

## **MOTION OF THE COUNCIL OF ALLEGHENY COUNTY**

Censuring Council Member Sue Means for conduct, specifically the introduction of a motion to approve the minutes of various committee meetings by the full Council at the December 15, 2015 regular meeting, contrary to the Rules of Council and past practice, and which directly lead to a breach of confidentiality regarding the unapproved minutes by Council staff.

**WHEREAS**, Article II, Rule M.9. of Council's Rules permits the censure of Council Members by motion; and

**WHEREAS**, on December 15, 2015, Council Member Sue Means introduced Bill No. 9330-15, entitled "[a] motion to approve the minutes referenced within this motion comprising the committee meetings of Allegheny County Council for the 2014-2015 Council term which have not appeared on an agenda during the current term for approval"; and

**WHEREAS**, under the terms of Bill No. 9330-15, the minutes from fifteen (15) separate committee meetings, involving ten of the Council's standing and special committees, would have been approved by the full Council, rather than by the committees in question; and

**WHEREAS**, this action, if undertaken, would have been unprecedented, as the full Council has never in the past approved the minutes of any established committee; and

**WHEREAS**, motions to approve committee minutes are assigned bill numbers and approved by motion and vote of the committees in question within the course of their respective meetings; and

**WHEREAS**, approval of committee minutes by the full Council would therefore have removed a matter (the minute approval) from the jurisdictions of each of the committees in question, in contravention of Article II, Rule F.3. of the Rules of Council, which provides that "[w]henever legislation or other matter has been referred to a committee, the Chair shall have full power and control over such legislation or other matter, except that such committee shall not change the subject. A committee shall not consider a bill or other matter which is not in its possession."; and

**WHEREAS**, on December on Friday, December 11, 2015 and presumably at the request of Ms. Means and in support of 9330-15, Council staff forwarded copies of only eleven (11) of the fifteen (15) unapproved committee meeting minute sets that were the subject matter of 933-15 to all Members of Council and other individuals, thus leaving the Council to vote on the other four (4) sets without Ms. Means ever having provided them for review; and

**WHEREAS**, even more troubling and also presumably at the request of Ms. Means, Council staff forwarded at least four (4) sets of unapproved committee minutes (those covering the December 10, 2015 meeting of the Committee on Economic Development and Housing, and the January 30, 2014, September 16, 2014 and December 3, 2015 meetings of the Special Committee on Marketing) to individuals outside of the Office of County Council, including numerous employees of the administration, row offices, and the news media; and

**WHEREAS**, this public disclosure of unapproved committee meeting minutes constitutes a serious breach of protocol and confidentiality within the Office of County Council, and should not have been requested by Ms. Means;

**NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY,**

That Council Member Sue Means is hereby censured by Allegheny County Council for conduct, specifically the introduction of a motion to approve the minutes of various committee meetings by the full Council at the December 15, 2015 regular meeting, contrary to the Rules of Council and past practice, and which directly lead to a breach of confidentiality regarding the unapproved minutes by Council staff.

**PRIMARY SPONSOR: COUNCIL MEMBER FINNERTY**

**CO-SPONSOR(S):**

In Council January 19<sup>th</sup>, 2016.      Read and Approved.

John P. DeFazio  
**John DeFazio**  
**President of Council**

Attest: Jared E. Barker  
**Jared E. Barker, Chief Clerk**  
**Allegheny County Council**