

Allegheny County Council

*County of Allegheny
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Committee Meeting Minutes

Thursday, March 26, 2009

5:00 PM

Conference Room 1

Committee on Government Reform

*Rich Fitzgerald, Chair; Jim Burn, Jim Ellenbogen, Nick Futules, Vince Gastgeb,
Amanda Green, Bob Macey, and Chuck McCullough - Members*

I. Call to Order

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

Invited Guests:

Jim Flynn, County Manager or Designee

Michael Wojcik, Allegheny County Solicitor

John Deighan, Allegheny County Chief Purchasing Officer

Richard Brean, General Counsel for USW

Summary: *Invited guests in attendance: Derek Uber for Mr. Flynn; Mr. Wojcik, Mr. Deighan, and Mr. Brean.*

Recognized attendees: George Janocsko, County Law Department

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

II. Roll Call

Roll Call: Present: Amanda Green, Rich Fitzgerald, Joan Cleary, Matt Drozd, John DeFazio, Michael Finnerty, and William Robinson

Absent: Jim Burn, Jim Ellenbogen, Nick Futules, Vince Gastgeb, Bob Macey, and Chuck McCullough

III. Approval of Minutes

4736-09 Motion to approve the Minutes of the February 26, 2009 Government Reform Committee meeting.

IV. Agenda Items**Ordinances**

4162-08 An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 203, entitled "County Authorities," through the creation of a new Section 5-203.10 governing lobbying activities by the County's authorities.

Sponsors: Matt Drozd and Vince Gastgeb

Summary: *Mr. Drozd provided the Committee with a summary of the Bill. He said that Bill would amend the Administrative Code provisions relating to County Authorities by adding a new section would create a limitation on authority lobbying activities.*

He said that the limitation would be structured as an outright prohibition on lobbying activities by the County Authorities themselves, and would also forbid those authorities from paying for any third party to conduct lobbying activities on their behalf. Pro bono third party lobbying activities would be permissible. In the event that any County Authority would pay for lobbying activities in any calendar year, the ordinance would require the reduction of that authority's budget for the next year by an amount equal to

that paid for the lobbying activity.

Mr. Drozd distributed a document (on file) which contained Allegheny County Authorities Total Federal Lobbying Expenditures. He review that document with the Committee.

The Chair said that he believes that the cost of lobbying expenditures is outweighed by financial return obtained through those efforts. Mr. Drozd disagreed with the Chair on that matter.

Action: **A motion was made by Green, seconded by Fitzgerald, that this matter be Released from the Committee. The motion carried unanimously.**

4695-09

An Ordinance of the County of Allegheny authorizing the County to enter into an intergovernmental cooperation agreement with the City of Pittsburgh under which the County will provide purchasing and procurement services on behalf of the City.

Sponsors: Chief Executive

Summary:

Mr. Deighan provided the Committee with a summary of the Bill. He said that Bill would authorize the County to enter a purchasing services agreement with the City of Pittsburgh, as required by the provisions of the General Local Government Code dealing with intergovernmental cooperation. A similar agreement was authorized by Ordinance 55-05-OR, but this "re-approval" is necessary because a new agreement is superseding the prior one.

He explained that the Code requires that any intergovernmental cooperation agreement must be approved by ordinance by all participating governments, and also establishes that the agreement is only deemed to be in effect once all participating governments have adopted the appropriate ordinance. He said it is therefore possible for this ordinance to pass, but for the agreement never to become effective if the City of Pittsburgh should, for whatever reason, not pass a similar approval ordinance.

He compared the current agreement with the proposed new agreement. He provided a detailed description of the agreement, types of contracts, and the value of the contracts. He distributed a document to the Committee (on file) which described the current agreement and the new agreement. He reviewed that document with the Committee.

Ms. Liptak said that the purchasing committee met for over a year and she described the contract processes, procedures, and the monitoring of the contracts.

Mr. Robinson said that he plans to propose an amendment to the bill. He said that the amendment would make sure that the laws of Allegheny County are applicable to the new purchasing agreement. He said that it would require certification and verification that the agreement is subject to current laws, with special emphasis on MBE/WEB requirements. He said it also calls for a website which would list the manner in which the City and County are conducting joint purchasing contracts.

Mr. Wojcik said that he believes that Mr. Robinson's concerns are met in the contracts themselves. He said they are subject to current state and local laws. He said, however, that the County is not responsible for that in regards to City only contracts. Mr.

Robinson disagreed with Mr. Wojcik and said that he did not think that the agreement fully addresses his concerns. He said his main concern is not whether this is in the contract, but that it is being implemented and enforced. He said that no one has provided him with assurance that these laws are being enforced. He said that he may introduce the amendment at a Regular Meeting of Council but will wait to see if anyone comes forward to answer these concerns before he does that.

The Chair said that he plans to schedule another Government Reform Meeting next week and hopes by that time Mr. Robinson can obtain further information relative to his concerns and discuss this again at the next meeting.

Action: Held in Committee

Motion

4729-09

Motion Expressing the Sense of Council of Allegheny County supporting the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them, provide for first contract mediation and arbitration, and establish meaningful penalties for violations of a worker's freedom to choose a union.

Sponsors: John DeFazio, Rich Fitzgerald, Amanda Green, Joan Cleary, Jim Ellenbogen, Michael Finnerty, Nick Futules, Bob Macey and Chuck Martoni

Summary: *The Chair read the Bill and deferred to Mr. Brean who summarized the intent of the Bill. He provided the Committee with a detailed dissertation on the merits of the Bill and the need for the Employee Free Choice Act.*

He distributed a chart (on file) which contained the comparison of Federal Election Commission and National Labor Relations Board Violations. He reviewed the chart in detail. The Chair asked Mr. Brean if he could provide the Committee with a written document indicating some of the statistics he referred to in his presentation. Mr. Brean did provide that document (on file) to the Committee.

Ms. Cleary and Mr. DeFazio spoke in favor of the Bill.

Action: A motion was made by Green, seconded by Fitzgerald, that this matter be Affirmatively Recommended. The motion carried unanimously.

V. Adjournment

Summary: *The meeting adjourned at 6:16 PM*