

# **Allegheny County Council**

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## **Committee Meeting Minutes**

**Thursday, May 10, 2007**

**5:00 PM**

**Conference Room 1**

## **Special Committee on Government Reform**

***Rich Fitzgerald, Chair -- Committee of the Whole***

**I. Call to Order**

**Summary:** *Meeting was called to order at 5:05 p.m.*

**Invited Guests:**

**Jim Flynn, County Manager or Designee**

**Summary:** *Invited Guests Present: Jim Flynn, County Manager*

*Recognized Attendees: David Tessitor*

*Council Staff Present: Jared Barker; Stephanie Buka*

**II. Roll Call**

***Roll Call:*** Present: Susan Caldwell, Matt Drozd, Michael Finnerty, Jan Rea, and Chair Rich Fitzgerald  
Absent: Jim Burn, Joan Cleary, John DeFazio, William Lestitian, Bob Macey, Dave Fawcett, Brenda Frazier, Vince Gastgeb, Chuck Martoni, and William Robinson

**III. Agenda Items**

**Ordinances**

**3060-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 2, entitled "AdministrativeCode," Article 813, entitled "County Depositories," to alter the composition of the Depository Board.

**Sponsors:** Matt Drozd

**Summary:** *Councilman Drozd said there are three people on the Depository Board, the Chief Executive, the Controller, and the Treasurer. He said he wants to broaden the expertise of the Board and make sure they are completely independent. He said there are pension funds involved and he heard that one company cost the County millions of dollars.*

*Chairman Fitzgerald responded by saying that Councilman Drozd should be careful about mentioning this type of loss without any evidence to support it. Councilman Drozd said he will gather the evidence and bring it before Council.*

*County Manager Flynn explained that the Depository Board was created in the County Code. He said that he didn't believe Council could make such a change without a referendum question being placed on the ballot.*

*Councilman Drozd asked why it would have to be in the form of a referendum question. Mr. Flynn said because it would have to be either a change approved by the voters of Allegheny County or a change that the state legislature enacts.*

*Councilman Drozd requested legal opinions from both the County Solicitor, Mr. Mike Wojcik and County Council's legal counsel, Mr. Jack Cambest.*

*Councilman Finnerty said that it was improper for Councilman Drozd to imply that there was some wrongdoing without any facts to back up that claim. Councilman Drozd said he didn't imply wrongdoing but thought there may have been bad investment decisions.*

*Councilwoman Rea asked who the other two Board Members were and Mr. Flynn said those two seats were vacant. Councilman Drozd asked how long they had been vacant and Mr. Flynn said he wasn't sure. Chairman Fitzgerald said he didn't recall Council ever approving appointments to the Depository Board.*

*Mr. Flynn said the County reviews the financial statements of the Depository Board on a quarterly basis.*

*Mr. Flynn asked for clarification from Councilman Drozd as to whether he was referring to the Pension Board or the Depository Board concerning the claim of a loss of millions of dollars. Councilman Drozd said he was referring to losses from the Pension. Chairman Fitzgerald said the Pension Board is an entirely separate entity and has nothing to do with the Depository Board.*

**Action:** Held in Committee

**3073-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 203, entitled "County Authorities," to provide for regular status update presentations by the County Authorities to County Council, as well as for event-specific status updates.

**Sponsors:** Matt Drozd

**Summary:** Councilman Drozd introduced this bill because he would like to see oversight of County Authorities.

*Chairman Fitzgerald mentioned that Councilman Burn and Councilwoman Rea have also sponsored legislation that would provide for more oversight. He said there is a bill currently in the Budget and Finance Committee which Councilman Drozd may want to consider merging his bill with that one. Councilman Drozd agreed that one single bill would be preferable.*

**Action:** Held in Committee

**3075-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing that a referendum question amending Article III, Section 6 entitled "Requirements; Prohibitions" of the Allegheny County Home Rule Charter, pursuant to the Home Rule Charter and Optional Plans Law and Second Class County Charter Law, be placed on the November, 2007 Municipal General Election ballot.

**Sponsors:** Matt Drozd

**Summary:** Councilman Drozd said the intent of this bill is to ask the Chief Executive to resign from office prior to running as a candidate for nomination to a higher office. He added that

*he thought this should be the standard, even for the governor.*

*Chairman Fitzgerald said he opposed this bill. He said that the fact that County Council Members are not allowed to run for office while still in office is unconstitutional. He said the legislation would be unfavorable to Allegheny County and by forcing that person to resign it hurts the individual's potential. He said a national law would be acceptable, but to single out the Allegheny County Chief Executive position is not fair. He added that a lot of money has entered the County because of former Chief Executive Jim Roddey and because of Chief Executive Dan Onorato.*

*Councilman Drozd said a person seeking office may not concentrate on their current position and it could affect their decision-making ability. He said the Chief Executive should at least take a leave of absence if he or she is going to run for office.*

*Councilwoman Rea said telling someone they can't run for another office because they're already holding a position is a constitutional issue and limiting someone else in that capacity is wrong. She said she understood Councilman Drozd's reasoning but wouldn't support the bill.*

*Chairman Fitzgerald said he would seek a legal opinion on this matter.*

*Councilman Finnerty said Allegheny County Council Members are limited in this manner because the state legislature said so, but this type of legislation should be passed at the national level.*

*Councilwoman Caldwell said an organization from New York was considering relocating to Monroeville but the company decided to stay in New York because of the elected officials there. She would have to see more information before she would support this bill.*

*Councilman Drozd said it should be a given that a person resigns when someone is running for a higher office because it's a matter of public trust. He said 90 percent of the people he has spoken to agree with him.*

**Action:** Held in Committee

## **Resolutions**

### **2569-06**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly to establish a Volunteer Firefighter Property Tax Relief Program, under which a discount on the gross or face amount of real property taxes may be provided by Allegheny County or any other participating taxing bodies.

**Sponsors:** Matt Drozd

**Summary:** Councilman Drozd said all municipal fire departments need a "Volunteer Firefighter Property Tax Relief Program." He said these departments have an aging force and trouble attracting new people, and this bill would help with retention and recruitment.

*Councilman Finnerty said the idea is fine, but the question remains, how much would this cost the County. He added that volunteer firefighters sign up as "volunteers."*

*Mr. Flynn said the County does not have the funds to operate this type of program. He said they would be forced to either raise taxes or make layoffs. He said some of the smaller departments are mixing volunteer with paid employees which would cause a conflict. He said the State would have to empower the County to implement this type of program.*

*Chairman Fitzgerald said the County needs to know the cost. He said the County has many volunteers, for example Meals on Wheels volunteers among others, and those volunteers may get upset that firefighter volunteers are getting a tax break when they are not. He added that the municipalities can implement a program like this on their own.*

*Councilman Drozd responded that the cost is in the billions of dollars because every municipality is losing money. He said other volunteers do not risk their lives for no pay like the volunteer firefighters, so it's a different situation. But he agreed that the financial impact on the County is important to know. He said he would amend this bill by requesting help from the state and federal levels of government.*

**Action:** Held in Committee

**3192-07**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Pennsylvania General Assembly to enact "Right to Work" legislation in the Commonwealth and to provide for severance arrangements for all Pennsylvanians, in the event that their employer terminates their employment for reasons other than performance.

**Sponsors:** Matt Drozd

**Summary:** *Councilman Drozd said this bill concerns the "Right to Work" laws. He said Pennsylvania is ranked 12th in quality of life, but 44th in job growth. He said he would like to meet with the collective bargaining units and other state officials to gather more information on this topic.*

**Action:** Held in Committee

**Motion**

**3063-07**

Motion Expressing the Sense of Council of Allegheny County urging the Pennsylvania General Assembly to amend the Second Class County Port Authority Act to explicitly allow for the privatization of certain service areas or routes not currently served by the Port Authority of Allegheny County.

**Sponsors:** Matt Drozd

**Summary:** *Councilman Drozd said he is not suggesting that the Port Authority should be privatized, but he would like areas not served by the Port Authority to be open for privatization.*

*Councilman Finnerty said there is no reason why a private organization can't privatize right now, according to the Second Class County Port Authority Act.*

*Mr. Barker, Director of Legislative Services, said the Act doesn't speak to the issue of privatization one way or the other.*

*Chairman Fitzgerald said mass transit is a difficult issue right now and this legislation might cloud the matter. He said if there is an area underserved by the Port Authority, there's nothing that would prohibit a company from operating there.*

*Mr. Flynn said the Port Authority is in the process of layoffs and service cuts. There will be a 15 percent reduction by June, and if a dedicated funding source is not found, there will be an additional 10 percent reduction this September. Mr. Flynn said the priority is to find dedicated funding and the timing isn't right for this legislation.*

**Action:**       **Held in Committee**

**IV.     Adjournment**

**Summary:**     *The meeting adjourned at 5:50 p.m.*