

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Patrick Catena	-	President, District 4
John F. Palmiere	-	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
Nicholas Futules	-	District 7
Michelle Naccarati-Chapkis	-	District 8
Robert J. Macey	-	District 9
DeWitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12
Olivia "Liv" Bennett	-	District 13

Allegheny County Courthouse  
Conference Room 1  
436 Grant Street  
Pittsburgh, Pennsylvania 15219

Tuesday, July 11, 2023 - 5:01 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.  
225 Ross Street Suite 202  
Pittsburgh, PA 15219  
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

Jared Barker - Director of Legislative Services  
Frederick N. Frank - Solicitor

PRESIDENT CATENA: Please stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

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

(Silent reflection.)

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

MR. BARKER:	Ms. Bennett?
(No response.)	
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. Pالموسينا?
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 --- or 14, I'm sorry, Members present.

PRESIDENT CATENA: We'll begin with Proclamation, slash, Certificates 12744-23.

MR. BARKER: A proclamation recognizing and celebrating the Pittsburgh Zoo and Aquarium upon the

occasion of their 125th anniversary, sponsored by all members of Council.

PRESIDENT CATENA: Thank you. Who's presenting this, Ken? Oh, Councilman Walton?

Okay.

MR. MACEY: I want to ask Mr. Goodman --- you're up here already. Mr. Goodman and his staff, and I just want to say that we take pride in our Pittsburgh region and many of my colleagues, as well as DeWitt and myself, we like to recognize organizations and people for certain accomplishments, and 125 years is quite the accomplishment. So, I'm going to use some visual aids right now. And;

WHEREAS, Pittsburgh Zoo and Aquarium would be celebrating its 125th anniversary, having first opened its gates on June 14, 1898, with the goal of providing visitors with a rare glimpse of animals and plants they had never seen before. Through the years, the zoo has been transformed, incorporating naturalist habits for a great variety of species as well as becoming a resource, conservation, education and research; and

WHEREAS, in 1937, the zoo expanded with an additional --- an addition of outdoor bear exhibits, though they are no longer there. In 1949, the zoo expanded its attractions to include the Children's Zoo filled with imaginative exhibits for children. It was renovated in 1995, transforming into the Kid's Kingdom; and

WHEREAS, what we know now as the Aquarium, known then as the Aqua Zoo, opened in 1967 as the only public aquarium in Pennsylvania and the second largest aquarium in the country.

WHEREAS, the zoo came up with a new plan in 1980 to completely renovate, creating exhibits that mimicked naturalistic habits --- habitats, allowing animals to roam as they would in the wild. Following this plan came the Asian Forest 1983, the African Savannah 1987, the Tropical Forest in 1991, and Niches of the World in 1992.

WHEREAS, the Pittsburgh Zoo became a nonprofit organization in 1994, owned and operated by the Zoological Society of Pittsburgh. Following this, the educational complex was built, creating space for the administration, five classrooms, a library, and a 300-seat lecture hall, furthering the zoo's mission of conservation and education.

MR. WALTON: WHEREAS, through the aquarium, the zoo hosts various conservation efforts, such as the Sea Turtle Second Chance Program, where turtles in need of aid are rescued, rehabilitated, and then released back into the wild. It also works on coral conservation efforts, studying and collecting coral from around the world, striving to find cures for certain coral ailments; and

WHEREAS, more recent changes include The Water's Edge 2007, Unveiling of the Islands to 2015 and Jungle Odyssey 2017, featuring animals native to islands and jungles; and

WHEREAS, through 2020, innovative virtual and distance programs, programming and drive-thru events helped support the zoo during the pandemic. The Safari Amphitheater was renovated during this time, allowing for more guest space and a classroom dedicated to teen science programming.

WHEREAS, progress has continued with new leadership, plans for improvement and new exhibits and several --- months at the Pittsburgh Zoo and Aquarium. As the Pittsburgh Zoo and Aquarium enters its 125th anniversary, the zoo's remarkable growth and attendance, exhibitory, research, education, and conservation efforts are sending it roaring into the future.

NOW, THEREFORE, BE IT RESOLVED, that we, the Allegheny County Councilmembers, Patrick Catena, Bethany Hallam, Sam DeMarco, Jack Betkowski, Suzanne Filiaggi, Anita Prizio, Tom Duerr, John Palmiere, Nicholas Futules, Michelle Naccarati-Chapkis, Bob Macey, Dewitt Walton and Paul Klein and Robert Palmosino and Olivia Bennett, do do hereby solemnly recognize and congratulate the Pittsburgh Zoo and Aquarium upon the momentous occasion of his 125th anniversary, and wish the Pittsburgh Zoo and Aquarium continued success in the years to come. And witness thereof have caused the Seals of the County of Allegheny to be affixed this 14th day of June, 2023. Congratulations.

MR. MACEY: Congratulations.

(Applause.)

MR. WALTON: The mic (sic) is yours.

MR. GOODMAN: I want to thank the entire County Council for this great recognition. The county has always been so supportive of the zoo throughout all of the years. And as we go into this next phase, we have a new 20-year facility master plan that we're about to embark on. Just really going into this next 125 years, I have no doubt

that the county will be right alongside of us, building this great institution for the future.

When the zoo was established 125 years ago, it was really all about, you know, recreational entertainment, seeing animals that you've never seen before, plants and whatnot. So much has changed in 125 years. Although our million visitors still get that great recreational opportunity, now our foundation is based off of conservation, education, animal welfare. They're at the core of everything that we do. One thing that wasn't mentioned, which I think is really, really important, is we're an economic engine as well. We bring in hundreds of thousands of people into Allegheny County. We employ ---.

(Applause.)

MR. GOODMAN: Thank you. We employ hundreds of staff members, about \$80 million in economic activity every single year and we're just ingrained in the community, and we're so pleased to do so. So I would just want to take this last opportunity to invite each and every one of you as my personal guest to come in for a tour. See the magic that happens there every single day. It really is amazing. We have the best staff. We have some right behind us. We have Don Hudson, our Chair of the Board, as well as members of our Conservation staff, our advancement staff and our communication staff. So they're the ones that make it all happen. We've been doing this for 125 years, so we're not going to stop anytime soon. And once again, thank you so much for this honor.

(Applause.)

MR. MACEY: Anybody else want to comment?

MR. WALTON: We'll take a photograph after.

PRESIDENT CATENA: Councilman Klein, I believe you want to say something?

MR. KLEIN: Yes. Before you come up for the picture taking. My grandfather was born in 1898, the year that the Pittsburgh Zoo opened, and he was --- but he was not born here. He was born in Romania, but when he found his way to this country and started his own family, i, somewhere down the road, became his first grandchild. And from the time I was two-years old until I think I was 30, he would pick up me and then my brothers and sisters, all of us, and take us to the zoo every Sunday. And at the age of 30, I thought, maybe I'm getting a little too old for this, but there is a brick at the zoo that bears his name, and his name was Sam Solomon, and he'd be very happy

and very proud to have his name a part of the record today. And thanks for all the great work you do at the zoo. My daughter and son-in-law, my grandchildren, live just a few blocks from the zoo, and I don't think they're there every Sunday, but they're probably there every day or close to it. So thank you.

MR. GOODMAN: Thank you.

PRESIDENT CATENA: Ready? Picture time.

(Pictures taken.)

PRESIDENT CATENA: 12745-23.

MR. BARKER: Before proceeding, please let the record reflect that Ms. Bennett is now present.

12745-23 is a proclamation congratulating Mr. Dan O'Brien for being named the 2023 Big Brother of the Year, sponsored by Councilmember DeMarco.

MR. DEMARCO: Could I have the folks from Big Brothers and Big Sisters come on up here and join me? I was telling these folks as I saw them in the hall when were outside, that I apologized to them that I had to stand in, or would have traditionally been Tom Baker's role, the proclamation chief, okay, but really, I'm so happy to do it because Big Brothers and Big Sisters is such a tremendous organization, giving hope and helping so many of our children out there who need some guidance, some mentorship and things of that nature. And that's why I'm so happy to do this and support these folks who were selected as a Big Brother and Big Sister of the Year.

So, two proclamations here, one for Mr. Dan O'Brien and one for Ms. Jennifer Antoon.

WHEREAS, Allegheny County is fortunate to have a number of teachers, community volunteers, and individuals who support the mentoring movement and who work selflessly to improve our children's odds for success in overcoming adversity; and

WHEREAS, each year, Big Brothers Big Sisters of Pennsylvania selects a deserving Big Brother who exemplifies the best of one-to-one mentoring, and;

WHEREAS, Big brothers and Big Sisters of Pennsylvania has selected Mr. Dan O'Brien as a 2023 Big Brother of the Year, and;

WHEREAS, Mr. O'Brien has been DeMarcus's Big Brother for ten years, since DeMarcus was seven-years old. Now, DeMarcus struggled in school and had challenges with peer relationships. These challenges caused him to be

withdrawn, and his mother wanted him to get him the support that he needed, and;

WHEREAS. Mr. O'Brien and DeMarcus have spent years building a trusting relationship and talking about difficult issues, grades, peers, COVID and even to Marcus's mom's diagnosis with breast cancer. His mom explains that Mr. O'Brien has changed her son's life for the better, and what stands out the most is that Mr. O'Brien taught DeMarcus the importance of kindness, how to handle his emotions, and how to be accountable and;

WHEREAS, in 2018, Mr. O'Brien joined the Big Brothers Big Sisters of Greater Pittsburgh Board of Directors and is also active in his role as Secretary Development Committee Member and Justice Equity Diversity Inclusion Committee member, Mr. O'Brien's contributions to the community have been exemplary. Yet none so as immeasurable or profound is that of the relationship he has formed with his little brother DeMarcus.

NOW, THEREFORE IT BE RESOLVED, that I, Allegheny County Councilmember Sam DeMarco to hereby congratulate Mr. Dan O'Brien as the 2023 Pennsylvania Big brother of the Year. I commend him for his continued dedication towards serving as a positive role model, supporting vulnerable children, and helping them succeed. A witness thereof, I have a here unto for cause the Seal of the County of Allegheny County to be affixed this 20th day of June, 2023.

(Applause.)

MS. GIEL: I will accept it on behalf of Dan. Dan welcomed a baby boy yesterday afternoon. So he is at the hospital with his other two children. I'm sure his family is welcoming Uncle DeMarcus as well. That's what they call DeMarcus's little. So on behalf of him ---.

MR. DEMARCO: Tell them who you are.

MS. GIEL: I am Maggie from Big Brothers Big Sisters. I am not Dan.

MR. DEMARCO: Maggie has been here often.

MS. GIEL: I've been here --- I'm with the organization for 11 years, happy to do my job every day and represent the organization for the wonderful work. And Dan's been a wonderful advocate for the work that we do. So we'll be sure to give this to Dan, take a picture of him and DeMarcus for the wonderful work that they have done for the organization, but we have other special guests.

MR. DEMARCO: Thank you. Jennifer, right. We have a special proclamation for you as well.

WHEREAS Allegheny County is fortunate to have a number of teachers, community volunteers and individuals who support the mentoring movement and who work selflessly to improve our children's odds for success in overcoming adversity and;

WHEREAS, each year, Big Brothers and Big Sisters of Pennsylvania selects a deserving Big Sister who exemplifies the best of one-to-one mentoring and;

WHEREAS, today Big Brothers and Big Sisters of Pennsylvania has selected Ms. Jennifer Antoon as the 2023 Big Sister of the Year and;

WHEREAS, born and raised in Pittsburgh, Ms. Antoon has been Carly's Big Sister for six years, since Carly was a shy sixth grader being raised by her Aunt Maria. Carly had challenges in school and in peer relationships. These challenges caused her to be withdrawn, and her aunt wanted her to get the support she needed to increase her self-esteem, become a leader, and have new friends and;

WHEREAS, Ms. Antoon grew up in a nearly identical family circumstances and used that connection to develop a supportive bond with Carly, Ms. Antoon has gained Carly's trust through years of consistency and provides a safe space for Carly where she can fully be herself. Her Aunt Maria explains that Carly has grown so much by being connected to Ms. Antoon, who has helped Carly become more independent, self-motivated, and a strong and competent leader, and;

WHEREAS, Ms. Antoon's influence at Big Brother's Big Sisters goes beyond her relationship with Carly, she uses her extensive professional network to recruit new volunteers. She's also quick to offer help for any of the agency's needs and thinks creatively about how she can leverage her network. Ms. Antoon's contributions to the community have been exemplary, yet none so immeasurable or profound as that of the relationship she has formed with her Little Sister Carly.

NOW, THEREFORE IT BE RESOLVED, that I, Allegheny County Councilmember Sam DeMarco do hereby congratulate Ms. Jennifer Antoon for being named the 2023 Pennsylvania Big Sister of the Year. I commend her for her continued dedication towards serving as a positive role model, supporting vulnerable children and helping them succeed. Congratulations, Jennifer.



(Applause.)

MS. ANTOON: Thank you very much.

MR. DEMARCO: This, and please say a few words.

MS. ANTOON: Okay.

I'm a little short.

MR. DEMARCO: It bends.

MS. ANTOON: Thank you, everyone, for your time. Thank you, Council. And also obviously, thank you to everyone at Big Brothers Big Sisters for having me here today. I'm honored to receive this recognition, but I'd like to use this recognition as a way to bring awareness more to the program. Right now, in three counties, there's over 200 kids at any time, mostly boys looking for a match like myself and Dan. It's a great program. It's priceless. It costs nothing but some time and your trust with a child that is in need, that has a lot of potential. I got involved in the program because, let's be honest, being a kid is really tough, and with the internet now and everything else that I didn't have as influences, I think that having a Big Brother Big Sister is great.

I also was an only child. I was raised by my Lebanese immigrant grandparents who are wonderful to me, but at the same time, having a youth advocate consistent in your life, regardless of their situation, is what's key. I've learned a lot from the program. I'm trying to bring more people into the program. So if I could ask any of you today to maybe, if you talk to someone this week, or even on the organization you're involved in, if you could please bring awareness to this program, talk about it. We're really in need. The program obviously needs funds and whatnot, but the biggest thing this program needs is actual people.

And you know, Dan was a wonderful Big as well. I love Carly very much, I --- and our program is now over, but I just was at Cedar Point with her for the fourth year in a row last weekend, and I plan on potentially getting another little one the fall. So thank you, everyone, for your time and have a great day.

(Applause.)

MS. ANTOON: Don't want to forget this. Thank you very much.

(Pictures taken.)

PRESIDENT CATENA: Okay. The remaining proclamations will be read into the record. 12747-23.

MR. BARKER: A proclamation recognizing and congratulating Shaler Area Baseball, Softball and Boys Volleyball teams on their 2023 season, sponsored by Councilmembers Prizio and Hallam.

PRESIDENT CATENA: 12748-23.

MR. BARKER: A proclamation recognizing the Borough of Franklin Park on the occasion of its bicentennial anniversary, sponsored by Councilmember Filiaggi.

PRESIDENT CATENA: 12749-23.

MR. BARKER: A proclamation recognizing the Borough of Swissvale on the occasion of its 125th anniversary, sponsored by Councilmember Naccarati-Chapkis.

PRESIDENT CATENA: 12750-23.

MR. BARKER: A proclamation recognizing the Borough of Whitehall on the occasion of its 75th anniversary, sponsored by Councilmember Palmiere.

PRESIDENT CATENA: Any public comments on Agenda Items?

MR. BARKER: There are none.

PRESIDENT CATENA: Okay.

Approval of Minutes, 12751-23.

MR. BARKER: A motion to approve the Minutes of the May 9th, 2023 Regular Meeting of Council.

MS. BENNETT: So moved.

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?

(No response.)

PRESIDENT CATENA: Motion carries. Presentation of Appointments? None. Unfinished Business, Committee on Government Reform for the second reading, 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 7th, 2023 general election ballot. Sponsored by Councilmember Duerr.

PRESIDENT CATENA: Councilmember Hallam?

MS. HALLAM: Thank you, President Catena.

MR. DUERR: President Catena, I will move for approval.

PRESIDENT CATENA: Okay.

Is there a second?

MS. FILIAGGI: Second.

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

MS. BENNETT: Thank you, Chair --- President Catena. As I said in the committee meeting regarding this bill, my concern is that it's not --- it doesn't create parity for those of us who run, say, in the same election as the executive, the treasurer, the controller, we would not be able to run for those, whereas, if you were in an off-election from those offices, you would be wide open. So it makes some folks that have that off-election cycle have an advantage if you will. So to me, it doesn't create parity as far as even our own council. So I will be a no vote on this. Thank you.

PRESIDENT CATENA: Councilmember Duerr?

MR. DUERR: Thank you, President Catena. Firstly, I know Councilwoman Bennett brought this concern up in committee, and I would say while it would not preclude any of the members of council who are up this year from running for any of higher office, it would require them to choose which position to run for on the same ballot, so it would not preclude them from doing so.

In terms of the rationale for introducing this, I introduced this following a couple of our local legislators here last year. Now, Congresswoman Lee and Lieutenant Governor Davis running for their two new higher positions, simultaneously while running for both of their State House seats at the same time. Little did we know when those State House seats became vacant, that they would be two of the three deciding vacancies that would decide the balance of power in the Pennsylvania State House. I also saw from those vacancies that were created, not because of any type of outside circumstance that we can't foresee, but just because we had folks run for two offices at the same time and win in highly democratic districts that there was additional costs to be paid for by the taxpayers for running additional special elections. There was constituency lapses in the offices in those specific State House districts.

I see these types of openings as something we could help fix potentially in the future here in county government. Right now, there is nothing precluding someone from running for every county office one ballot,

every row office at the same time, and that large seat and their district council seat all at once. Now, I know some members of the body here believe that is democracy, that is their prerogative to do so and that is the voter's decision to make that. I completely understand that point of view. I think that this is something that there are very two different sides of the same coin.

I simply believe that given what we just saw with Congresswoman Lee and Lieutenant Governor Davis, this type of change would be one not just for a little bit more in terms of making things more fair for the continuation of services for our county government, but also would look to, you know, in advance, try and stop those types of discontinuation of services, would stop additional cost of taxpayers for running additional special elections, and would not affect really anyone outside of a few members of this Council in terms of the parity question. So thank you, President Catena.

PRESIDENT CATENA: Thank you, Councilmember DeMarco?

MR. DEMARCO" Yes. Thank you, Mr. President for recognizing me here. You know, I hear both sides of this argument, but I don't really see it as a tremendous problem. Because one; the issue brought up in regards to special elections is moot when it comes to county government here. Because if you're a county Councilmember, you're elected to another office or you resign or move on or whatever the case may be, someone's appointed. So there's not an additional election or a special election that's held to fill that seat. So there's not those additional costs there. Okay. Secondly, in this primary, we just passed a referendum which gave members of council the ability to run without having to resign. And it seems to me like this is almost like an attempt to put something like that back in place.

So again, I understand and appreciate what my earnest colleague is trying to do, he's trying to fix things that he believes are issues here with the current code and things of that nature. I just don't see them as the problem that he does at this time. Thank you, Mr. President.

PRESIDENT CATENA: Thank you. Councilman Futules?

MR. FUTULES: I Didn't know I wanted to talk. I do, I do. I think this is --- I had mentioned this in the committee meeting. This is a part of democracy. I believe anybody has the right to run for any office they

see choose, whether it's a conflict to themselves or others. Quite frankly, you run that risk of losing both elections when you do something like that. But as you could see that during the chief executive race, we had a couple of candidates that didn't run for their own positions, and they lost and now they don't have a job. So maybe they should have run for their jobs as well as chief executive, but bottom line is I'm not in favor of this, so I'm going to vote no.

PRESIDENT CATENA: Councilmember Hallam?

MS. HALLAM: Yeah. I can't believe I'm saying this, but I actually agree with Councilman DeMarco. So the examples that Councilman --- I know, Surprise. I know. I'm so sorry, but I couldn't believe it myself. But the examples that Councilman Duerr gave are actually not at all solved by this ordinance as Councilman DeMarco said. The county offices are appointed when there are vacancy. So this doesn't actually really solve that problem. It just feels like we're undoing the resign-to-run rule that we just removed via ballot referendum. But more so, my issue with both this bill and the next bill so that you don't have to hear from me twice, are that they are changes to the issue. Yeah, I thought you would like that.

Are that they are changes to the Charter, and I know that I've been in various coalition meetings that have been talking about widespread changes to the charter. There is actually a law in place that says that if we make a substantial change to the government structure that we could be barred from changing the charter for five years. I don't want to do that without careful thought and planning about the direction we're going to go with widespread charter changes.

There's also already a question on the ballot from legislation that this council passed that I believe is a waste of the ink that is printed on the ballot, but regardless, it is already on the ballot, and so I don't want to complicate things by adding these additional ones that I don't think are necessary, nor do I think they really solve the problems that Councilman Duerr is maybe well-intentioned, but wrong trying to solve. So I will be a no-vote on both of the charter amendments.

PRESIDENT CATENA: Anyone else? Councilman Betkowski?

MR. BETKOWSKI: I know I'm becoming repetitive that we are just a part-time body. We have a limited number of hours to really dig into the things that come before us. And in my opinion, we have been racing along with much of the work being done on council. And as my colleague Ms. Hallam just mentioned, a bit more thoughtfulness, I think would benefit many of the things coming before this body. And those of you who have read our Solicitor's opinion know that we just dodged a bullet last week with something before Council that was moving ahead right smartly.

And a second concern that I've been having that I mentioned at our prior meeting on assessments is the way our committee structures work. There isn't a process that ensures that council hears opposing opinions. And in most of the committee meetings that I've sat in and including those I've chaired, really, it's a one-sided argument. We really don't have a devil's advocate presenting us with, here's some things that you should be considering, along with the good that might come from this ordinance or this motion or this resolution, but that there are some negatives.

Almost nothing in this life is purely white or black. There's always some shade of gray that needs to be or should be in a thoughtful body considered. And so I will be voting no on everything tonight.

PRESIDENT CATENA: Anyone else? Hearing --- oh, I'm sorry. Councilmember Filiaggi?

MS. FILIAGGI: Thank you, President Catena. I actually will be voting yes for this. And in my time, very short time on Council, I have come to know Councilman Durer is to be very thoughtful actually, and very open to any changes from other members of Council. This bill has been, from what I understand, since January. There has been plenty of time to make comment, to put up devil's advocates. I have done that myself on other bills. So --- but I understand everyone's concerns. I do, and I respect that.

I believe that the path chosen for a referendum, I believe our electorate is smart enough to be able to digest different referendums. So I would like to thank Councilman Duerr for the work that he has done. He's put a lot of effort into this and the next one as well, which I have co-sponsored. So I will be voting yes. Thank you for your time.

PRESIDENT CATENA: Thank you. Jared, roll call vote.

MR. BARKER: On the motion to approve.

Ms. Bennett?

MS. BENNETT:	No.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	No.
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:	No.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	No.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	No.
MR. BARKER:	Mr. Macey?
MR. MACEY:	No.
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:	Yes.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	No.

MR. BARKER: Ayes 3, no's 12, Bill fails.

PRESIDENT CATENA: 12637-23.

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing the referendum question regarding the amendment of Article 3, Section 5(b) of the Home Rule Charter of Allegheny County, which places term limits only the Chief Executive, be placed on the November 7th, 2023 general election ballot sponsored by Councilmembers Duerr and Filiaggi.

PRESIDENT CATENA: Councilmember Hallam?

MS. HALLAM: Thank you, President Catena. The Committee on Government Reform met on July 5th and sent this bill to the full Council without any recommendation.

MR. DUERR: I'll move for approval.

PRESIDENT CATENA: Is there a second?

MS. FILIAGGI: Second.

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

MR. DUERR: Thank you, President Catena. So I know the concept of term limits is one that is very divisive. There are pros and cons to both sides of that argument. I'm a firm believer, after having served some time in county government, that term limits do more good than harm. Right now, the only county office that has any type of term limits tattoo it is the Chief Executive. There have been people who have been serving in county government and on this body longer than I have been alive. And I believe that in order to facilitate a continuation of the new ideas, fresh ideas, as well as trying to cut through a little bit of the political machinations that come with holding an office uncontested for 30-plus years, putting some type of term limits in place is a better idea than not. Right now, I think, especially on this body, for folks who see this very much as something that is a hobby, having some type of term limits in place would instill some type of urgency in those members as opposed to using this as a way to kill time. I ran for this body to introduce legislation to try and improve people's lives in this county and improve this county's government, and I've done just that, and I will not apologize for doing that for what I think is right. This has come up before.

I now understand this is a divisive issue, and I want to clarify something that came up in Committee that I sent an email out about earlier today. We had a question committee about when this would kick in and how it would affect both the current members of Council and our current row officers. If this passed both tonight and on the ballot, and if it was adopted by the voters, the term limits for the three term limits would start for all members following this year. So for the members who have already served, so let's take Councilman DeMarco, who's already served a term of Council. If this passed on the ballot, his first term of his three term-limited terms would be this following one. So it would be one of three.

So the same thing for any of the upcoming row officers. For someone like you, President Catena, who is up in --- or would be up in a couple of years, the first of your term limited terms would start in 2026. So the way it's written right now, I know there was a question



about this in committee I believe is the correct version and the one that is in the spirit of the way the bill was intent to not and try and limit anyone who has already been serving. But to start with a clean slate, institute these term limits and move forward with having everyone having three term-limited terms going forward for our row offices and county council. Thank you.

PRESIDENT CATENA: Anyone else? Councilman DeMarco?

MR. DEMARCO: Mr. President, I must have a fever or something because Councilwoman Hallam is agreeing with me, wanting me to change --- makes me want to change everything I said. Councilman Duerr is using me as an example for term limits, okay? We're like in bizarre-o (sic) world here. Okay? But no, seriously, I understand where we're going with this. I think people like the idea of term limits because they don't like people they don't like professional politicians. They don't like people being in office forever. Okay?

So the upside or pros from something like this are that we take and bring the other row offices in line, or it's not we, the people, the people who vote would be bringing the other row offices in line with what they have for the county executives. It would be preventing someone from serving for almost a de facto life-type term, building a political machine and amassing untold power, but at the same time, it deprives the people of Allegheny County if they believe that they're being ably represented, the ability to continue to have that representation. So I'm also inclined why may not be supportive of legislation. Councilwoman Hallam saying that these things going on for referendum could restrict the ability for other changes to be made to the charter that may be attractive to some as well.

So I don't know exactly where I'm going to fall when the vote comes to me on this piece of legislation, because it truly is one of these, there's some good and there's some bad, you know? But I wanted to make sure that we told the public what some of that good and the bad was. Thank you, Mr. President.

PRESIDENT CATENA: Thank you, Councilmember Hallam? Oh, I'm sorry, I meant to recognize Councilman Walton.

MR. WALTON: While I respect Councilman Duerr's sincerity and his efforts to put forth legislation that he believes in, I have some substantial concerns, particularly about this legislation, this particular piece

of legislation. I am fundamentally opposed to term limits in general, and I think that the voters themselves determine term limits. My concerns regarding term limits also include if legislators are term limited, what ultimately happens in the system is that lobbyists and staffers are ultimately the decision makers and not the legislators and the voters themselves.

Lobbyists and staffers don't have the necessary --- I'm not trying to demean either of them, but they don't necessarily have the interest of the general public at the same level that I hope the actual legislators do or the responsiveness that legislators should have. So I --- you know, look, I believe in open government. I believe in honest government and transparent government, but at the end of the day, I believe people should rule and not lobbyists and staffers and as a result, I'm going to vote against this legislation.

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

MR. FUTULES: Fundamentally, we'll go back to that democracy type thing again. But where I see it this way, let's not try to fix something that isn't broken, But if you look at politics and democracy in general, it goes back to George Washington, the first President of our country. He had term limits, senate and Congress didn't. Governor's term limit, senators and state reps; no term limit. It goes on down the line. Chief executive, term limit, council; no term limit, all the way down to local municipality. It doesn't seem to be broke. So I'm not sure why we'd want to fix it, but I'd be more happier to repeal the term limit on the chief executive than to do it this way. But either way, I'm not interested in it. I

MR. DUERR: Did you make that one?

No, I'm joking.

MR. FUTULES: I think I'm done. Thanks for the interruption.

PRESIDENT CATENA: Councilmember Filiaggi?

MR. FUTULES: I'm going to go ---.

MS. FILIAGGI: Thank you very much, President Catena. Again, short time on this body, I have been meeting a lot of people in my district, District 2. And overwhelmingly the two things that my constituents have requested is that county, state, federal politicians work together for the good of their constituents, work together, and the other is term limits. And so I probably will have no sway

whatsoever on the first one, working together. I've not been helpful on that. But the term limits, if I can help people in my district and what to give them something that they would like, this is our attempt to do that.

So I believe that, at least in District 2, term limits such as this are a step in the right direction and help, and again, it's a referendum. We're not making the decision ourselves. We're giving this decision to the people of Allegheny County. Thank you.

PRESIDENT CATENA: Thank you. Anyone else?

(No response.)

PRESIDENT CATENA: Jared, please ---.

MR. KLEIN: Well, I would say one thing, Mr. Futules, with respect to, if we're looking at the executive branch, I mean, this is not unusual that these limitations are imposed on governors, but obviously not on state senators, state reps, and what have you down the line, but Washington was not term limited. He simply decided that two terms was enough, and they tried to lure him back into running a third time. And he said, no thanks, but it was for other reasons. Political partisanship was on the march, and he was really troubled by that. But then, of course, when F.D.R. was president, he decided to seek a third term. A lot of people who were on board and supporters of his were outraged because Washington had set this nice precedent of two terms. And you could make the argument both ways, but my thinking is that three terms is a pretty good run. So I will be voting no as well.

MR. FUTULES: Thanks for the history lesson.

MR. KLEIN: Oh, anytime.

PRESIDENT CATENA: Jared, roll call vote.

MR. BARKER: On the motion to approve.

Ms. Bennett?

MS. BENNETT:	No.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	No.
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:	No.
MR. BARKER:	Ms. Hallam?

MS. HALLAM: No.  
 MR. BARKER: Mr. Klein?  
 MR. KLEIN: No.  
 MR. BARKER: Mr. Macey?  
 MR. MACEY: No.  
 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: No.  
 MR. BARKER: President Catena?  
 PRESIDENT CATENA: No.

MR. BARKER: Ayes 2, no's 13, the Bill fails.

PRESIDENT CATENA: 12709-23

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances Chapter 220, entitled Campaign Finance Reports and Statements in order to establish requirements and prohibitions relating to the county's searchable public database of campaign finance reports and certain forms of coordinated campaign expenditures and clarifying existing law relating to penalties for violations. Sponsored by Councilmember Duerr.

PRESIDENT CATENA: Councilmember Hallam?

MS. HALLAM: Thank you, President Catena. The Committee on Government Reform met on July 5th and affirmatively recommended this bill to the full Council. So I'd like to make a motion to approve. S

MR. DUERR: Second.

PRESIDENT CATENA: Motion has been made and second. Any discussion? Councilman Duerr?

MR. DUERR: Just a very quick overview. So I mentioned when we were discussing the campaign finance bill, that should the finance limits bill pass and be upheld, that we would have to take a second step to adopt what's called Coordinated Communication Language into our administrative code. This is that bill. What that does is outline specifically what is or is not an in-kind contribution in regards to independent expenditures which

will now come into fruition in existence now that campaign finance limits are in place.

So while this would not have done basically anything prior to the limits being in place, it's important that we adopt this language, which is already set in place at the federal government given their limits at the federal government stages, into our administrative code now that we have the same limits in place for ourselves. So thank you very much.

PRESIDENT CATENA: Thank you. Anyone else this evening hearing?

(No response.)

PRESIDENT CATENA: Hearing no one else, Jared, take roll.

MR. BARKER: On the motion to approve.

Ms. Bennett?

MR. BARKER:	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:	No.
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:	No.
MR. BARKER:	President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 12, no's 3, the Bill passes.

PRESIDENT CATENA: We now have two bills that were released from the Special Committee on Assessment Practices this afternoon for votes tonight. At this time, I'd like to make a motion to amend the Agenda to add Bill Numbers 12525-22 and 12742-23.

MR. DEMARCO: 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?

(No response.)

PRESIDENT CATENA: Motion carries.

MR. DEMARCO: Point of order?

PRESIDENT CATENA: Yes.

MR. DEMARCO: Can we do that? A bill come out of Committee today and vote on it?

MS. HALLAM: That's what we just voted on to allow that to happen.

MR. DEMARCO: That's what the question is, is it ---?

ATTORNEY FRANK: If you add it to the Agenda, affirmatively, you have to first vote to add it to the Agenda, and if it's affirmative vote permitting it to be added to the Agenda, you can then vote on the bill itself.

MR. DEMARCO: I just want to make sure we're --- correctly. Thank you.

PRESIDENT CATENA: Bill number --- please read 12525-22.

MR. BARKER: Bill number 12525-22, an ordinance of the County of Allegheny, Commonwealth of Pennsylvania, Amending Article 209 of the Administrative Code of Allegheny County, entitled Office of Property Assessments, Section 5-209.05 entitled Chief Assessment Officer Duties and Responsibilities in order to establish a mechanism for ensuring continuity and the chief assessment officer position. Sponsored by President Catena and --- that's it.

PRESIDENT CATENA: At this point in time, I'd like to make the motion to approve.

MS. HALLAM: Second.

PRESIDENT CATENA: Motion has been made and seconded. Discussion? Councilman --- it was a tie for the hands up.

MR. DEMARCO: Go ahead.

MR. BETKOWSKI: My comments are much like I've been repeatedly making. I have a certain amount of just angst when the agenda gets amended, particularly if it's something significant that the public might be expected to comment on. And in fact, I'm rather disappointed that Mr. Soley isn't here because I think every single time there's been something assessment related on our agenda, he's offered public comment in that. So I am troubled when something substantial is added at the last minute to the agenda. I don't think it's good policy. I don't think it's good practice, and I'm just not --- not the way we should be doing things. And then along with that vein is exactly what I said earlier, in that when things get hurried up, is there's opportunities for bad things to happen. 'm repeating myself and I apologize to Council.

PRESIDENT CATENA: Thank you, Mr. Soley actually, he's having surgery, so that's why he's not in attendance this evening, or else he would have been loved to be in our committee meeting. He heavily supports both of these bills. Councilman DeMarco?

MR. DEMARCO: I need to echo Councilman Betkowski's statement here. I mean, from a Sunshine law perspective, okay, we've had no public comment on this. This thin was just amended downstairs, you know, at 4:00, at 4:25, now we're bringing it up to vote here. You now, and we're not hearing from anybody or giving the public a chance to comment.

Also, to Councilman Betkowski's earlier statement, I do agree that you like to have time to be able to hear both sides. You want to hear the folks that are for the bill so you can understand what the perceived benefits will be. You also want to hear from the folks who are opposed so that you can understand what some folks believe the negatives would be. Because none of us, especially in a part time body, can be all knowing. Okay? Nor should anybody make that claim. So we have that issue before us and the whole process is broken.

Whether it be in Harrisburg or Washington, the legislators, when they introduce a bill, there's a lot of conversation, a lot of discussion around the bill. Then it goes to a committee. There's discussion around the bill and everything there in their committee before it's brought up in the committee, where it's then marked up, debated before all these things go up to the floor where all that takes place and happens. Here on council, we

are, like, moving at warp speed with legislation that's, like, flying in here left and right. And I have concerns about some of the text in the bill in regards to, again, I believe that it brings up an issue with the charter where it's saying that the county manager can hire folks, but only with the consent of council.

Okay?

And so that's a concern for me in this bill because I don't believe that we can be hiring staff. So my objections are two-fold. One, no public comment. I think it violates the Sunshine Rule. And then the second thing being that I don't believe we have the power to hire people. I can support us taking and passing tonight another piece of legislation which came out of committee, which was just to extend the appeals window to clarify that for people because they're under time constraints. But in this particular bill, I have an issue with that. Mr. President. Thank you.

PRESIDENT CATENA: Thank you. Anyone else this evening?

MR. WALTON: I do.

PRESIDENT CATENA: Councilman Walton?

MR. WALTON: I have to share the concerns expressed by Members Betkowski and DeMarco. I fully support extending the appeals period to ensure that residents of Allegheny County are --- that their taxation is addressed in an appropriate and equitable manner. That is first and foremost in my mind. But I do have some significant concerns about whether or not we have the ability to hire staff that is not responsible and accountable and controlled by council itself. It flies in the face of common sense.

The government of Allegheny County has an executive branch, a judicial branch and a legislative branch. I think we're engaging in real overreach. Real overreach. And it causes additional concerns. I think it needs to be vetted and how we deal with these issues. I think it's --- I'm voting no. I think it's inappropriate. I think it's short-sighted. And I also don't believe, as Member DeMarco said, that it gives the community, the residents of Allegheny County, an appropriate amount of time to respond with concerns that they may have as a result of the decisions that we're making. Thank you.

PRESIDENT CATENA: Council --- or I'm sorry. Solicitor Frank?



ATTORNEY FRANK: Yes, sir.

PRESIDENT CATENA: Could --- I mean, could you give us an opinion on this, what your thoughts are?

ATTORNEY FRANK: You want it tonight?

All right.

Okay.

Well, I'm ready.

Okay.

The issue is that an overreach of the Council's power to essentially approve a chief executive --- chief assessment officer that has been designated by the county manager, as I understand it, I do not think it's any different than the various appointments that come to us that then require council approval. I think there's a separation of powers there. I think there's a precedent for doing this, and I don't believe it is an overreach in terms of the powers of council.

PRESIDENT CATENA: Thank you. And as a matter of fact, I believe this bill has been in Committee now for, I want to say six months, and some concerns were raised and we addressed them and changed the bill. But obviously, these other concerns, it's the first time I'm hearing about the night, and if we had ample opportunity, I had enough meetings. Actually, I was criticized for having too many meetings because of this process, because everyone thought we wanted to get the job done sooner than later, and we just sort of kept circling the airport and we never brought the plane into land. And I was trying to do this obviously before our summer recess, since we're not going to be back for almost two months at this point. So that's where --- I mean to respond to some of the concerns, I just thought that would be appropriate just to put that out there for everybody.

Is there anyone else that has a comment? Councilman Duerr?

MR. DUERR: Yeah, President Catena. So this was actually the first assessment review practices meeting that I missed today. I had another meeting at 3:00 that ran long that I wasn't able to attend. But one of the things I would ask is, obviously the second Bill, the one that the others had mentioned in terms of expanding the window, the timeliness of that is important, you being the primary co-sponsor of this bill, with other members having the concerns and also to allow the public to view and comment, as well as our Solicitor to craft a full opinion

on this, is the timeliness of this bill as well as the window one, in your opinion as the lead sponsor of the bill, critical to passing it now, or could we pass it as --?

PRESIDENT CATENA: Well, it was asked --- the problem right now is, we have no way to verify the veracity of the numbers that are being sent to Step. This actually bill basically changes that so that we can request that information, that data, and basically check that information to be sure it's truly accurate. Or a third party could even --- it would be out there publicly for a third party to review that information, namely the taxpayers, to make sure that we don't have, unfortunately, some of the problems that we had before. It was a check to basically ensure that and that's what this bill is trying to address.

MR. DUERR: So yes, to the timeliness of the first one, yes or no, would you feel like, does this need to be passed today or can we wait until after recess? And you know, unfortunately, we're about to hit recess in terms of having public comment, having our Solicitor take a deep delve into it just to satisfy Councilmember Walton Betkowski and DeMarco's concerns, because I'm not against the bill outright. I just also don't know if I have I mean, I wasn't aware I was going to be voting on this tonight. I thought the only one potentially coming out of the assessment practices meeting could have been the clarification of the assessment windows one, not this one.

And like I said, unfortunately, this was the first one that I missed, so I feel uneasy in terms of clarifying this, voting on this right now, given those concerns. And also, I haven't had to take a deep delve into the bill beyond the conversations we've had in committee of which I've been a part of.

PRESIDENT CATENA: Well, we can always --- I mean, if there's something uncomfortable in the bill is always able to be amended.

MR. DUERR: Well, ---.

PRESIDENT CATENA: Okay.

Thank you. Anyone else? Councilmember Betkowski?

MR. BETKOWSKI: I was just going to ask if the chair would get an opinion from the solicitor regarding the question that was raised earlier if this item was substantial enough to entail a violation of the Sunshine Act.

ATTORNEY FRANK: Okay.

I don't see that there's any violation of the Sunshine Act here because the Sunshine Act requires that we publish the Agenda, and then if you want to amend the agenda, you are permitted to do so by a vote of the governing body. But it has to be --- it's a two-step process. You have to, first of all, amend --- take a vote to allow for the agenda to be amended. And if that passes, you can then go to the case in chief. But I don't see any violation of the Sunshine Act.

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Mr. President, for clarification, I think the Solicitor just gave us his opinion regarding the Sunshine Act, but what he spoke on was amending the agenda. He didn't clarify. How was the public supposed to have an opportunity to weigh in and speak on this?

ATTORNEY FRANK: Well, Councilman, there's nothing that I'm aware of in the Sunshine Act that states where you do that, where you amend the agenda, how there would be any issue or right of the public to comment on it. The provisions on the public access are quite general, and they just say that for public comment. You just say people can make public comment.

I believe in the Sunshine Act itself. It doesn't say that the public comment must or must not relate to that's on the agenda. I just --- I think it's a gap in the --- so I'm just ---.

PRESIDENT CATENA: Councilman Walton?

MR. WALTON: Look, in the instant care, I'm not going to say that with any authority whether or not this violates the Sunshine Act or not. What I am going to say is irrespective of whether it violates the Sunshine Act or not, this does call into question the issue of transparency, the issue of open government, the issue of responsiveness and opportunity for input by the public at-large, regardless of any other issue. We amended the agenda today on a committee action, and we're voting on it tonight without any opportunity to have input from the public at-large. Is this the kind of government we want to be accused of operating? Is this what we want? Is this how we want to be viewed? For me, the answer is no. You guys do what you think you need to do. I'm going to be accountable to the folks that I represent and say I will not ignore their voice. Thank you.

MR. DEMARCO: Mr. President?

PRESIDENT CATENA: Go ahead, Councilman DeMarco.

MR. DEMARCO: Thank you, Mr. President. If I may, I would respectfully ask that you potentially hold this or pull this from a vote 'til (sic) we give the public the opportunity to weigh in, because failing to do so, I would have to vote no on this tonight, but yet I share with you the desire to ensure that the county is being held to provide the correct information to the step board and that we have the ability to access this information. So I'm on board with that, but without giving the public the opportunity to comment, without talking about these other two things, which is giving Council the ability to yay or nay the hiring, and then the ability to basically fire or terminate this person, I just believe it requires a little bit extra debate. I share with you where you want to go. I just question the vehicle we're driving in right now and I'm sorry it's come up at this late moment.

PRESIDENT CATENA: I understand that, Councilman DeMarco, but it was your --- maybe I'm confused, but I thought it was your we made the amendment change where you offered the amendments, basically based upon your input, changing it to a full --- or two thirds of council to fire the officer. I'm just confused as to where I mean, what changed between then and now?

MR. DEMARCO: Sure. You had in original language, you had put in forth that just the majority of council would be needed to hire and fire this person. I thought that was absurd with all the split votes that we have here. That's why I subjected or asked that we make it two-thirds upon further investigation. Looking into it became apparent to me anyway that it violated the Charter, again, and that we're interfering with the executive branch by trying to make those decisions to do so.

If we would have looked at saying doing, you know, like you have a --- for the Board of Elections. For the Board of Elections, we have an oversight board. It's called the Board of Elections. And those folks review and oversee the elections process. I'll wait 'til you guys are finished.

But it oversees the elections process.

Okay?

If we wanted to make some sort of charter change that would create a board potentially of the President of Council and two at-large members, something of that, to ensure that there was a check and balance, that someone

was able to look out for the taxpayers and make sure that the information being recorded in the real estate division in regards to sales and the assessment and what was being fed to the state was accurate, but it was this coming up and then becoming aware of it that caused that change, Mr. President. Thank you.

PRESIDENT CATENA: Thank you.

Okay.

I guess I'm concerned because I believe there's a little bit of a sense of urgency at this point in time. Obviously, there's been court cases and we've had numerous testimony in front of the entire committee about how these numbers were basically --- I'm sorry, I have to use the word malfeasance. This was deliberate. The numbers being --- the numbers were cooked. I mean, the judge basically said the county cooked the books. And with this ordinance, basically, we're going to have that information available to the public so the public will be able to scrutinize the figures that the county is basically sending to the step board. And I believe that's actually critical in providing transparency. I mean, if we're going to talk about transparency, we want to make sure the public has the most accurate information. And this bill goes to ensure that accurate information that they can verify the veracity of what the county is sending this debt.

And right now, based upon what's happened in the past, I really don't have much faith in what we're doing. And that's why this bill was written, to try to give the taxpayers, basically, a chance to basically double check the county. And I stand by it that I think that a sense of urgency is needed because, like I said, I just don't trust the system at this point in time.

MR. DEMARCO: Mr. President, I understand the lack of trust in the system because we've seen numbers that didn't appear to add up based upon a Commonwealth Court ruling, But I still stand by my comments regarding the Sunshine Act. One of our colleagues on Council use the Sunshine Act in the Jail Oversight Board Meeting to require an additional hearing to take place, for additional time to be put on the agenda so that the public would be able to come in and make comment before that vote could be approved. I see no reason why something similar here shouldn't take place.

And I understand and share with you the determination to get to the bottom of it and fix something as quickly as possible. But I think we do it the right way is more important. And if we're talking about serving the public here and doing this for the public, shouldn't we give them the opportunity to comment on it?

PRESIDENT CATENA: Jared, could you please read what the amendment actually was, what we amended in committee because the rest of the bill has not changed.

Correct?

MR. BARKER: Correct. The amendment in Committee today was the addition of a clause at the end of section 52095(c)(13). It would have added the where it did add the language, and shall provide such information in the format requested by the Council President with regard to the reporting by the Chief Assessment Officer regarding the CLR numbers.

PRESIDENT CATENA: So that was the only change to the entire bill that we're talking about this evening.

MR. BARKER: Correct.

PRESIDENT CATENA: Today. Everything else stayed the same. I mean, so we had, like I said, ample committee meetings to discuss. I understand how we could be concerned about maybe the public hasn't had an opportunity to discuss the reporting method or how the reporting is done, but really, I don't see any reason as to basically handicap the public into basically providing the information to them based upon that one piece of information. If we were trying to do something against the public, I would be obviously against it. But that goes to help the public. I mean, that goes to help the taxpayers of Allegheny County, because that little line basically entitles them to the information that has supposedly been cooked in the past. And therefore, I mean, that's why I'm so strongly advocating for this tonight, because it was only that one little line, and that one little line makes all the difference in getting the information to the taxpayers.

MR. DEMARCO: Mr. President, what you're talking about here is not going to have an effect, immediate effect, in anything in regards to the taxpayers, because, as you shared earlier here, these cases are being litigated in court. And yes, while we've had multiple committee meetings, until the time when we bring a bill up on the floor, we discuss it, and we actually vote, all of

us reserve the right to be able to change our mind based upon additional information, insight, direction from solicitors or whatever.

Okay?

And that's exactly what's taking place here this evening.

PRESIDENT CATENA: Okay.

Is there anyone else this evening? If there's no one else, again --- Councilman Futile, I'm sorry.

MR. FUTULES: Yeah, I waved my hand so much it fell off.

MR. DEMARCO: Mr. President, if I would say, too, in regards to public comment, and we talk about public comment, there is no public comment in our committee meetings. So the fact that we've had this in the committee for a number of meetings doesn't necessarily say that the public had the ability to comment on it.

PRESIDENT CATENA: We've actually allowed the public to comment in the special committee. I mean, there's been numerous people that have not on the agenda that have commented that technically, we're part of the public. Thank you. Councilman Futules?

MR. FUTULES: Okay, well, we talked about transparency. We talked about the legality of us hiring someone, you know, none of those things have ever been done before.

PRESIDENT CATENA: Councilman Futules, who are we hiring?

MR. FUTULES: No, no, in the event --- in the event the administration fails to hire someone, I believe I read that, that we would. Do I have that right? If they failed to?

PRESIDENT CATENA: If they failed to. If they failed to.

MR. FUTULES: Okay.

That's the question. Chances of that happening probably slim. But I think what I'm more concerned about is what's best for the people right now, whether how we vote on this, because I don't want to slow the process up any more than it's been. But the bottom line is it's about the people, even though about the transparency, about somebody speaking about this, and the legality of if the administration fails to hire someone, then we would have. That right to do so, which that may never happen, and we cross that road if we got there. But I think what

I'm getting at is I was downstairs, I'm all ready to vote yes, and after everybody up here talking, now I don't want to vote yes.

The question is, what's the best thing to do for the people of this county? That's what I'm concerned about. I don't know what to do.

PRESIDENT CATENA: Councilman Klein?

MR. KLEIN: Well, it seems that transparency can be given expression in any number of different ways, and obviously, the people's voice, as we all agree, does matter, but it would seem that this bill, what is being proposed here, the spirit of it, is really kind of grounded in this notion of transparency and openness. And so I think that given that reality and given the fact that it will be something that will be a part of governance in this county, I think that we're honoring our commitment to transparency in moving with this. And, look, obviously, we could kick it down the road, come back after recess. I don't know what more we would learn by delaying it further than we have an understanding of right now.

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

MR. MACEY: Thank you, Mr. President. Just because there are these concerns, whether some ideas that this isn't the right way to go, that there isn't transparency, there is transparency. There's just too much unanswered questions to vote at this point. I do believe that we should get back, get these questions answered vet at a meeting. I mean, I'm not on that committee, so I can't vote one way or another, but I can speak. But I just think that we may be moving a little too fast, and I'm a no-vote.

PRESIDENT CATENA: Thank you. Anyone else this evening?

Jared, please take roll.

MR. BARKER: On the motion to approve.

Ms. Bennett?

MS. BENNETT:	Yes.
MR. BARKER:	Mr. Betkowski?
MR. BETKOWSKI:	No.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	No.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Ms. Filiaggi?



MS. FILIAGGI: No.  
MR. BARKER: Mr. Futules?  
MR. FUTULES: No.  
MR. BARKER: Ms. Hallam?  
MS. HALLAM: Yes.  
MR. BARKER: Mr. Klein?  
MR. KLEIN: Yes.  
MR. BARKER: Mr. Macey?  
MR. MACEY: No.  
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: No.  
MR. BARKER: President Catena?  
PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 9, no's 6, the Bill passes.

PRESIDENT CATENA: Liaison Reports? Any Liaison Reports this evening?

MR. BARKER: I apologize, there was one other bill.

PRESIDENT CATENA: Oh, yeah, we've got to get to the

---

Okay.

12742-23.

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 in Review, Section 5-207.08 entitled Filing of Appeals. In order to clarify applicability of special assessment appeal windows for 2022 and 2023 for properties impacted by court order adjustments to the county's common level ratio.

PRESIDENT CATENA: At this point ---.

MR. BARKER: And it's sponsored by President Catena and Councilmember DeMarco.

PRESIDENT CATENA: At this point in time, I'd like to make the motion to approve.

MR. DEMARCO: Second.

PRESIDENT CATENA: Motion has been made and seconded. Discussion? Any discussion? Seeing none, Jared ---.

MR. BETKOWSKI: Wait, wait.  
MS. HALLAM: Mr. Betkowski ---. We just  
MR. BETKOWSKI: My concern with this one is the same  
as the last one.

PRESIDENT CATENA: I'm sorry?

MR. BETKOWSKI: My concerns with this one ---

PRESIDENT CATENA: Same as previous?

MR. BETKOWSKI: --- are the same as members of  
Council have already expressed for the last one, the same  
issues upon.

PRESIDENT CATENA: Okay.

Anyone else this evening?

Jared, take roll.

MR. BARKER: On the motion to approve.

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?

(No response)

PRESIDENT CATENA: He left.

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 13, no's zero with one member absent. The bill passes.

PRESIDENT CATENA: Liaison Reports now. Anyone have a Liaison Report?

New Business Ordinances and Resolutions.  
12743-23.

MR. BARKER: That's a motion to the Council of Allegheny County authorizing an information request pursuant to the terms of the FAST Act and urging enactment of the Derail Act and Railway Safety Act of 2023 with all deliberate speed. Sponsored by Councilmember Duerr.

PRESIDENT CATENA: Councilmember Duerr?

MR. DUERR: Thank you, President Catena. So I held this at that time, Acting Chair Palmieri held this last week to allow members time to read the legislation in which this motion is in support of for those of you who don't know, I --- I mean everyone probably does, I worked for Congressman Lamb in 2018, and I was in fact the organizer for Beaver County. So I know a lot of folks around the Ohio/Pennsylvania border, right around where East Palestine is that were affected by the train derailment there. And since then, I've been following a number of pieces of legislation around that derailment, and one of which was introduced, one in the Senate, one in the House, one by Senator Fetterman, Senator Casey, and the one in the House was introduced by Congressman Deluzio here called the Derail Act.

So very quick overview of what the Derail Act would do. The Derail Act is decreasing emergency railroad instances locally or derail. It would require the U.S. Department of Transportation to oppose more strict regulations on trains carrying hazardous materials. It would direct the Department of Transportation to modify the definition of high-hazard materials flammable train to mean a single train transporting one or more loaded tank cars of a class three flammable liquid or class two flammable gas or other hazard materials to scarcely determines necessities for safety. The Department of Transportation currently defines a high-hazard flammable train as one carrying hazardous materials of at least 20 consecutive cars, or 35 total, limiting the number of trains subject to more stringent safety rules.

This change in this bill would subject more trains to more stringent safety rules. The train that derailed in

East Palestine was not being regulated as a high-hazardous flammable train due to that narrow definition of the category. Additionally, it would also require rail carriers involved in any potentially toxic derailments to provide the National Resource Center, state and local officials with a list of dangerous materials on that train after the derailment, no later than 24 hours after any crash.

It's a very small change I think we can make. And given that I worked in some of the communities that are affected by this derailment, I think this legislation was disappointed to see it not adopted faster through both Congress and the Senate, but I appreciate some of our local leaders taking up this charge to make these types of issues a little bit more safe. And I urge my colleagues to support this motion tonight. Thank you very much.

PRESIDENT CATENA: Thank you. Anyone else this evening hearing? Hearing no one else ---.

MS. NACCARATI-CHAPKIS: I would like to make a comment. Thank you. S

So as somebody who, during their day job is intimately familiar with the train derailment in East Palestine and had actually prepared some documentation for how to protect yourself and your families during this particular time as it related to air quality and water quality concerns as well as soil, I am in support of this wholeheartedly. However, I also will use this opportunity to urge this body to have a deeper discussion about how rail traffic through our county could potentially impact us should another East Palestine happen. And so I had been asking for and still continue to urge a conversation here with our emergency management to really understand how they are prepared at the county level, because we know that there is rail traffic that goes through densely-populated areas, through the city of Pittsburgh, through populated neighborhoods. And I think it's an important conversation for us to have as a council and as a body here, so that we can understand how not only the county's emergency preparedness is planned for something like this, but also all of the 130 municipalities who have emergency personnel who would have to respond if, gosh forbid, something else would happen. So thank you.

PRESIDENT CATENA: Go ahead, Councilman Walton.

MR. WALTON: I share many of the concerns raised by Member Chapkis. In talking to borough leadership of a

number of communities that I represent. They have real concern about train traffic and Norfolk Southern specifically. I think that it would behoove us to work in a collaborative fashion with the administration and try to develop some sort of process where we can allay some of those concerns. I'm not so sure, given the legislative process and the courts and the regulations, what we can do. But I do believe that continued conversation, and I use the word continued conversation, should take place between the county's emergency management operation and entities, the boroughs and for those councilmembers that may be interested in hearing.

I think we need to work in a collaborative manner as opposed to an adversarial one and take potshots at one another and really think about what's in the best interest of the folks that we represent. Thank you.

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

MR. FUTULES: I think it's a great motion that we understand what's going on, but to be more frank, last summer we had a train derailment here in here in Allegheny County. It happened to be in my district. It was in Harmarville, where at least seven train cars carrying oil were dumped into the Allegheny River. And it was an one-day newscast media, and you didn't hear anything after that, but there was plenty of oil that was dumped in the Allegheny River, and nobody really knew about it.

So this motion is a good motion. So we should learn. Not necessarily, because what happened in Boardman the flames were for days, it made national news. But here in our own county, we have our own derailments that we just weren't aware of the ramifications or the pollution or whatever happened during that time, because I lived it in my district. It was on my way to work, and I saw it every day what was going on there, and they just finished it up just about a month or so ago, the repairs from that long.

MR. WALTON: Mr. President? I'm sorry, and I'm not trying to castigate anyone and, Nick, you're right. It made news for a short period of time, but I'm not so concerned about the news that it makes. I am more concerned about the actions that organizations and entities engage in. And I --- I'd like to --- if you had some concerns about whether FEMA, Allegheny County Emergency Management didn't do all that they could, then that's a different story. Whether they're on PXI, KDKA

or, you know, is irrelevant to me and what is relevant is that entities are doing all that they can to protect our residents.

MR. FUTULES: Well, my point being, the fact that we weren't kept aware. I personally was aware because I talked to the actual workers that were on the job and they told me what was going on, but it wasn't something that the rest of Council knew. We didn't know.

MR. WALTON: You didn't answer my question. Did they not do ---? Did the entities do what they were supposed to be doing?

MR. FUTULES: Yes.

MR. WALTON: And so --- the answer was yes?

MR. FUTULES: Yes.

MR. WALTON: So okay.

So that's the bottom line. That's the bottom line. You know, we're not --- we should not be about getting attention, we should be about making sure that our residents are protected and served.

MR. FUTULES: Well, my point was --- you know, I'm agreeing with this and I felt that we should've had more input as far as --- or should I say knowledge of what happened there. There's water supplies that were very close by, the Pittsburgh Water Authority, Fox Chapel, Penn Hills, they all collect water out of that river. And that was just above all those supply water supplies. So it was an issue, but it wasn't something we knew about. I knew it because it was in my District, and I looked at it personally. That's all. Don't make a big deal out of that.

PRESIDENT CATENA: Anyone else this evening?

MR. PALMIER: President?

PRESIDENT CATENA: Councilman Palmiere?

MR. PALMIER: Thank you, Mr. President, members of Council. You know, the trouble with democracy is we don't do anything until the bombs are dropping. Once that happens, then we start moving. Well, it's about time that we try with this, and I commend Councilman Duerr for bringing this up.

It's about time that we take an issue like this to our representatives up in Harrisburg and wake them up to the fact that, you know what? We need legislation. We need protection down here. It's about darn time that they do that. And the more we insist on it, the better I think, the better it's going to be. So I'm all in favor

of this, and it's unfortunate that it always has to come after a disaster. Whatever happened to being proactive and try to prevent this stuff? Maybe it's time now we become proactive and say, wait a minute. It's time now to regulate these railroads, and let's get on with it. Thank you, Mr. President.

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

MR. BARKER: I apologize, I did not hear a second to Mr. Duerr's motion.

MS. HALLAM: I'll second.

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:	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 14, no's zero. The bill passes.

PRESIDENT CATENA: 12752-23.

MR. BARKER: A motion of the Council of Allegheny County expressing support of airport service workers and the Good Jobs for Good Airports Act, HR. 1499, SB 753, or

national wage and benefit standards in FAA reauthorization. Sponsored by Councilmember Hallam.

PRESIDENT CATENA: Councilmember Hallam?

MS. HALLAM: Thank you, President Catena. So I know I've talked to some of my colleagues about this, and I hope you've all had time to read through this motion. It's pretty simple, actually. It's calling on the folks who are representing us down in Washington, D.C. to support the Good Jobs for Good Airports Act to include it in the upcoming FAA reauthorization. So the current authorization expires in September 2023. So there's a lot of conversations right now going on. What will that reauthorization look like? Basically, it's setting standards for airports that receive federal funding. It is good for the workers at the airport. It is good for the folks who use the Pittsburgh airport. This legislation is good for everyone.

So although we are not in Washington, D.C. making the votes, hopefully the support from County Council will get this included. So I would like to make a motion to approve.

MR. PALMIERE: Second.

PRESIDENT CATENA: Motion has been made and seconded. Any discussion?

(No response.)

PRESIDENT CATENA: Hearing no discussion. All those in favor, signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed?

(No response.)

PRESIDENT CATENA: Motion carries --- one nay. One Nay. Notification of Contracts?

MR. BARKER: That was Mr. DeMarco. Correct?

MR. DEMARCO: Yes.

MR. BARKER: Thank you.

PRESIDENT CATENA: 12753-23.

MR. BARKER: A communication summarizing approved Executive actions for the month of June 2023.

PRESIDENT CATENA: Is there a motion to receive and file?

MS. BENNETT: So moved.

MR. DUERR: 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?

(No response.)

PRESIDENT CATENA: Motion carries.

Any public comment this evening?

MR. BARKER: No.

MR. WALTON: Motion to adjourn.

PRESIDENT CATENA: Motion to adjourn.

MR. DUERR: Second.

PRESIDENT CATENA: So moved.

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 3 day of August, 2023

A handwritten signature in cursive script that reads "Danielle Ohm". The signature is written in black ink and is positioned above a horizontal line.

Court Reporter

Danielle Ohm