

Allegheny County Council

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Committee Meeting Minutes

Thursday, August 24, 2006

5:00 PM

Conference Room 1

Special Committee on Government Reform

Rich Fitzgerald, Chair -- Committee of the Whole

REVISED - 8/24/06

I. Call to Order

Summary: *The meeting was called to order at 5:00 PM*

Invited Guests:

Mark Flaherty, County Controller or Designee

Jim Flynn, County Manager or Designee

Amy Griser, Director of Budget & Finance

Mark Wolosik, Administrative Services - Elections Division

Summary: *Invited Guests Present: Guy Tumolo for Mark Flaherty; Kathy McKenzie for Jim Flynn*

Recognized Attendees: Derek Uber, County Manager's Office

Council Staff Present: Joe Catanese, John Mascio, Jared Barker, and Stephanie Buka

II. Roll Call

Roll Call: Present: Jim Burn, Susan Caldwell, Joan Cleary, Michael Finnerty, Brenda Frazier, and Chair Rich Fitzgerald

Absent: John DeFazio, Dave Fawcett, Vince Gastgeb, Chuck Martoni, Rich Nerone, Jan Rea, and William Robinson

Phone: Matt Drozd

III. Agenda Items

Ordinances

2600-06

Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Ordinance No. 54-05, which established the parameters under which the County administration may enter into discussions regarding the cooperation of the City of Pittsburgh and Allegheny County in the performance and exercise of certain governmental functions, to clarify County policy on the pursuit of intergovernmental cooperation with the City of Pittsburgh.

Sponsors: Vince Gastgeb, Jan Rea, Matt Drozd and Susan Caldwell

Summary: *Mr. Drozd provided a summary of the bill. He said that the bill would amend the existing authorization for the Chief Executive to explore and enter discussions about intergovernmental cooperation agreements with the City of Pittsburgh.*

As currently written, Ordinance No. 54-05 contains no conditions that must be met before the Chief Executive may enter discussions regarding intergovernmental cooperation with the City of Pittsburgh. Bill No. 2600-06 would change this, by creating a requirement that all City Council discretionary budgets must be publicly disclosed and audited by the City Controller such that all expenditures under such budgets are fully accounted for prior to the finalization of any intergovernmental

cooperation agreement. In addition, Bill No. 2600-06 would establish a policy for County Council to vote against any cooperation agreement if presented prior to this budgetary disclosure and audit.

Mr. Drozd said that although the bill may need refined a bit, he thinks it would be good government to enact it.

The Chair said that he thinks council would be treading on dangerous waters because the bill deals with how the City of Pittsburgh spends their money and he said that he did not think County Council should have input in those matters.

Ms. Caldwell asked whether this involves joint functions and the Chair said he did not think it did. He said that how the city spends their money should not be the county's concern.

Ms. Caldwell asked if there would be audits. The Chair said that the city has a Controller and the county has a Controller, and that should be separated. The Chair said that he fails to see how this relates to how City Council spends their money. Mr. Drozd said that he agrees with the Chair but his concern is with agreements between the city and the county. The Chair said that those agreements or the conditions of the agreements are already in place. He said that he thinks this bill is about micro managing how City Council spends their money, and he said he is against that.

Mr. Finnerty agreed with the Chair, he said that County Council has no business getting involved in the spending of City Council's money. He said that they should not play the role of enforcer.

Ms. Cleary agreed with the Chair and Mr. Finnerty.

Ms. Frazier also agreed with the Chair and Mr. Finnerty. She said that she is not in favor of this type of meddling and would not support this bill.

Mr. Drozd said that he would like to hold the bill. The Chair indicated that Mr. Gastgeb requested that the bill be placed on the agenda, but he will comply with the wishes of the co-sponsors. Ms. Caldwell agreed that the bill should be held until Mr. Gastgeb could be present to address it.

Action:

Held in Committee

2601-06

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing County policy on funding the use of private homes or businesses as polling places in order to assure compliance with the requirements of Act 45 of 2006, the Voter Accessibility Act.

Sponsors: Susan Caldwell, Vince Gastgeb, Jan Rea and Matt Drozd

Summary:

Ms. Caldwell provided the committee with a summary of the bill. She said that the bill would place a ban on allocating any funding for the purpose of using a privately owned building as a polling place in the November 2006 General Election, or any other election held thereafter. She also said that the bill directs the Elections Board to take

all necessary steps to ensure that no privately owned buildings are used as polling places in any election held after July 1, 2006.

She went on to explain that the stated purpose for this bill is to ensure full compliance with the terms of Pennsylvania Act 45. Among the provisions of Act 45 is an absolute requirement that no elections may be held in a private residence not situated within the boundaries of the election district which it serves, a private residence of an elected or appointed party official, an office, building or private residence of a candidate for political office, an office, building or private residence of an elected official, or a building utilized by a ward or political party as its headquarters.

The Chair said that he would like to hear from Administrative Services Director Tim Johnson on this bill. Ms. Cleary said that she thinks some districts just do not have public places and it would be hard to accomplish what the bill is asking.

Mr. Uber said that the county is making every effort to comply with state law. He said that he would be in touch with Elections Manager Mark Wolosik to find out the status of this and he said that he will make sure that Mr. Johnson addresses this.

Mr. Finnerty said that the county election department is required to adhere to state law and they do not need council telling them how to do it. He said he did not think it was council's prerogative to do that. He said that he thinks passing a bill like this would be an insult to the county's election department.

Mr. Drozd said that he respects Mr. Wolosik but he thinks this is a gray area and needs to be explored.

The Chair said that sometimes it is very difficult to find locations for polling places. He said that he would like to have Mr. Wolosik and the County Law Department review this bill and provide the committee with their advise and comments.

Ms. Caldwell said she would like to hold the bill until Mr. Wolosik could be present to address it.

Action: Held in Committee

Resolutions

2332-06

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, requesting the County Controller to oversee an examination of the books, accounts, and records of all Allegheny County authorities through the contracting of an independent auditor.

Sponsors: Jan Rea

Summary: *The Chair said that Ms. Rea, the sponsor of the bill, informed him that she would like to withdraw this bill because it is incorporated into another bill which was recently introduced.*

Action: Withdrawn

V. Adjournment

Summary: *The meeting adjourned at 5:45 PM*