County of Allegheny

436 GRANT STREET♦ PITTSBURGH, PA 15219

Government Review Commission of Allegheny County

Minutes: Tuesday, November 17, 2015
8:42 a.m. – 10:32 a.m.

1. Pledge of Allegiance

2. Roll Call: All members were present

3. Opening Remarks by the Chair: Chairman Foerster noted that 120 days were remaining in the Government Review term which concludes on March 29, 2015. Because of this, the Chairman proposed that this meeting will be used to indicate some of the potential recommendations. Additionally, he noted that the December meeting will be the review of the draft recommendations. Given the importance of that focus, the Chair asked everyone to be present for discussion of all draft recommendations. Also, he asked that the Chairs draft recommendations to Chair prior to the next meeting.

   To ensure efficiency, discussion on any issue presented in the December meeting will be limited to the commission members as public comment to the draft recommendations will occur at the January 21, 2016 meeting. He emphasized that public comment is a very important aspect of the process and therefore asked that all commission members attend that meeting.

   With respect to the final report being prepared by the law students from Duquesne, the Chair announced that a framework was being developed and will be presented to the Commission members for their feedback. It was also noted by the staff of the County Executive that the template that had been distributed previously will be the model for the fin

4. Approval of Minutes: Due to the delay in receipt minutes of the October meeting, the Chair indicated that the approval of the minutes will be deferred until the December meeting.

5. Public Comment: None presented

6. Form of Government Committee Report:

Chairman Nowalk indicated that the two recommendations thus far are:

- Eliminate at-large district seats
- Non-partisan redistricting

Additionally, he noted that more research is occurring with respect to:

- Process for GRC to place items on the ballot within the guidelines of the home rule charter.
- Review of salaries for all elected officials and county manager CPI Index since 2000 as compared to their current salaries. As there has not been any increase for County Executive in 15 years, the committee will solicit an opinion from the county Law Department as to any restrictions to move the salary of the County Executive $126,000 and County Council to $12,000 from $9,000k. Once reviewed, a recommendation to a specific salary may occur.
- The elimination of the requirement to tie the salary of officials to the levels negotiated in labor agreements as it was believed that this practice has a chilling effect on any actions related to increases.
- Detailed response from Treasurer offering numerous viable suggestions and observations.
- The budget and function of the Sheriffs and county police to determine if any efficiencies could occur with alternate relationships.
- Protocols to make County Council more effective with respect to the process to increase information flow and the level of work required to be effective in a part-time capacity. To enhance this, the Chair inquired if anything that prohibits a county council member from getting an intern. Commission Schwartz indicated that Council may use volunteers however staff of County Council noted that they cannot work out of the county office and cannot use their resources. Commissioner Oliphant noted that perhaps these are potential recommendations to the Charter and/or Code.

- Determination if a member of council must resign to run for another office. It was noted that research of the majority of home rule charters of other counties say that the member must resign before running for another office. However, it was deemed important that the committee reviews this issue from an Allegheny County perspective especially the consideration that the county may be losing our talent pool based upon this requirement.

Additional observations cited by Commission members were as follows:

- From the perspective of being a former county council member, Commissioner Schwartz expressed the opinion that nothing of significance has changed for council members as the charter provides what staff they can get. Additionally, he noted that:
    - Savings related to row office reform was related to the costs with clerical.
    - The treasurer and sheriff should remain in place as elected offices.
    - The commission should have a chance to include referendums on the ballot.
    - Council is supposed to be a citizen legislature – but right now who is on council are attorneys and retired persons. The $9,000 salary is not enough to encourage "citizens" to run.
    - He is not opposed to the resignation to run provision because he believes the council is not to be a stepping stone for other elected positions.
    - This is a non-partisan shared staff.
- In response to Commissioner Geraghty inquiry as to the ability of county council person to hire staff, commissioner Nowalk responded that they do have a budget for staff. Also, the staff of county council noted that at one time there were 11 staff members for council as compared to the present composition of 7 staff. The Code was also cited as section 305.11 is clear that the stipends, staff, and office expenses for county council .4% of the annual the budget. Given this the Chair of the committee indicated that it would be appropriate to review if the County Council funding is on par with other similar entities.
- With respect to the potential recommendation to eliminate at-large council members, Commissioner Magley expressed her concern about the adequate representation of the electorate by members of parties deemed as a "minority". Because of this, she indicated she would follow-up with the Department of Elections to secure data on the numbers of registrants of the various political parties. Conversely,

Chairman Nowalk indicated that it was his position that the original reason for having an at-large seat is no longer necessary. There is now adequate representation for both parties. In fact, he proclaimed that if the option to divide Allegheny County into 15 districts rather than the 13 districts with 2 at-large representatives, the smaller districts would allow for better representation for the people. He also reiterated former County Executive's Roddey's positon that to eliminate the 2 at-large districts and replace them with 15 smaller districts.

- Commissioner Geraghty thought it appropriate to keep in mind that we may need to keep an at-large position based upon the changing make-up of our communities. She also noted that smaller districts may not be necessary to ensure the council members have relationships with their constituents since technology allows for constant contact among the two.
- Chairman Foerster expressed the opinion that the term "County Executive" is a term that may need to be changed due to a lack of clarity by the community members of this title. Although not specifically committed to the term of "County Mayor", he cited the term as an example of his position.

7. Fiscal and Personnel Committee Report

Chairman Geraghty indicated that the following were themes that may be crafted into final recommendations:

- Although the general County ethics provisions defined in the Charter are appropriate there are a number of unworkable provisions in the code. Specifically, there is an absence of provisions in the code that address ethics, a framework for ethics analysis and review must be developed, and there should be a non-partisan ethics review process. She also applauded the recommendations and insights provided by the current Allegheny County Ethics Board which are being considered by the committee.
- Sunset Review provisions of the charter to ensure consistency of language
- Personnel and Fiscal issues as it relates to how the county fiscal process operates
- Contractual review authority of county council regarding contracts the County Executive reviews and what contracts council reviews. Within that review, the powers and duties of council related to this issue.
- Government Review Commission's timelines, protocols, etc.

8. External Entities, Reviews and Independently Elected Officials Committee Report

Chairman McCants-Lewis indicated the following themes are being explored for possible recommendations:

- With respect to the Sheriff's office, issues related to additional training, costs, level of staffing
- With additional research on the functionality of the county police and sheriff with respect to the benefits of consolidation, a recommendation to conduct a comprehensive study on this issue may be presented.
- In regards to MWDBE issues, several recommendations to improve the efficiency by amending the Code had been submitted to County Council but as of yet no action had been taken. Given this, commissioner Geraghty inquired if this issue can be an issue to be addressed in the final recommendations to ensure action on submission within a timely manner. However, Commissioner Schwartz did note that there is currently a 91 day rule. He also noted that is the protocol of other legislative bodies that legislation when not enacted or addressed does expire within a two year period.
- Budget of the Public defender's office is not at the same level as the District Attorney. Although it would take State action, an increase in the budget of PD office is being considered.
- With respect to the treasurer's office, a recommendation may be forthcoming that proposes enabling legislation to allow for costs to collect delinquent taxes.
- Tax returns are prepared by Controller but sign-off does not require a two signature "sign-off" by Controller and Treasurer
- Numerous bank accounts occur that are not under the oversight of the treasurer's office. Therefore, centralization of accounts is being reviewed.
- With respect to Economic Development, no recommendations are being formulated. However, research is being conducted on the process used to ensure affordable housing.
- Due to the broad scope of the authorities, the current GRC cycle of one year does not lend itself to full review. Therefore, consideration of a longer review cycle is being explored.
- From an election perspective, a shortage of trained poll workers is anticipated and therefore research is occurring to identify other models used to address the problem.

9. Action items

With respect to the final report to be issued on March 29, 2016, the Duquesne Law students are developing a process that includes:

- A preliminary draft of the report at the end of January using the templates that were developed as they lend themselves to an easy transition to the report.
- The structure of the report being done in a Word document.
- The format will be (a) table of contents, (b) overview of the commission, (c) methodology, (d) recommendations involving changes to the Charter and the Administrative Code and (e) template for recommendations that address general increase in efficiency and effectiveness that are outside the mandates of the Charter and the Code.

A motion to adjourn was made by Commissioner Oliphant and seconded by commissioner Geraghty at 10:32 a.m. and approved by all members.