

Allegheny County Council

*County of Allegheny
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Committee Meeting Minutes

Tuesday, April 14, 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 5:25 PM*

Invited Guests:

Jim Flynn, County Manager or Designee
Michael Wojcik, Allegheny County Solicitor
Ruth Bird Smith, Allegheny County M/WDBE
John Deighan, Chief Purchasing Officer
Steve Bland, Executive Director, Port Authority

Summary: *Invited guests in attendance: Mr. Flynn, Mr. Wojcik, Ms. Byrd Smith, Mr. Deighan, and Dan DeBone for Mr. Bland*

Recognized attendees: Michael Cetra, General Counsel, Port Authority of Allegheny County

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

II. Roll Call

Roll Call: Present: Nick Futules, Vince Gastgeb, Amanda Green, Rich Fitzgerald, William Robinson, Matt Drozd, and Michael Finnerty
Absent: Jim Burn, Jim Ellenbogen, Bob Macey, and Chuck McCullough

III. Approval of Minutes

4785-09 Motion to approve the Minutes of the March 26, 2009 Government Reform Committee meeting.

Action: **A motion was made by Green, seconded by Gastgeb, that this matter be Passed.**
The motion carried unanimously.

4786-09 Motion to approve the Minutes of the April 2, 2009 Government Reform Committee meeting.

Action: **A motion was made by Green, seconded by Gastgeb, that this matter be Passed.**
The motion carried unanimously.

IV. Agenda Items

Ordinances

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: *The Chair indicated that the reason this bill was referred back to committee was that Mr. Robinson had some concerns with the bill. Mr. Robinson said that he was*

prepared to offer amendments to the bill but his concerns were addressed in Bills 4726-09 and 4727-09, and that he will not offer those amendments.

Ms. Liptak explained that 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. She also said that this bill would expand the scope of the previously approved agreement.

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

4726-09 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, §5-905.04, entitled "Allegheny County Professional Services Review Committee Reporting Obligations," to clarify the ongoing reporting obligation of the Professional Services Review Committee.

Sponsors: William Russell Robinson, Chuck McCullough, Amanda Green, Michael Finnerty and Nick Futules

Summary: *Mr. Robinson provided the committee with a summary of the bill. He said that the bill would require the Committee to notify Council and the Chief Executive, in writing, within seven (7) days of the award of any professional services contract or alteration in any term of any professional services contract. This notification would include the M/W/DBE status of each party to the awarded or altered contract, as classified by the Department of Minority, Women, and Disadvantaged Business Enterprises, as well as a description of the M/W/DBE status of any subcontractors known at the time of the award or alteration.*

Mr. Flynn spoke in favor of the bill.

Ms. Green, Mr. Finnerty, and Mr. Futules asked to be added as co-sponsors of the bill.

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

4727-09 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Chapter 435, entitled "Minority Business Enterprise Program," through the creation of a new §435-13, entitled "Allegheny County Contract Reporting Obligations," in order to establish a requirement for reporting the M/W/DBE status of parties to contracts with Allegheny County.

Sponsors: William Russell Robinson, Chuck McCullough and Amanda Green

Summary: *Mr. Robinson provided the committee with a summary of the bill. He said that the bill would amend the Administrative Code in order to establish a requirement for reporting M/W/DBE status of parties to contracts with Allegheny County.*

He also explained that the legislation requires a written report from the County Manager to Council regarding every contract to which the County is a party. The

reported information would include the purpose of the contract, the aggregate value of the contract, the business(es) or individual(s) that submitted a proposal that was considered for final selection by name, and the M/W/DBE status of each listed individual or business, as classified by the Department of Minority, Women and Disadvantaged Business Enterprises. Upon identification of candidates for County contracting, the legislation would require the creation of the report and submission of the report to Council within seven (7) days.

In addition, he said that the bill would require the County Manager to be responsible, with assistance from the Division of Computer Services, for creating and maintaining a Web site, which would contain said reports.

Mr. Flynn said that he met with Mr. Robinson earlier to discuss various aspects of this bill. He said that he had some concerns that because he does not participate in all county contracts it would be difficult for him to provide the required reports. He said that he would like clarification as to whether he is responsible for reporting just those contracts involving the Executive Office. He suggested that the Controller would be more appropriate to carry this out since the Controller deals with all county contracts.

Mr. Robinson said that he agrees with Mr. Flynn and intends to discuss this matter with the Controller. He said that he is working on amendments to the bill which would address this issue and that he would introduce them at the April 21, 2009 Regular Meeting of Council, at which time this bill will be before the full Council for final action.

Ms. Green requested to be added as a co-sponsor of the bill.

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

4753-09 An Ordinance of the Council of the County of Allegheny approving the M/W/DBE participation policy of the Port Authority of Allegheny County.

Sponsors: Chuck Martoni, Michael Finnerty, Bob Macey, William Russell Robinson, Amanda Green, Matt Drozd, Jim Ellenbogen, Rich Fitzgerald and Nick Futules

Summary: *Mr. DeBone and Mr. Cetra collectively provided the committee with their interpretation of the bill. They said that they understood that the bill would approve the M/W/DBE policies of the Port Authority of Allegheny County. They also acknowledged that this action is necessary under the Administrative Code, which requires that each County Authority submit its M/W/DBE participation policy to Council for approval via ordinance.*

They indicated that the Port Authority's policy, which is attached to the bill, establishes that the Authority follows all Federal M/W/DBE requirements.

Mr. Cetra provided the committee with a detailed description of the Board's policies and procedures regarding M/W/DBE reporting. He said that they are updating their

policies and will provide Council with an updated version. He also said that they have consistently exceeded their goals in this regard.

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

V. Adjournment

Summary: *The meeting adjourned at 5:50 PM*