

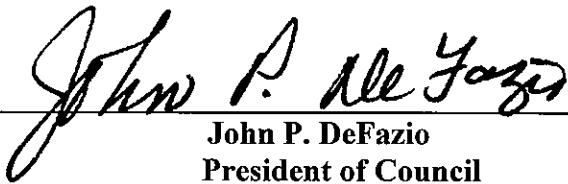
APPOINTMENT

Approving the reappointment of Clifford B. Levine to serve as a member of the Southwestern Pennsylvania Commission for a term to expire on December 31, 2018.

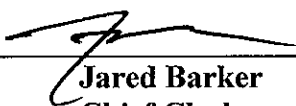
SPONSORED BY CHIEF EXECUTIVE FITZGERALD

In Council JAN. 20th, 2015.

Read and approved by Motion of Council.



John P. DeFazio
President of Council

Attest: 

Jared Barker
Chief Clerk
Allegheny County Council

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

December 31, 2014

Honorable President and Members
Allegheny County Council
119 Courthouse
436 Grant Street
Pittsburgh, PA 15219

Dear President and Members of Council:

Please find the attached resume of Clifford B. Levine, whom I am recommending for reappointment to the Southwestern Pennsylvania Commission.

The SPC is the primary transport planning organization for the Southwestern Pennsylvania region. I am recommending that Mr. Levine serve another 4 year term, which will expire on December 31, 2018.

Mr. Levine is currently the Director and Chair of the Public Affairs Group at Cohen & Grigsby. He has a vast amount of experience in both the legal field and government. Mr. Levine received a bachelor's in Economics from State University of New York at Albany and a law degree from Duke University School of Law.

I appreciate your consideration, and ask you to act on this appointment as quickly as possible. Mr. Levine will make herself available for review before the appropriate committee if members of Council wish to speak with him.

Sincerely,

A handwritten signature in black ink that reads "Rich Fitzgerald".

Rich Fitzgerald
Allegheny County Executive

CC: Clifford B. Levine

DEC 31 '14 9:51 AM
ALLEGHENY COUNTY

OFFICE OF THE COUNTY EXECUTIVE

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Clifford B. Levine
1168 Murray Hill Avenue, Pittsburgh, PA 15217
clevine@cohenlaw.com
(412) 297-4998

EXPERIENCE

COHEN & GRIGSBY, P.C., PITTSBURGH, PA

Director and Chair of Public Affairs Group, 2010 – Present

- Concentration in land use, energy, public finance, constitutional and appellate law, election law, real estate and construction law
- Recognized as one of Best Lawyers in America
- Recognized as a Pennsylvania Super Lawyers (top five percent)

THORP, REED & ARMSTRONG, LLP, PITTSBURGH, PA

Partner, 1989-2010 (Associate, 1983-1989)

- Chair, Land Use, Environmental and Regulatory Practices Group
- Member, Firm Executive Committee

PENNSYLVANIA COMMONWEALTH COURT

Law Clerk to the Honorable David W. Craig, 1982-1983

- Court hears all appeals involving state and local agencies and authorities
- Court has original jurisdiction in legal actions involving state agencies
- Prepared appellate opinions in areas of land use, public utility law, worker's compensation, energy, eminent domain, licensing, education and labor law

BASKIN & SEARS, PITTSBURGH, PA

Associate, 1980-1981

- Land Use and Real Estate Group

**REPRESENTATIVE
MATTERS**

- Solicitor, Pittsburgh Water & Sewer Authority (2002-2008). Responsible for overall representation, including addressing and overseeing legal issues involving environmental regulatory compliance, public contracting, insurance, general construction, general litigation, and contract review and preparation for the Authority, which has an operating budget in excess of \$70 million annually.
- Represented the Pennsylvania Department of Community and Economic Development in extensive litigation involving the effect of an Act 47 Recovery Plan in the public labor arbitration process. *City of Scranton v. Fire Fighters Local Union No. 60*, 29 A.3d 773 (Pa. 2011), reversing, *City of Scranton v. Fire Fighters Local Union No. 60*, 964 A.2d 464 (Pa. Cmwlth. 2009).
- Established scope of statewide preemption associated with local regulation of gas drilling operations under the Oil & Gas Act. *Huntley & Huntley, Inc. v. Borough of Oakmont*, 964 A.2d 855 (Pa. 2009).
- Successfully represented Senate Democratic Caucus in challenge to statewide reapportionment map which Supreme Court ruled had violated Pennsylvania Constitution, *Holt v. 2011 Legislative Reapportionment Commw.* 38 A.3d 711 (Pa. 2012).
- Represented wireless carrier in Third Circuit case involving interplay between federal and state law. *Nextel West Corp. v. Unity Township*, 282 F.3d 257 (3d Cir. 2002).
- Represented Washington & Jefferson College in landmark State Supreme Court case establishing real estate tax-exemption status for

independent college qualifying as a "public charity" under the state constitution. *City of Washington v. Board of Appeals of Washington County and Washington & Jefferson College*, 550 Pa 175, 704 A.2d 120 (1997).

- Represented independent power producer in Pennsylvania Supreme Court case involving interplay of federal and state law in compelling mandatory energy purchases. See *Armco Advanced Materials Corporation, et al. v. Pennsylvania Public Utility Commission*, 535 Pa. 108, 634 A.2d 207 (1993) ("Milesburg II") Pennsylvania Supreme Court, cert. denied, 115 S.Ct. 311 (1994).
- Solicitor to 3 Rivers Wet Weather, Inc., a non-profit corporation which is coordinating regional effort involving regulatory agencies and over 60 municipalities and authorities in developing comprehensive plans to comply with EPA Clean Water Act mandates and address Combined and Sanitary Sewage ("CSO/SSO") improvements potentially costing \$3 billion (1999-present).
- Successfully represented Pennsylvania State Democratic Committee in challenge to third party U.S. Senate Candidate. *In re Nomination Papers of Rogers*, Pennsylvania Supreme and Commonwealth Courts, 913 A.2d 298 (Pa. Cmwlth, 2006) and 914 A.2d 457 (Pa. Cmwlth, 2006).

EDUCATION

DUKE UNIVERSITY SCHOOL OF LAW

J.D., 1980

STATE UNIVERSITY OF NEW YORK AT ALBANY

B.A., Economics, 1977

- Magna Cum Laude
- Research Associate: Office of the Speaker, New York State Assembly

PROFESSIONAL/ CIVIC ACTIVITIES

- Fellow, Allegheny County Academy of Trial Lawyers (2005-present)
- Delegate, Authorized Statewide Representative and member of Statewide Legal Advisory Committee to Obama-Biden Campaign (2012 and 2008)
- Pennsylvania Election Law Coordinator and Counsel, U.S. Senate Campaign of Bob Casey, Jr. (2006)
- Vice Chair, City of Pittsburgh Planning Commission (1994-2006)
- Vice Chair, City of Pittsburgh Zoning Board of Adjustment (1994-2006)
- Chair, Allegheny County Executive Rich Fitzgerald's Transportation Vision Team (2012)
- Member, Allegheny County Executive Dan Onorato's Transition Team, Committee of Municipal Cooperation (2003)
- Member, Governor Ed Rendell's Transition Team - Committee on Judicial Issues (2002)
- Member, Allegheny County Executive James Roddey's Transition Team - Committee on Engineering and Public Works (1999)
- Board Member, American Jewish Committee (2003-2005)

PUBLICATIONS

- "Developments in Pennsylvania Land Use Law: A Survey of 2011 Cases," *PBI Environmental Law Forum*, 2012.
- "Drilling for Marcellus Shale: The Interplay between State and Local Regulatory Oversight." *PBI Real Estate Institute*, 2010-6037, Vol. 1, p. O-15 (2010)
- "State and Local Regulation of Oil and Gas Operations: Drilling Through the Maze of Preemption, Several Mineral Estates and Surface Owner Rights," *Energy & Mineral Law Institute*, Vol. 29, Chapter 11 (2008)
- "A Step Towards Cleaner Rivers: Pittsburgh's New Dye Testing Ordinance," *Real News*, June 2006
- Presented "Eminent Domain: For the Public Good or Private Gain?" (involving *Kelo v. New London*), Urban Land Institute, September 2005
- "United Artists: Reviewing the Conscience Shocking Test Under Section 1983," *1 Seton Hall Circuit Review 101*, Spring 2005
- "Pittsburgh — Yes, we can: Cutting through the fiscal despair, Clifford B. Levine outlines a plan for achieving a dynamic region," *Pittsburgh Post Gazette, Forum*, February 15, 2004
- "Legal Developments Affect Charitable Tax Exemption Status," *PA CPA Journal*, Winter 2003
- "Regional Branding: The Emerging Pittsburgh," *Pittsburgh Post Gazette, Forum*, December 29, 2002
- "In the Spotlight: With Regional Sewer Initiative Looming, Lawyer Takes Post at Water and Sewer Authority," *Pittsburgh Post Gazette, Forum*, May 5, 2002
- "Post-Election Litigation in Pennsylvania," *41 Duquesne Law Review 153*, Fall 2002
- "Gulf Power: Cable Broadband Defies Simple Categorization," *Real Property, Probate and Trust Law Newsletter* (Pennsylvania Bar Association), Spring 2002
- "The Impact of Acts 67 and 68 on Development: An Analysis of the 'Growing Smarter' Amendments to the Pennsylvania Municipalities Planning Code," *Sixth Annual Environmental Law Forum*, PBI No. 2001-2708, March 2001
- "Bush v. Gore: Who Exactly Was the Supreme Court Protecting?" *Lawyers Journal*, Vol. 3, No. 1, January 12, 2001
- "Limitations on Land Use Controls: The Application of Constitutional and Statutory Principles," *Sixth Annual Environmental Law Forum*, PBI No. 2001-2708, March 2001
- "The Impact of Acts 67 and 68 on Regional Development," *Lawyers Journal*, Vol. 3, No. 16, August 10, 2001; *PA Bar Quarterly*, July 2001
- "A Case Study of Post-Election Litigation: The Pittsburgh Mayor's Race," *Lawyers Journal*, Vol. 3, No. 15, July 27, 2001
- Co-author, "Options Exist for Appealing New County Tax Assessments," *Pittsburgh Business Times*, January 28, 2000
- "Supporting the Backbone of the Region," *Pittsburgh Post-Gazette*, May 28, 1988
- Guest Lecturer, University of Pittsburgh, 1996-2001



COUNTY OF ALLEGHENY

OFFICE OF THE COUNTY COUNCIL

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January 21, 2015

Mr. Clifford B. Levine
1168 Murray Hill Avenue
Pittsburgh, PA 15217

Dear Mr. Levine:

This is to inform you that at the Regular Meeting of Allegheny County Council held on January 20, 2015 Council approved your reappointment to serve as a member of the Southwestern Pennsylvania Commission, for a term to expire on December 31, 2018.

Congratulations on your reappointment and best of luck in this undertaking. We look forward to receiving your recommendations and stand willing to assist you in any way you believe appropriate.

Sincerely,

Jan Rea, Appointment Review Committee Chair
Allegheny County Council

cc: James Hassinger, Executive Director, Southwestern Pennsylvania Commission
Steve Craig, Chair, Southwestern Pennsylvania Commission

JR/sb