

# **Allegheny County Council**

*County of Allegheny  
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## **Committee Meeting Minutes**

**Wednesday, November 14, 2007**

**4:00 PM**

**Conference Room 1**

## **Committee on Budget and Finance**

*William Russell Robinson, Chair; Jim Burn, Susan Caldwell, Joan Cleary, John DeFazio, Matt Drozd, Mike Finnerty, Brenda Frazier, Vince Gastgeb, William E. Lestitian, and Jan Rea - Members*

**\*\*\*Reconvened meeting of November 13, 2007\*\*\*****I. Call to Order**

**Summary:** *The meeting was reconvened at 4:00 PM*

**Invited Guests:**

**Jim Flynn, County Manager or Designee**

**Amy Griser, Director, Budget & Finance**

**Derek Uber, Deputy County Manager**

**Summary:** *Invited guests in attendance: Mr. Flynn, Ms. Griser, and Mr. Uber*

*Recognized attendees: Jack Cambest, Council's Legal Advisor*

*Council staff in attendance: John Mascio, Jennifer Liptak, Jared Barker, and Joe Catanese*

**II. Roll Call**

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

**III. Approval of Minutes**

**3533-07** Motion to approve the Minutes of the October 30, 2007 Budget & Finance Committee Meeting.

**Approved November 13, 2007**

**IV. Agenda Items****Ordinances**

**3375-07** An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," through the creation of a new Article 808, entitled "Taxation," in order to provide for the imposition of a County tax on the sale at retail of liquor and malt and brewed beverages within the County.

**Sponsors:** William Russell Robinson

**Action:** Held in Committee

**3379-07**

An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," through the creation of a new Article 808, entitled "Taxation," in order to provide for the imposition of a County excise tax on each transaction in which a rental vehicle is rented within the County.

**Sponsors:** William Russell Robinson

**Action:**

**Held in Committee**

**3448-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania enacted pursuant to Article IV, Section 2 (k) of the County Home Rule Charter, Section 7147 of the Municipal Claims and Tax Liens Act, Pa. Stat. Ann. tit. 53, § 7147, and other applicable laws, authorizing (1) the County to sell, transfer absolutely and assign to a third party purchaser a selected portfolio of County "Tax Receivables" consisting of the County's right to receive the Face Amount, Interest and Penalty which is due and owing to the County as a result of a property owner's failure to timely and fully pay the County's ad valorem real estate tax during the tax years 2001 to 2007, following the execution of a final agreement for such sale, absolute transfer and assignment between the appropriate officers of the County and the successful third party purchaser and (2) the appropriate officers of the County, including but not limited to, the County Manager and County Budget Director, to take any and all actions deemed necessary to carry out and effectuate the purposes of this Ordinance.

**Sponsors:** Chief Executive

**Action:**

**Held in Committee**

**3502-07**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Article 801 of Division 1, entitled "Comprehensive Fiscal Plan," in order to establish a mechanism for the enactment of a continuing spending resolution in the event that a balanced budget cannot be passed more than 25 days from the end of the current fiscal year.

**Sponsors:** William Russell Robinson

**Summary:**

*The Chair provided the committee with a summary of the bill. He said that he tried to amend the bill by substitution but the amendment failed so he would go with the bill in its original form. Mr. DeFazio requested that Mr. Cambest provide the committee with an opinion on the bill. The Chair said that he was not inclined to have Mr. Cambest involved in this discussion. He then said that he reluctantly agreed to allow Mr. Cambest to provide this thought on the bill with the understanding this is not an official Legal Opinion. Mr. Cambest said that most governing bodies have mechanisms for continued spending and he does not see a problem with the bill.*

**Action:**

**A motion was made by Drozd, seconded by Gastgeb, that this matter be Affirmatively Recommended. The motion carried by the following vote:**

*Votes:* Yes: 5 - Drozd, Finnerty, Gastgeb, Chair Robinson and Rea  
No: 4 - Burn, DeFazio, Cleary and Lestitian  
Absent: 2 - Caldwell and Frazier  
Non-Member: 2 - Council Member Fitzgerald and Council Member Macey

**Not on original agenda**

**Resolutions**

**3479-07** A Resolution of the County of Allegheny amending the Operating Budget for 2007.

**Sponsors:** Chief Executive

**Action:** Held in Committee

**3517-07** A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2007 (Submission #16-07).

**Sponsors:** Chief Executive

**Action:** Held in Committee

**Motions**

**Discussion Topic**

**2008 Draft Operating Budget**

**2008 Draft Capital Budget**

**2008 Draft Grants and Special Accounts Budget**

**2008 Draft Tax Ordinances**

**Summary:** *The Chair asked Mr. Cambest to address the issue of whether Council is required to enact enabling legislation prior to adopting a drink tax and/or car rental tax. Mr. Cambest said they are not required to enact enabling legislation to do this.*

*The Chair also asked Mr. Cambest to address advertising requirements should Council decide to adopt new taxes. Mr. Cambest said that they are not required to do anything more than what the Home Rule Charter and the Administrative Code currently require. He said that it would be safe to treat a tax ordinance in the same manner as they treat any other ordinance.*

*Mr. Gastgeb asked Mr. Cambest if an ordinance is required to adopt new taxes. Mr. Cambest said yes, and that each new tax should be a separate ordinance.*

*The Chair said that he anticipates that there will be budget documents in legislative form on the November 20, 2007 Regular Meeting Agenda.*

*The Chair revisited the documents that Ms. Liptak distributed at the November 13, 2007*

*meeting. She distributed the following documents: Robinson Operating Budget Draft #2, Robinson, Robinson Capital Draft #2, Robinson Grants & Special Accounts Draft #2, Robinson Drink Tax Draft #2, Robinson Car Rental Tax Draft #2, and Robinson Real Estate Draft #2. Ms. Liptak provided the committee with an explanation of each of the documents that she distributed. She said that the documents reflect comprehensive balanced Operating, Capital, and Grants & Special Accounts budgets.*

*The Chair said that he will introduce budget legislation at the November 20, 2007 Regular Meeting. He said that anyone can co-sponsor the bills with him if they so desire. Mr. Fitzgerald said that he would co sponsor.*

*Mr. Fitzgerald requested the Chair to present other options for Council to vote on. He said that he would like to have 3 different budgets so that all members of Council would have an opportunity to vote and not just the members of the Budget & Finance Committee. The Chair said that he anticipates only one option but if someone wanted to introduce other options they are free to do so. He said that the suggestion is worthy of discussion.*

*Ms. Rea spoke against having 3 different budgets before the full council. The Chair asked Ms. Liptak and Mr. Barker if they see any problems with introducing 3 separate budgets. They said no but there may be some technical issues that would need to be addressed.*

*Mr. Gastgeb said that if Council decides not to fund the Courts or Port Authority, then there would be enough funds in the budget.*

*Mr. Finnerty spoke against cutting personnel. He asked if Council would be responsible for making the cuts. The Chair said that Council does not accept responsibility for the details of where the cuts would come from.*

## **V. Adjournment**

**Summary:** *The meeting was recessed at 5:25. The Chair said that he will reconvene the meeting on November 15, 2007, at 4:30 PM*