve the minutes of the November 22nd, 2022 regular meeting of Council.

MR. MACEY: Motion to approve.

MR. DUERR: Second.

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

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? The motion carries.

No presentation of appointments tonight.
Unfinished business. Committee on Appointment Review.

Does anyone object to doing all of these in a single motion?

MR. DUERR: President Catena.

MS. HALLAM: I do.

MR. DUERR: Hold on. President Catena, I don't, but I just wanted to - one of the appointments, 12540-22, I just wanted to have our - we had brief discussions in the Appointment Review Committee about how that appointment was going to move forward, given that it's the joint appointment to the IPRB with the administration, so we do not have full autonomy just to appoint that person ourselves, so I just wanted to have - ask if Chair Naccarati-Chapkis could explain what we had discussed in committee about how that process was going to move forward after tonight. That's it. Thank you.

PRESIDENT CATENA: Thank you. Go ahead, Councilwoman.

MS. NACCARATI-CHAPKIS: President Catena, the Appointment Review Commitment met last Thursday, the 19th, and we have the following - there are four that will be presented this evening. And just to respond to Councilman Duerr's request, it was - Chief of Staff Liptak was there, and it was asked to her how we would proceed. And if we moved forward and affirmatively recommend - the affirmative recommendation will occur, and if this is voted on with all of the proper number of votes, then this will be forwarded over to the county executive's office, and then they will essentially second it and put it together and sign it on a document so that they have - so it will be signed by both council and the county executive's office both.

PRESIDENT CATENA: Okay. So they wouldn't object, obviously, to the appointment that if Council moves forward -.

MS. NACCARATI-CHAPKIS: No, they've indicate that they will not object.

PRESIDENT CATENA: Okay. Councilwoman Hallam, I believe you -.

MS. HALLAM: Yeah, I just wanted to object to, like, doing a blanket altogether vote because I have made it clear on the record before that I do not support any appointments from the County Executive that exceed the duration of the first two years of the next county executive's term, because we're in a situation with a lame duck county executive who will be gone at the end of 2023, and the timeline on two of these three appointments from the county executive, December 31st, 2026 and December 31st, 2027, I can't support binding the hands of the next county executive, so I would like to only support the one that goes until 2025.

PRESIDENT CATENA: If we can do - rather that do roll calls, I just do voice votes, and we'll make your - I mean, obviously you're a voice vote and you can -.

MS. HALLAM: Cool. Thank you.

PRESIDENT CATENA: 12540-22.

MR. BARKER: Approving the appointment of Dwight Boddorf to the Independent Police Review Board for a term to expire on December 13th, 2026 sponsored by Councilmember Walton.

PRESIDENT CATENA: Is there a second?

MR. DUERR: Second.

PRESIDENT CATENA: A motion has been made and seconded, any discussion? All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries.

12541-23.

MR. BARKER: Approving the reappointment of Arthur R. Pang to the Human Relations Commission of Allegheny County for a term to expire on December 31st, 2026, sponsored by the Chief Executive.

PRESIDENT CATENA: Is there a second?

MS. NACCARATI-CHAPKIS: Second.

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

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed?

(Noes Respond.)

MR. DUERR: I'll second. Jared, I'll second.

MR. BARKER: Thank you.

MR. MACEY: No, nobody made a motion on the first two.

PRESIDENT CATENA: Okay. So we're good now? Okay.

Okay. 12542-23.

MR. BARKER: Approving the reappointment of Reverend Dr. William H. Curtis to the Allegheny County Airport Authority Board for a term to expire on December 31st, 2027, sponsored by the Chief Executive.

MR. MACEY: I make a motion to approve.

MR. DUERR: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussion? Hearing none, all those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed?

(Noes respond.)

PRESIDENT CATENA: Motion carries.

12544-23.

MR. BARKER: Approving the reappointment of Thomas W. Headley to the Agricultural Land Preservation Board for a term to expire on December 31st, 2025, sponsored by the Chief Executive.

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

MR. DUERR: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussion? Hearing no discussion, all those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Motion carries.

Committee on Health and Human Services for the second reading.

12537-22.

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania amending and supplementing the Allegheny County Code of Ordinances, Division 2, entitled County Government Operations, through the creation of a new Chapter 290, entitled Law Enforcement Prioritization, sponsored by Council Members Duerr, Bennett and Prizio.

PRESIDENT CATENA: Councilman Klein?

MR. KLEIN: Thank you, Mr. President. At its meeting on January 19th, 2023 the Committee on Health and Human Services considered the aforementioned ordinance, and it is before Council at this time with an affirmative recommendation. So at this time I would entertain a motion to approve.

MR. DUERR: Second.

PRESIDENT CATENA: Motion has been made and seconded. Discussion?

MR. DUERR: Yes, President Catena. I just wanted to first off thank - this is my legislation. I just want to first off thank the members of the Health and Human Services Committee and all the members of Council who I spent time talking about this during its construction and various versions that have come up.

I wanted to thank the Women's Law project for their time and energy and helping us put forward the best version possible of this piece of legislation and for their help in getting this up to full council today. You know, it strikes me that this is coming up only a few days after what would have been the 50th anniversary of Roe V. Wade, and we are seeing pieces - a piece of legislation like this, the - everything that's come out of that landmark decision being reversed last year.

This legislation seeks to simply state - simply state and put forward that county agencies and departments deprioritize any and all cooperation with any law that seeks to criminalize abortion, whether that be from state, federal or other county - other local agencies. We're seeing a number of these laws being introduced all across the country, across here in Pennsylvania, and you know, there's a lot of conversation about when and where abortions should be legal, but because of the overturning of Roe we are now seeing that conversation move even further towards the criminalization of the seeking of one itself, or the performing of one, and I believe since Council has oversight, we have an interesting intersection of both the protection of the health and wellbeing of the residents of this county as well as the budget that we have pretty interesting autonomy to pass pieces of legislations like this, and should take the steps to do so tonight, so thank you, President Catena.

PRESIDENT CATENA: Thank you. Anyone else this evening?

MR. DEMARCO: Discussion?

PRESIDENT CATENA: Yeah.

MR. DEMARCO: Yeah. Thank you, President Catena. What I would say is while I believe I'm pro-life, and why I believe the Dobbs decision was correct and that it pushed it back to the states, okay, I don't believe in criminalizing this on the behalf of a doctor, a nurse or someone seeking what they believe is reproductive care is the right thing. And that's why I'll be voting in support of this ordinance here, because I believe, again, that to tell someone that we're going to criminalize this is the wrong thing to do. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Anyone else this evening? Hearing no one else, let's do a recall vote on this.

MR. BARKER: On the motion to approve, Ms. Bennett?

MS. BENNETT:	Yes.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	Yes.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Yes.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	Yes.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Yes.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	Yes.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Yes.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Yes.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS:	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:	President Catena?
PRESIDENT CATENA:	Yes.

MR. BARKER: Ayes 15, noes 0, the bill passes.

PRESIDENT CATENA: 12553-23.

MR. BARKER: An ordinance of the Council of the County of Allegheny ratifying an amendment adding Section 2105.87 entitled Control of VOC Emissions from unconventional and conventional oil and natural gas sources, to the Allegheny County Health department Rules and Regulations, Article XXI, Air Pollution Control, sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman Klein.

MR. KLEIN: Thank you, Mr. President. At its meeting also on January 19th, 2023, the Committee on Health and Human Services considered the aforementioned ordinance, and it is before Council with an affirmative recommendation. At this point I would entertain a motion to approve.

MR. DUERR: Second.

PRESIDENT CATENA: A motion has been made and seconded. Is there any discussion? Hearing no discussion, Jared, please take a roll call vote.

MR. BARKER: On the motion to approve, Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Betkowski?

MR. BETKOWSKI: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Ms. Filiaggi.

MS. FILIAGGI: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Ms. Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS: 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: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes 15, noes 0, the

bill passes.

PRESIDENT CATENA: Okay. We'll now have the Special Committee on Assessment practices for the second reading.

12524-22.

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Administrative Code of Allegheny County, Article 207, entitled new Board of Property Assessment Appeals and Review, Section 5-207.08, entitled filing of appeals, in order to establish special assessment appeal windows for 2022 and 2023 for properties impacted by court-ordered adjustments to the County's Common Level Ratio, sponsored by Council Members Catena and DeMarco.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Yes.

MR. DEMARCO: I would like to ask for a vote on a waiver of the 48-hour rule for the express purposes of offering an amendment. We typically don't like to change or do anything in contravention of the 48-hour rule, but what happened was we only received a memo for the administration last night from the solicitor and then a memo from our solicitor this morning. So we haven't had the 48 hours in order to take and introduce an amendment.

And I don't - I believe that the people of Allegheny County who are being treated unfairly under this provision deserve relief, and I don't want to have this this thing challenged because of language, which would delay their opportunity to seek relief under this. So I would ask for a vote to waive the 48-hour rule.

MR. MACEY: Second.

PRESIDENT CATENA: Do we need to do the main motion actually first, or do we do the waiver first? Does it matter?

ATTORNEY CAMBEST: Do the waiver first and then you vote on the motion.

PRESIDENT CATENA: Okay. At this point in time, we'll take the vote on the waiver. So is there any discussion on the waiver? Okay. Roll call vote then.

MR. BETKOWSKI: Other than my usual comments, and Councilman DeMarco, I think, summed it up pretty well so I won't bother to repeat it, that it's just not good practice to be amending the agenda, because it deprives the public of an opportunity to comment. And like, tonight we did actually have an audience with people commenting. So that's all I want to say.

MR. WALTON: It points up -.

PRESIDENT CATENA: Go ahead.

MR. WALTON: It points up to how ludicrous the 48-hour rule is on its face. Less than two weeks ago there was a motion to waive the 48-hour rule regarding Councilwoman Hallam's censor and it was rejected. And tonight we're going to - although I think we're going to do the right thing, although the appeal issue is the right thing to do, we are waiving a 48-hour rule. And I think Council should review its practices and eliminate that 48-hour rule for offering up amendments.

MR. DEMARCO: Mr. President?

MR. WALTON: They should waive and estimate it on its face on its value and addressed in that manner.

PRESIDENT CATENA: Go ahead.

MR. DEMARCO: I was just going to say, Mr. President, that while we hate to waive 48-hour rule, sometimes things do come before us that could be considered urgent. And I think the people of this county who have been paying way in excess of the taxes, that they legitimately owe, deserve relief as soon as we can possibly provide it to them.

And I think if we're able to take and do this so that we can then make a motion and amend it so that we reduce the opportunity for someone to challenge it in court, I think that that's the prudent thing to do.

PRESIDENT CATENA: Thank you. Councilman Macey?

MR. MACEY: Yeah, thank you Councilman and members of Council. Although I agree with Councilman Walton, I think that this issue has been bantied about. It's been discussed on, I don't know how many meetings, back in 2022, now we're into 2023. So this isn't something new, but it is urgent and I think it's of the essence, and I think we need to move forward. Thank you.

PRESIDENT CATENA: Councilman Betkowski?

MR. BETKOWSKI: Just to comment on the 48-hour rule actually is not a county council rule, it actually is state law, so we would need our state representatives to change the law -.

MR. MACEY: Well, that's not what we're arguing about right now.

PRESIDENT CATENA: There's two different topics flying at this point in time. There's amending the agenda, which is a totally separate topic, versus the 48-hour rule, so let's be clear about what we're doing tonight. So if there's no other comment, let's take a vote. Go ahead.

MR. BARKER: On the motion to waive the 48-hour rule, Ms. Bennett?

MS. BENNETT:	Yes.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	No.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Yes.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	Yes.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Yes.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	Yes.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Yes.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Yes.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS:	Yes.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Yes.
MR. BARKER:	Mr. Pالموسينا?
MR. PALMOSINA:	Yes.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	Yes.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Yes.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Yes.
MR. BARKER:	Ayes 14, noes 1, the

bill passes.

PRESIDENT CATENA: Okay. Do we want to pass out the amendment?

MR. DEMARCO: Mr. President, as our budget director passes out the amendment for everybody to review, all this amendment does is bring the language in the current bill in line with what the state statute says. So it just moves the assignment of the CLR, or common level ratio, from what Judge Hertzberg's ruling was to the state statute that says it's the state board that sets that. So this way here we're in line with the state law and it reduces the possibility of someone just challenging and delaying the opportunity for folks to be able to seek relief, you know, by challenging that. Thank you, Mr. President.

I'd like to make a motion that we amend this.

PRESIDENT CATENA: You want to be a co-sponsor, Bob?

MR. MACEY: Yes, sir.

PRESIDENT CATENA: Okay. Does anyone wish to be a co-sponsor?

MR. WALTON: I will, as well.

PRESIDENT CATENA: Is there anyone that doesn't want to be a co-sponsor? Okay. Or I think everyone wants -.

MS. HALLAM: I don't want to be a co-sponsor.

PRESIDENT CATENA: Motion has been made and seconded. Is there any other - is there any other discussion? If there's no discussion, we'll move for a vote for the amended bill. Go ahead, take a roll.

MR. WALTON: Discussion?

PRESIDENT CATENA: Yeah, go ahead.

MR. WALTON: Yeah, clearly there are multiple discussions, but I - I think that we need to deal with the amendment, because the most critical piece is that we provide those windows for appeals for our residents.

I introduced the initial legislation to do just that months ago, and I've been struggling with our delays and moving through the special process. But again, the most critical issue is that we give residents of Allegheny County that pay taxes on their properties an opportunity to have this addressed in a constructive and equitable manner.

PRESIDENT CATENA: Anyone else? Okay. Hearing no one else, I mean, I'd like to make a comment at this point in time.

I mean, these special assessment appeal meetings have been painful, to say the least. The testimony that has been given in these appeal hearings and the testimony is just appalling. There's just one incongruable truth here. The county basically did cook the books with regards to the assessment appeals. Again, those aren't my words, they're the words of Judge Hertzberg.

He ended up saying this because there has been litigation over the assessment appeals process, and the evidence clearly shows that the Office of Property Assessments manipulated sales data, and they did so in a fashion in resulting in artificially high property values resulting from appeals, simple fact, period. There isn't a truth that anyone should be comfortable with. It's certainly not a truth that I'm comfortable with or the committee is comfortable with, which is why I established the special committee on assessment practices last September to review this situation in depth.

The committee has convened five times since early October and was shown much of the same evidence that the court was showing. I introduced this Bill in December 6th, and the public noticed that it would be under discussion and the special committee was sent out on January 11th.

The administration took no meaningful part in any of the discussions with the special committee. It never offered any comment on this issue or Bill up until yesterday, so it addressed - so if we talk about the 48-hour rule, the 48-hour rule is coming into effect. Unfortunately because the administration obviously failed to work with us and failed to notify us and failed to talk about this before yesterday, when this has been out there for some time. It took four months after the special committee was created, until almost two months after the Bill was introduced until nearly two full weeks after the administration and public were notified that the Bill was going to be discussed in committee. Now at the 11th hour and 59 minutes the very same administration that presided over the book cooking has suddenly decided that it has theoretically legal concerns about a proposed remedy. That's ridiculous.

Let me be blunt here. I don't care, because this administration put us where we are, either the thought of cooking the books was legal or they knew it was wrong and they did it anyway. There is no third

alternative. Either way they've conclusively demonstrated that their opinions on how assessment appeals should work are suspect, to put it gently.

The ordinance does, first, two things. First, it creates the special appeal windows for the 2022/2023 in order to account for those appeals, that there have been or may have been. And secondly, it's hopefully going to tell the Board to follow the orders issued by the courts, that at a later date, obviously. So now at this point in time I think we have an important decision to make. I mean, obviously we heard testimony that - I mean it turns my stomach that - some of this stuff that was admitted in these hearings. And I don't understand why the county would allow this to go on. I mean, it undermines the integrity of government. I mean, how we got here and how we allowed it to continue for so long.

And the orders that were given by staff, I just find it - I'm only one member of the Board, but I know there's other members of the Board that feel the same way and how appalled they were hearing it. I mean, obviously we're still not done with the committee hearings and we still have other things to do, but it's just - like I said, it is irreprehensible that all of this occurred, and it bothers me that it happened under - I mean, I know we're looked secondly - I mean, we're sort of given a back seat, obviously, the administration, County Council. I mean, we're not viewed as the same - obviously in the same light as them, but this still happened on our watch and it's disturbing to hear what exactly - how the taxpayers were basically, I mean, taken advantage of. I mean, it really bothers me.

So I just think, obviously that this is a step to do the right thing. Obviously, this doesn't rectify everything that we heard in those hearings, or we heard in those meetings, but again, it's a step in the right direction, and I believe it's the right thing to do for all of the taxpayers of Allegheny County. But the fact that it got to this point, it's a - it was a huge mistake, it should have never gotten to this point. This Council shouldn't be here tonight having to do this, but yet we are. And I mean, it's the tough decisions like these that need to be made, but every - it's the fairest decision for every resident of Allegheny County. So thank you, that's all I have to say.

Jared, would you take a roll call vote?

MR. BARKER: On the motion to amend, Ms. Bennett?

MS. BENNETT: Yes.
MR. BARKER: Mr. Betkowski?
MR. BETKOWSKI: Yes.
MR. BARKER: Mr. DeMarco?
MR. DEMARCO: Yes.
MR. BARKER: Mr. Duerr?
MR. DUERR: Yes.
MR. BARKER: Ms. Filiaggi.
MS. FILIAGGI: Yes.
MR. BARKER: Mr. Futules?
MR. FUTULES: Yes.
MR. BARKER: Ms. Hallam?
MS. HALLAM: Yes.
MR. BARKER: Mr. Klein?
MR. KLEIN: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: Yes.
MR. BARKER: Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS: 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: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes 15, noes 0, the

amendment passes.

PRESIDENT CATENA: Thank you. We'll now have any liaison reports this evening. I'm sorry, I'm moving - there you go. Councilman Walton, thank you for keeping me honest.

MR. WALTON: I'm trying. It's tough.

PRESIDENT CATENA: It's tough sometimes. I realize that, especially when I'm out of sorts.

Is there a motion?

MR. DEMARCO: I'd like to make a motion.

MR. MACEY: Second.

PRESIDENT CATENA: A motion has been made and seconded. Is there any other - no other discussion? So Jared, please take the roll.

MR. BARKER: On the motion to approve, Ms. Bennett?

MS. BENNETT: Yes.
MR. BARKER: Mr. Betkowski?
MR. BETKOWSKI: Yes.
MR. BARKER: Mr. DeMarco?
MR. DEMARCO: Yes.
MR. BARKER: Mr. Duerr?
MR. DUERR: Yes.
MR. BARKER: Ms. Filiaggi.
MS. FILIAGGI: Yes.
MR. BARKER: Mr. Futules?
MR. FUTULES: Yes.
MR. BARKER: Ms. Hallam?
MS. HALLAM: Yes.
MR. BARKER: Mr. Klein?
MR. KLEIN: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: Yes.
MR. BARKER: Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. BARKER: Mr. Pالموسينا?
MR. PALMOSINA: Yes.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: Yes.
MR. BARKER: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes 15, noes 0, the

bill passes.

PRESIDENT CATENA: Thank you. We'll now have liaison reports this evening. Anything?

MR. FUTULES: Yeah.

PRESIDENT CATENA: Go ahead.

MR. FUTULES: Last Thursday the sports and exhibition authority met. I had sent an e-mail to our staff to the members of council. I just want to make sure that you did see that and let you know that - I want you

all to know exactly what is going on in the SCA. So thank you for that. And that's all.

MR. DUERR: President Catena, I just wanted to thank all the members who were able to attend the A-1 legislative reception last week. There was a number of County Council Members there, but also a tremendous amount of local municipal leaders. Thank you all for attending. We appreciate it. That's it. Thank you.

PRESIDENT CATENA: Thank you. Anyone else this evening? Hearing no one else, we'll go into new business, ordinances and resolutions.

12561-23.

MR. BARKER: An ordinance directing that a referendum question regarding the amendment of the Home Rule Charter of Allegheny County in order to amend Article 3, Section 6(a), an existing provision relating to seeking multiple County elected offices simultaneously be placed on the November 7, 2023 General Election ballot, sponsored by Council Member Duerr.

PRESIDENT CATENA: That will go to Government Reform.

12562-23.

MR. BARKER: A resolution of the County of Allegheny amending the grants and special accounts budget for 2023, submission number 1-23, sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to Budget and Finance. New business, motions.

12563-23.

MR. BARKER: A Motion of the Council of Allegheny County authorizing the settlement of the pending action against the Council of Allegheny County and Allegheny County in the United States District Court for the Western District of Pennsylvania, styled *Buka v. Allegheny County, Pennsylvania and Office of County Council, Allegheny County, C.A., Number 2:20-cv-00669*, sponsored by Council Members Palmiere and Catena.

PRESIDENT CATENA: At this point in time we are going to take a brief recess to talk about pending litigation, and we'll reconvene in the back room right here.

(Brief recess taken.)

PRESIDENT CATENA: At this point I'd like to reconvene the meeting.

Councilman Palmiere, would you like to make Motion 12563-23? It's the settlement motion.

MR. PALMIERE: You want me to read it?

MR. PALMOSINA: No, let him read it.

MR. PALMIERE: No, you don't want me to read it. Thank, God. Okay. I make a motion that we -.

MR. MACEY: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussion? No discussion, Jared, please take roll.

MR. BARKER: On the motion to approve, Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Betkowski?

MR. BETKOWSKI: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Ms. Filiaggi.

MS. FILIAGGI: Yes.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Ms. Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS: 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: A resounding no.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 13, noes 2, the motion passes.

PRESIDENT CATENA: Thank you. 12564-23.

MR. BARKER: A motion of the Council of Allegheny County censuring Council Member Bethany Hallam for conduct detrimental to County Council, specifically her actions during the January 5, 2023 meeting of the Allegheny County Jail Oversight Board, sponsored by Council Members DeMarco and Macey.

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Yes, Mr. President. I introduced this censure motion to censure Council Member Bethany Hallam for conduct detrimental to County Council in representing County Council at the Jail Oversight Board Meeting with the comments she made regarding Judge Howsie. And when called out by Judge Howsie, she had an opportunity to just apologize or say anything, but she doubled down. I just think that the behavior is beneath the dignity of our office and I think needs to be handled accordingly.

And what we do outside of County Council business is completely different. So there was no censure motion offered for her tweet saying, F, yeah, they burned a police car. Or calling for riots if elections didn't turn out properly. We all have our First Amendment rights. However, in this particular case, I just think that that behavior is beneath the dignity of someone on County Council.

And you know, I don't understand, you know, why it persists. I mean, we've had former president Judge Kim Clark, you have Warden Harper, you have Judge Howsie. And the funny thing was she was asking about personnel matters in an active police investigation, which just we had to take and recess for executive session to go back and talk about a personnel matter, you can't talk about these things in public session. And Judge Howsie was just trying to move this thing forward.

I mean, Ms. Hallam is a colleague of mine. We've gotten along for the most part over the last three years, though we are different opinion, but I mean, I just - in a recent Board of Elections meeting here, you know, she and I - she voted to take and not certify, you know, 12 precincts or 12 voting polls because a Judge hadn't ruled on them yet. And she displayed - she was fine from a behavior standpoint there. I just think if you want to solve a problem, you have to be able to work with someone, and I don't think calling them names, particularly a sitting judge, is the right way to go.

Ms. Hallam is up here because she's earned this position. I believe Judge Howsie has earned his. So that's why I've offered this motion, Mr. President.

PRESIDENT CATENA: Thank you. Is there a second?

MR. MACEY: Second.

PRESIDENT CATENA: Motion has been made - is there discussion at this point in time? Obviously Council Member DeMarco opened discussion, but is there any other discussion at this point in time? Councilman Betkowski?

MR. BETKOWSKI: A subject that's come up from time to time in our meetings has been how to deal with personnel matters and disciplinary matters. And in my training, what I was taught to do was to look at how similar situations had been handled prior, and whether actions that I would take would be consistent. So for example, whether in the recent past, have there been occasions where members of Council have used vulgar language in a public meeting, and then to compare the types of disciplinary actions that were taken to ensure that there's consistency. You know, for example, if in one case an individual, a single time used a single word, and as reported in the Pittsburgh Post Gazette in a hushed voice and then compare it to two other recent occasions where members of Council used vulgar language in a quite loud voice repeatedly.

And to compare whether we are treating these cases similarly. Also, I was trained to look at the proximate circumstances of the disciplinary incident. For example, is there anything proximate to the occasion that would indicate that a protected class was affected? For example, was there racially charged language used surrounding the incident? Discussions such as Jim Crow or the number of jelly beans in a jar, things that to a reasonable person based on a preponderance of the evidence might indicate that some type of bias differentiated the two different forms of treatment.

Now, I know that County Council has yet to go through their official training, however, I felt that since we have discussed this repeatedly that I should at least offer the advice and training that I have received as a member of management.

PRESIDENT CATENA: Thank you. Councilman Duerr.

MR. DUERR: President Catena, thank you. So I will be - if we are, indeed, voting on this tonight, I

will be abstaining. I feel like this is certainly a decision that should have been discussed further and my colleague should have been given time to - and us as a collective whole should have been given time to discuss this in committee. I feel rushing this to a decision on the floor is, you know, a bit headstrong. And I know, given if - you know, mine was eventually polled, but I would have liked if - you know, people have been comparing my potential censure prior, I would have liked to be afforded that if my censure would have continued to go forward.

So I will be abstaining tonight for that reason, insofar as that I just felt that whether a yes or no vote, I would have liked to see us discuss this more holistically as a council to talk about, you know, the conduct of one member, but also the conduct as a whole going forward, so thank you.

PRESIDENT CATENA: Thank you. Councilman Klein?

MR. KLEIN: You know, I might think commonsense would dictate what would be a censurable act or censurable behavior, but that is not at all clear to me, based on my experience here in council, and maybe even more largely considering this matter. I mean, I have this innate feeling that a motion of censure is kind of nonsense, kind of, you know, meaningless. I don't know what the implications are, the impact, and I would, you know, echo what Mr. Betkowski said in terms of - so what is the standard? And that is not at all clear to me. So I will - I will be voting not to censure.

PRESIDENT CATENA: Councilwoman Naccarati-Chapkis?

MS. NACCARATI-CHAPKIS: I would just like to agree with Council Members Betkowski and Klein and agree with them as well. There's no consistency and we can't just certainly pick and choose when this issue comes up, so for that I will be voting no.

PRESIDENT CATENA: Thank you. Councilman Macey?

MR. MACEY: Thank you, Mr. President, Members of Council. I can see a clear difference between someone using vulgar language or using profane language in a discussion when the issue gets a little heated. However, I believe attacking or name calling another person, especially someone that's an elected official, there is no respect, there's no decorum there, and so I can see there's a difference. It has to stop somewhere. We do

have our rights, our freedom of speech, but my goodness, we also should act like professionals.

So even though this particular vote may go down, the issue has been brought to the attention of the public. And it's amazing how we all get tarred with the same stick. When I'm in my district, people say what the heck's - well, they use stronger language, but what the heck's wrong with you people down there? Well, it's not me, and it's not Paul Klein. It could be other people -.

MR. WALTON: Are you blaming me?

MR. MACEY: No. But that's what's happening. People are looking at us because of our actions in professional surroundings and public meetings as a joke, because we're not using respect and decorum and council rules. Thank you.

PRESIDENT CATENA: Thank you. Anyone else this evening? Councilman Futules.

MR. FUTULES: Okay. Thank you. Well, try to make a long story short. The first time I actually saw it was on Twitter, and quite frankly, do you believe everything you read? Sometimes. I think you don't. Then I saw a video, so I said well, I saw the video so I guess it must be true. And I thought to myself well, that was pretty horrible, but sometimes people say things that they don't really mean, and I was actually waiting for Bethany to apologize, and if she did, I would certainly give her that chance to do so myself, because everybody deserves a second chance. That hasn't happened yet, and you still have a chance by the way.

And my other thought was, you know, I had co-sponsored this, and I withdrew my name because I realize that maybe it wasn't really the right thing to do at the time, because it didn't happen here. It happened on the Jail Board, and if they thought it was so horrible, maybe they should be the one to censure Ms. Hallam, not us. For that reason, it really doesn't - it happened on this board against us, so - I mean, I'm not angel. I dropped the F bomb on a guy one time myself, so - but I apologized on Channel Four news the next day for it, and I was truly sorry for my use of words, but not for my convictions. And I believe the same with her. It was a poor choice of words, but her convictions and her steadiness to save the people in the jail, I applaud that, okay. So yes, I think you did a good thing, but your use of words should be reversed and apologize to the Judge, say, Your Honor,

Judge, I didn't mean it even though I really did, you know what I mean.

I'm talking about not necessary the words, but the fact that I care, so much about the jail. And for that reason, you know, I'm not going to vote yes, I'm going to vote no, because I think that may be the right thing at this point to do. Thank you.

MR. WALTON: On the motion.

PRESIDENT CATENA: Councilman, there's still people talking. Thank you. Councilwoman Bennett?

MS. BENNETT: Thank you, Chair. Thank you, President Catena. So I agree with Councilman Betkowski and Councilman Klein, and even Councilman Futules surprisingly. Not on the apology part, but the part that we - we have seen this happen on our own body, our own legislative body and nothing has happened due to that. And so we're going to go outside of that body to try to censure one of our members for something she did outside of this body when we haven't even done that for the disrespect, if you will, that's happened in this body. So I will be a no vote as well. Thank you, President Catena.

PRESIDENT CATENA: Thank you. Anyone else this evening? Councilman Duerr.

MR. DUERR: Just a quick follow-up, President Catena, you know, of my first remarks. For me one of - like, one of the things that I want to talk about in committee and wish we had time is the distinction between individual council members conduct on this body and when the council member is representing the body as a whole on a board. So I represent County Council on the ALON Board, significantly less controversial than the Jail Oversight Board, no doubt, but one of the things I was talking with the co-sponsors of this bill about when they introduced it was that notion of representing a whole instead of the individual. So when we're sitting up here in these seats we're representing - you know, we're representing our districts, but we're representing ourselves as well as individuals as individual council members of our districts.

When I'm representing myself and the ALON board when Councilwoman Hallam is representing as your designee on the Jail Oversight Board, she is representing, in my opinion, all 15 members. So while some members of this council might see this censure coming forward as, you know, a bit unorthodox given that it happened outside of

this body, I would argue that, you know, that notion of representing the whole, especially of this body of everyone, you know, it wouldn't be completely unfounded for it to be introduced. Once again, I wish that this would have been further discussed amongst us collectively as a whole in a much less emotionally charged setting than this in committee where we could have come to hopefully a more amicable agreement. So thank you.

PRESIDENT CATENA: Councilwoman Filiaggi?

MS. FILIAGGI: Thank you, President Catena. And I would like to echo Councilman Duerr's comments, his previous comments and these. I do believe that this was inconsistent with what normally happens with these types of motions. It was - my understanding this would be assigned to a committee and I think that that is what should have happened, and so again, as Councilman Duerr had said, we would have an opportunity to actually discuss it in a less charged environment. And I think that we would have been able to come together and have some thoughtful discussion on appropriate actions of council members.

I do agree with Councilman Duerr that in the position that - in which Councilwoman Hallam was sitting, she was representing all of us, and I'm not happy with that behavior. I am a mom. I'm 54. I am a mom of three kids, so I use the word behavior, because it is something that is reflective of all of us, and that is disappointing to me. And I think that if we were able to sit around instead of having the audience that is clearly skewed to one position and who doesn't necessarily even take other comments seriously, the snickering, the laughing, this is very serious. And I'm new to Council. I've been here since April, and I've seen some things that I would like the opportunity to discuss with my council members, not necessarily have everyone else be in on the discussion.

We're sitting at the same table, and every - they're public meetings - they're public meetings and they are transparent, but when you are in a committee, just so you know, and everyone is welcome to come, we're sitting at a round table, and we can actually look at our fellow council people in the eye and we can have an impact. And we have had impacts. There are people who have changed their votes during those committee meetings, and there are people that have changed their attitudes and I've appreciated that. I've appreciated the opportunity to

give my side and looking someone in the eye. You can't look anyone in the eye in this particular setting, so I wish we would have, President Catena, which I think it's - this is an inconsistent way to have handled the motion, since we're discussing inconsistency.

I agree with Councilman DeMarco's assessment that Judge Howsie clearly deserves respect as does Ms. Hallam. Judge Howsie, I have worked with him for 25 years. He is a - he is the epitome of public servant. He was in the assistant district attorney's office, he was the public defender and now he's sitting as a judge. This isn't a joke, it's not up for debate. We voted for him, he won. Respect, that's what it is. So this means to an end attitude that goes on and the bravado, it's just not appropriate. That's my vote. And I'm asking that if not now to discuss some of these attitudes that don't belong in public office, then when. Thank you for the opportunity.

PRESIDENT CATENA: Councilman DeMarco.

MR. DEMARCO: Yeah, thank you, Mr. President. A couple of the Council Members have brought up some things where they've mentioned that foul language has been used on Council before and nothing was done, okay. I would point out that there's a difference here. This isn't about foul language that was being used, it was a direct attack on a particular member of the Oversight Board. We have rules in council, that any of us can be censured if we directly attack one of our colleagues, and that's why we're not supposed to refer to them, you know, by name or particularly that's why you see folks in legislative bodies, refer to these folks as my friend, my - that sort of thing there.

So there's a difference there. This isn't a matter of someone on council saying a bad word and someone not responding to it, it's a matter of direct attack upon somebody and their reputation. And the second thing is for the folks who that is an issue for the language that was used on Council, and they have a problem with that, every one of us here has had the opportunity to offer a censure motion, you know, in regards to that, so when we talk about inconsistent treatment, you know, these folks have not seen fit to introduce a particular censure motion in regards to that language, so I would just point that out. There is a difference, that's what the difference

is, and that's why I sponsored this legislation. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Anyone else this evening?

MR. WALTON: On the motion.

PRESIDENT CATENA: Hearing no one else just one - do you want to make a statement or -?

MS. HALLAM: I want to vote.

PRESIDENT CATENA: Okay. I want to make a statement. Just real quick here, I've gone to the Jail Committee - or the Jail Oversight Board meetings and I wouldn't - Bethany is my replacement when I don't go - when I'm not in attendance at those meetings, but I can tell you from firsthand experience, the meetings that I went to were frustrating in the least. Calling someone a prick, unfortunately, at those meetings - I mean, I understand. I mean, things get heated and things get out of hand very quickly, but those meetings are very frustrating.

And unfortunately, there's not a whole lot of answers given. I tried to get answers out of the warden myself. Judge Howsie stopped me and asked me to wait until after the meeting to get that information from Judge Howsie - to get that information from the warden. The warden was supposed to stay after the meeting, he decided to run away from me. I couldn't get the answers that I waited for patiently after the meeting. I waited 25 minutes for the warden to speak to me privately, because that's what Judge Howsie promised me. Needless say, that's a little bit disappointing. I know that has nothing to do with the censure motion tonight, but it's frustrating, the fact that when you go to these meetings and you're not getting answers.

Oversight - look at the word, oversight. That's what it's supposed to be. And right now, I mean, obviously the Jail Oversight Board, looking at the entire board, it's a very big disappointment, in my personal opinion. And that's all I have to say about that.

At this point in time, please call - go ahead and take the vote.

MR. BARKER: On the motion to approve, Ms. Bennett?

MS. BENNETT: Unequivocally no.

MR. BARKER: Mr. Betkowski?

MR. BETKOWSKI: No.

MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Yes.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Abstain.
MR. BARKER:	Ms. Filiaggi.
MS. FILIAGGI:	Yes.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	No.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	No.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	No.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Yes.
MR. BARKER:	Ms. Naccarati-Chapkis?
MS. NACCARATI-CHAPKIS:	No.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	No.
MR. BARKER:	Mr. Palmosina?
MR. PALMOSINA:	No.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	No.
MR. BARKER:	Mr. Walton?
MR. WALTON:	I'll abstain. And for

the first time - for the first time during my tenure on council, I will explain why I abstain. I'm at - I'm that boo-boo here on Council that uses real strong language and fights vigorously for what they believe and I've called some folks some names, and I will do it again, because I will fight vigorously for what I believe. I will fight vigorously for the people that I represent, and I'm not taking no bullshit off of nobody. Not today, not next week, not next month, not next year. As long as I breathe air, I'm going to represent and do what I believe is right.

So when I was asked I told - I said - I had to abstain because people who live in glass houses should not throw rocks. So I'm going to - if it had been me having a conversation - if you guys come messing with me, I'll do something to your ass.

PRESIDENT CATENA: Are you good? You done?

Okay.

MR. BARKER: President Catena?

PRESIDENT CATENA: Hold on a second.

Councilman DeMarco, you asked early on if it was personal

or anything, and the remarks shouldn't be addressed toward - I believe you got your admission right there on public record. So I mean, so there you go.

Yes. Or no, I'm sorry.

MR. BARKER: Ayes 3, noes 10 with two abstentions. The motion fails.

PRESIDENT CATENA: Notification of contracts.

MR. BARKER: We have none.

PRESIDENT CATENA: Public comment on general items. We do have a few. First up is Anna Ellenberger.

MS. ELLENBERGER: Good evening. Good evening. My name is Anna and my husband and I have been foster parents for almost three years in Allegheny County. I'm here to inform you of the gross abuse of power by Allegheny County CYF and their culture of intimidation. My husband and I are both very involved in the Pittsburgh community in many ways. I'm a physical therapist who specializes in women's health. I volunteered in afterschool program for teens in East Liberty and support athletics among minorities in our city through the Black Girls Do Bike Pittsburgh Chapter. My husband serves as a law enforcement officer and we're both active in our diverse church community.

We recently fostered a little girl who is African American. From infancy to about age two; however, CYF abruptly moved her to a different foster home for reasons which centered around unsubstantiated false allegations made by caseworkers and an anonymous source that I made negative comments about the child who we cared for deeply and her mother. We believe that this act was taken in retaliation because we continually advocated for the child's basic needs. We asked for simple things, such as consistency surrounding her parental visits and allowing her time to take a nap. Our advocacy upset caseworkers, so with complete disregard for the child's basic needs of permanence and stability, they ask the court's to remove the child from our home, even though they acknowledge that she was safe and well-cared for by us.

They took advantage of the fact that foster parents have little to no rights in court and gave the court misleading information that we were not allowed to disprove, even though we had documents and evidence against their claims. The Court told them to make the transition as gentle as possible, so what did CYF do?

Without telling us their plan, they brought her to a parental visit, and as soon as it drove away, they texted us telling us she would not be returning.

Since that day more than four months ago, she has had no contact with the family or home that she lived with for the first two years of her life. During this entire ordeal, no one, not even DHS director Erin Dalton, would even acknowledge that this transition could be traumatic for the child. We have heard story after story of CYF causing unnecessary transitions for foster children and intimidating and retaliating against foster parents who advocate for the children. This harms some of the most vulnerable members of our community, many of whom are from racial minorities.

In fact, African American foster children are more likely to experience three or more transitions in the system than Caucasian foster children. Intimidation and retaliation by CYF causes disillusionment and burnout by those who are willing to foster, reducing the number of homes available for children who need them. We are asking for three things, that an external audit be conducted of how long children spend in the foster care system and the number of transitions they are exposed to, in particular among minorities. Two, that an investigation be conducted on CYF's culture of intimidation and retaliation toward foster families. And three, that the system embraces the concept that transition and the breaking of bonds is trauma for these children.

Thank you very much for your time and attention. I'll be emailing you our supplemental materials as well as the county executive. Thank you.

MR. BARKER: Next up is Billie Vaughn.

MS. VAUGHN: Hello. So let me tell you, guys, it's so crazy. I am strong believer in God, because I came down here to support the newcomer tax, right. But I said you know what, I'm going to introduce myself, because I'm an advocate, I'm a resident. I usually go to City Council, and I just wanted to come and introduce myself. And at first, I'm like, you know, I feel like I'm listening to something in Japanese. I don't understand what's going on. I'm ready to go.

But it's just so crazy that I'm here and I had no clue about the situation with Judge Howsie and Bethany, no clue at all. I was just like what's going on. So I do have a comment that I want to speak on that, but just

introducing myself as, like, an advocate for residents, for myself. Even what the speaker just said before me, one of the biggest issues is organizations that are being funded through you guys' budget. There's issue with it actually - the support through the funding, getting to us residents, you know. So who's doing the checks and balances and the audits for these organizations. And I'm just using my voice as a resident to speak on it.

But one thing I want to say with - and I just want to give some middle ground to the situation with Bethany and Judge Howsie. I didn't know anything about this, but what's funny is - you know, I support Bethany for what she does as supporting marginalized groups with the county jail, but it's funny that as someone who's been through the system, Shuman, the county, changed my life. Got my record expunged. I'm doing so many things for the city, and I actually had a job down here as a tip staff. And through my whole journey of me changing Judge Howsie was my lawyer, Judge Howsie helped me with my expungement and Judge Howsie hired me as a tip staff. So what happens a lot - and when I was his tip staff, he wasn't on that - he wasn't on that board, but what I see and what I'm learning is that, you know, they'll put the same people that's doing the work for the same - you know, the same cause against each other.

So we got - Judge Howsie is actually supporting the same marginalized groups as you, and I will be one to say that he's been there, because I'm one. I'm one. And if you look up my name to see the wonderful work that I'm doing, he - he has been one that played a huge part in that. So we just can't let outsiders come in and infiltrate the system to change, and now we're fighting each other instead of the system that we need to be fighting. So that's all I wanted to say. Thank you.

PRESIDENT CATENA: Next?

MR. BARKER: Next up is Andraya Williams.

PRESIDENT CATENA: Not here. Okay. Is there a motion to adjourn?

MR. WALTON: So moved.

MR. DEMARCO: Second.

PRESIDENT CATENA: All those in favor, signify by saying aye?

(Chorus of ayes.)

PRESIDENT CATENA: All opposed? Motion carries.

MEETING CONCLUDED AT 6:34 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Dated the 21 day of February, 2023

A handwritten signature in cursive script, appearing to read "Chelsea Curry", written over a horizontal line.

Chelsea Curry,

Court Reporter