

Allegheny County Council

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Committee Meeting Minutes

Thursday, July 12, 2007

4:00 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 4:00 p.m.*

Invited Guests:

Jim Flynn, County Manager or Designee

Mark Flaherty, County Controller or Designee

Summary: *Invited Guests Present: Jim Flynn, County Manager; Dan Pietragallo, Sr., Controller's Office*

Recognized Attendees: Derek Uber, Assistant County Manager; Jack Cambest, Solicitor for County Council

Council Staff Present: Jared Barker, Joe Catanese, Jennifer Liptak, Stephanie Buka

II. Roll Call

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

III. Agenda Items

Ordinances

3139-07 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Part 12, entitled "Government Review," by the creation of a new Article 1204, governing the periodic review of diversity within certain County agencies.

Sponsors: William Russell Robinson

Summary: *Sponsor of the bill, Councilman Robinson, said the effective date in the legislation states September 15, 2007, but he requested to change that date to December 31, 2007. Chairman Fitzgerald said they cannot amend it in the Committee Meeting, but they could at the Regular Meeting of Council.*

Councilman Robinson said the bill gives authority to the County Controller to conduct a diversity review for County Authorities and County Agencies.

Councilwoman Cleary asked Councilman Robinson if there was a fiscal note attached to the legislation. Chairman Fitzgerald said he wasn't sure if a fiscal note would apply in this matter.

Councilwoman Cleary asked how often the review would occur, and Councilman Robinson said after the first review, it would occur every three years thereafter.

Councilwoman Frazier suggested that the County M/W/DBE Department should be

responsible for this review. Councilman Robinson responded that he felt it would be beneficial to have an independently elected official, such as the Controller, in charge of the review. Councilwoman Frazier asked if it would preclude the M/W/DBE Department from being involved and Councilman Robinson said no.

Chairman Fitzgerald asked if the review would handle complaints and Councilman Robinson replied that the legislation is not complaint oriented.

Councilman Finnerty asked whether or not it is an actual audit. Councilman Robinson said no, but it's referred to as a Diversity Audit.

Council Vice-President Martoni said it's difficult to determine what criteria should be used to identify diversity. He added that in education, diversity is about financially disadvantaged school districts versus wealthy school districts.

Chairman Fitzgerald said the report is meant to determine how diverse an authority or agency really is. Councilman Robinson agreed and said it would provide the Controller, the Chief Executive and the County Manager with information and help guide them in policy-making.

Council Members Fitzgerald, Finnerty, Frazier and Macey asked to be added as co-sponsors.

Action:

Released from the Committee

3187-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, to amend the Code of the County of Allegheny, Division 1, by the addition of a new §5-203.08, requiring that all County authorities delineated within the Administrative Code make information pertaining to their budgets available to the public on their respective websites.

Sponsors: Rich Fitzgerald, Jim Burn, Michael Finnerty, Joan Cleary, Brenda Frazier, John DeFazio, Bob Macey and William Russell Robinson

Summary:

Chairman Fitzgerald said this legislation would require County Authorities to publish budget information on their websites.

Councilman Drozd asked to be a co-sponsor.

Councilman Finnerty asked if personnel costs, such as names and salaries, would be listed on the sites. Councilman Robinson said that currently a lump sum is provided for personnel costs but suggested that a cost containment report with more specificity would be beneficial. He said it is an option to require more detail in the budget process.

Councilman Gastgeb asked what the Authorities think about this legislation and Chairman Fitzgerald said Council was not aware of their viewpoints.

Councilman Gastgeb said they don't know if there's a cost to implement this legislation and added that our expectations should be very clear. Chairman Fitzgerald agreed and requested that the legislation be amended.

Councilman Robinson asked whether Council knows if these Authorities currently provide such information. Ms. Liptak stated that there is a qualitative questionnaire sent to Authorities from Council, and a quantitative questionnaire sent from the Administration, but regarding personnel, no. Mr. Barker added that the Authorities have very little information concerning such on their websites.

Councilman Macey questioned whether or not this legislation was really necessary and referenced the Airport Authority. Chairman Fitzgerald said even if taxes from residents aren't contributing to an authority, the public should still have access to the information. Councilwoman Cleary added that the Airport Authority was created by the County and thus the information should be made available.

Action:

Held in Committee

3244-07

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Code of the County of Allegheny, Division 1, entitled "Administrative Code," §5-1013.09 entitled "Standards of Conduct," in order to clarify the duties of Members of Allegheny County Council with regard to employment with local, state or federal government, and repealing Ordinance 43-06-OR.

Sponsors: Matt Drozd and Chuck Martoni

Summary:

Chairman Fitzgerald said this legislation will clarify the standards of conduct for County Council.

Councilman Drozd said he doesn't want to deny people the opportunity to serve in public office, but he wants the rules to be the same for everyone.

Council Vice-President Martoni said this legislation would expand their talent base for future Council Members and said the prior legislation was too restrictive.

Mr. Barker explained that the bill would take away the very restrictive elements and replace them with tighter language that describes exactly who would be eligible to serve. Mr. Cambest said they have come up with a better definition for what constitutes an "elected official."

Councilwoman Frazier asked if being a civil service employee automatically excludes one from holding a political office. Mr. Cambest said it depends on the civil service regulations, but in many municipalities a civil service employee may serve on say, a school board, etc.

Councilman Drozd asked about cabinet level positions and Mr. Cambest said that since that is a much higher level position one would have to consider the conflict of interest.

Councilman Finnerty asked about post office employees and Mr. Cambest said they are different because of the Hatch Act. Councilman Gastgeb said the entire Allegheny County Department of Economic Development is covered under the Hatch Act.

Councilman Gastgeb asked if the bill makes the distinction between full vs. part-time

work and Mr. Barker stated that the legislation does not specify full or part-time, but rather generally states "employed." Councilman Gastgeb suggested specifying those terms.

A discussion concerning volunteer work ensued. Councilman Gastgeb said that they may want to protect themselves by including "volunteer" in the legislation, but Councilwoman Cleary disagreed and Council Vice-President Martoni said it would be difficult to fit that into the bill.

Councilman Macey asked about intergovernmental cooperation and how that would affect this bill. Chairman Fitzgerald said they would become County employees. For example, he said that's what happened when the County absorbed the City of Pittsburgh 9-1-1 dispatchers.

Action: Released from the Committee

IV. Adjournment

Summary: Meeting adjourned at 5:00 p.m.