

County of Allegheny

436 GRANT STREET ♦ PITTSBURGH, PA 15219

Government Review Commission of Allegheny County

Agenda: Tuesday, August 25, 2015

3:00 p.m. – 5:00 p.m.

1. Pledge of Allegiance
2. Roll Call
 - a. All members present in person or by phone
3. Opening Remarks by the Chair
 - a. Chairman Foerster commended the committees on their hard work.
4. Approval of Minutes
 - a. Motion for approval including amendments set forth by Commissioner Nowalk; motion seconded by Commissioner Oliphant
5. Public Comment (Five Minutes per person)
 - a. Councilwoman Sue Means
 - i. Councilwoman Means represents 91,000 residents, and she feels that the people's ideas are not being discussed.
 - ii. She feels strongly that council is broken. She discussed that 7 members of council were not included in the selection of the members to be on Commission.
 - iii. Councilwoman Means addressed the lack of transparency in County Council, and informed the Commission of the 90 Day Rule.
 - iv. There are currently 37 bills that are past 90 days without presentation to the greater council body.
 - v. She passed out updates to the current 90 Day Rule that is pending.

- b. Councilman Michael Finnerty
 - i. Represents District 4 on Council.
 - ii. Councilman Finnerty geared statements to attempting to restore the image of Council and stated that there is currently a strong relationship with the Chief Executive.
 - iii. Council Finnerty stated that many of the Chief Executive's resolutions and ordinances that have passed in Council are routine types of matters such as moving money from one area to another to balance books, property sale, construction easements, and drainage easements.
 - iv. To quantify, Councilman Finnerty estimated that Council addressed 33 ordinances, 27 of which were routine. Of the remaining six, 3 of were clear policy, and only 3 were of arguable policy.
 - v. Councilman Finnerty again emphasized that the majority of resolutions passed through Council to the Chief Executive are routine, and they are things that are necessary to run the government.
 - vi. Councilman Finnerty believes that one way to strengthen County Council is to increase the pay. If pay were stipulated on meetings, then council would be paid much more. Council is looking at twenty additional meetings per year. Mr. Finnerty feels that he is not being paid for all of the meetings he is attending.
 - vii. Councilman Finnerty also contends that it is absurd that council must resign their position to run for another position. This is something he suggests would be a change that would make for a stronger county government.
 - viii. Councilman Finnerty concluded by asserting that when a councilperson introduces a bill, it is usually his or her own idea, not the people's idea.

6. Form of Government Committee Report

- a. Commissioner Nowalk stated that the only point that the committee has not dealt with is resignation to run for office. Commissioner Nowalk stated that otherwise there is no comment that Councilman Finnerty discussed that was not addressed in the meeting.
- b. The subcommittee recessed after forming topics that it will consider and topics that it thinks other committee's would want to consider. The subcommittee did not want to cross over into duplicative efforts.
- c. Commissioner Nowalk reminded all in attendance that topics are not being looked at with preconceived ideas in mind
- d. The items the committee holds as important include:

- i. Discussion on a process for ensuring that county members are adequately compensated.
 - ii. Whether the at-large county council seat should be eliminated.
 - iii. The manner in which district lines for County Council be drawn.
 - iv. The manner in which County Council members are prepared for their office and receive information to undertake responsibilities for their office. There has been comment from council about the fact that there might be more of a need for support and education with transitioning county council people into office. Commissioner Nowalk suggested that perhaps there can be a manual or courses.
- e. Subjects which the subcommittee will make a recommendation about or defer to another committee.
 - i. Whether the restrictions on salaries, expenses and the like should be eliminated.
 - ii. What role County Council should have in the hiring of an employee.
 - iii. What role County Council should have in approving contracts.
 - iv. Whether the office of county treasurer should be eliminated.
 - v. Whether the office of county sheriff should be eliminated.
 - vi. Whether bench-marking could be mandated or more formally encouraged.
- f. Matters which the subcommittee intends to make a comment on.
 - i. Whether County Council should be subject to term limits.
 - 1. Commissioner Nowalk expressed that at the Congress level term limits would not be set. He emphasized the benefit of having people with experience in government.
 - a. Other subcommittee members shared this concern that to make term limits would conflict with the issue of making council members feel prepared for the office.
 - ii. Whether there should be term limits for the County Executive.
 - iii. Whether County Council members of the minority party should have their own staff.
 - 1. The committee would like to see a county government that is issue-oriented and less partisan-oriented. Part of the home-rule charter was to take partisanism out of the process.
 - 2. One suggestion made by Dan Onorato before this meeting was to make the county aware of the possibility that municipalities could fail, and the need for the Commission to make it aware to county government that this might be a possibility. The committee would like to note in the report

that the subject came up, that there is not a recommendation, but that the county government should think about it and be prepared. Commissioner Schwartz supported the comments of Commissioner Nowalk.

- iv. Chairman Foerster stated that it might be a significant issue to make a recommendation about the term limits. He stated that recommendations could be a huge help to council on all of these items.
- v. Chairman Foerster stated that to have additional resources, to the extent that the time is available, would be a good idea.

7. Fiscal and Personnel committee Report

- a. At the August 6th meeting, county managers from present and last administrations presented ideas and information on the fiscal health of the county.
- b. Councilwoman Means participated at the meeting and comments were received from all representatives of the county staff.
- c. Many of the improvements recommended or discussed have been or are being put into place by the past and current administration.
- d. Outlook on the county's long-term debt.
 - i. Over the last 20 years, the rating has ranged from "A" to "A+," and outlook has raised and has been stable as of January 2014.
 - ii. There has been a continuous fiscal progress in the last four years.
- e. Next meeting is scheduled for September 2nd at 5:00pm, in which the issues related to personnel committee will be addressed. Members of the Allegheny County Ethics Commission have been invited.
- f. Also considered so far have been recommendations of the other committees about compensation in the statutory enactment.
- g. Another issue raised but not addressed yet is whether or not the Charter should be reconsidered as it related to the Controller or the authority of the County controller. The committee encourages all members of county council to make specific recommendations about any changes that they see that may be helpful in any areas they are talking about. That is the plan at the current time.
- h. Commissioner Nowalk asked if this committee is going to look at the issue of resignation.
- i. Commissioner Oliphant stated that the issue will be looked at.
- j. Commissioner Nowalk stated it might make sense for this committee to look at the issue with respect to employees while Form of Government looks at the issue of compensation with respect to public officials.

- k. Chairman Foerster agreed with Mr. Nowalk that addressing the subjects in that way would make sense.
8. External Entities, Reviews and Independently Elected Officials committee Report
- a. Commissioner McCants-Lewis had to sign off, but asked if Commissioner Hagerman could fill in on the report.
 - i. The committee met with Ruth Byrd Smith and reviewed specific data related to the minority community.
 - ii. On September 17th there will be a meeting from 5:00 p.m. to 8:00 p.m. with Controller Chelsea Wagner, Treasurer John Weinstein and Director Bob Hurley from Allegheny County Department of Economic Development. (ACED)
 - iii. At the October meeting, the issue of the referendum will be addressed.
 - iv. Chairman Foerster expressed that there is difficulty in scheduling the meetings which is why it might be a little bit stagnant at this point.
 - v. Commissioner Hagerman expressed that Commissioner McCants-Lewis is doing a great job.
 - vi. Commissioner Oliphant asked if there was a report on the effectiveness. Commissioners Hagerman and Foerster answered in the affirmative. The Chief Executive's office stated that Commissioner Lewis has exceeded her goals. The Office also stated that the other policies identified in the guidelines will be addressed.
9. Staffing Update with Independent Entity
- a. The representatives of the County Executive's Office stated that Professor Mistick agreed to provide staffing in which 6 students from Duquesne law would assist involving two students per committee. It was agreed that once the names were identified the Executive's office would meet to begin the process.
 - b. Professor Mistick affirmed that the students understand that the government does not just happen between the hours of 8-4 or 9-5, and should be a great experience.
 - c. Chairman President Foerster stated that he could assign staff members assignments about which counties you have to resign in order to run for office and what the salaries are in other areas.
 - d. The Executive's office also stated that the minutes are posted on the website. As minutes are approved they will be updated on the website.

10. Action items
 - a. Commissioner Schwartz stated that one of the things on the last review was about the Commission itself, and stated that the Commission recommends and has no power to change, but what if the Commission had the ability to add one item on referendum without going through voters or County Council. He expressed that if there was really some issue in the future it could be a helpful tool to a future Commission.
 - b. The Executive's Office stated that this would be addressed in Article 13 of the Charter.
 - c. Commissioner Oliphant stated that the Commission's purpose is to review and make recommendations, and to change the thrust of what the Commission is designed to do if the Commission is given a super power may be troubling. She challenged all in attendance to consider if the commission has a valid purpose, and if it does, if it would be necessary to change that purpose.
 - d. Commissioner Nowalk stated that the report of the Commission goes to the people of Allegheny County. If the use of the word "people" is interpreted to mean someone in addition to the elected officials, then Commissioner Schwartz's opinion makes sense. This would be a way of getting something to the people more quickly.
 - e. Commissioner Jay Hagerman's main concern is that this is not a political body and that he would hate if this body is consider as such. The ultimate service is to deliver an objective view of a third party.
 - f. Chairman Foerster stated that the last Commission may have come up with too many recommendations that were too cumbersome.
 - g. The Executive's Office stated that another option that is available is to change the code. There may be an administrative code change.
 - h. Commissioner Oliphant stated that it was her feeling that an amendment to the charter and code would be necessary.
 - i. Commissioner Schwartz stated that the Commission makes recommendations that anyone can address including County Council.
11. Motion to Adjourn set into place by Commissioner Oliphant. The motion passed unanimously.