

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Authorizing payment of three invoices for extraordinary professional services rendered as a result of litigation captioned *Fitzgerald v. Allegheny County Council*.

Whereas, on October 12, 2022, Allegheny County Council entered into a contract for the provision of professional services with Frank, Gale, Bails & Procrass, P.C. (“FGBP”); and

Whereas, pursuant to this contract, FGBP provides legal advice, counsel, and representation to Allegheny County Council as its solicitor; and

Whereas, pursuant to §3.c. of the contract between FGBC and Council, “[c]ompensation paid pursuant to the terms of this Paragraph shall not exceed the amount of \$5,000 in any given calendar month unless compensation greater than \$5,000 for such calendar month is approved via written motion duly enacted by [Council].”; and

Whereas, on June 6, 2023, Allegheny County Council passed Bill No. 12345-22, enacting a minimum wage for County employees; and

Whereas, Chief Executive Rich Fitzgerald vetoed this bill, and Council overrode that veto on June 20, 2023; and

Whereas, in response to his veto being overridden, Chief Executive Fitzgerald filed a declaratory judgment action captioned *Fitzgerald v. County Council*, at GD-23-7939; and

Whereas, this litigation has resulted in extraordinary expenses for FGBP, acting as County Council’s solicitor, in the months of June, July, and August, 2023; and

Whereas, it is accordingly the desire of Council to authorize payment of invoices 72809, 73295, and 73188, issued on June 30, July 31 and August 31 and for a total of \$8,070.50, in accordance with the provisions of §3.c. of Council’s contract with FGBP; and

The Council of the County of Allegheny therefore hereby moves as follows:

Council hereby authorizes payment of invoices 72809, 73295, and 73188, as referenced herein.

PRIMARY SPONSOR: PRESIDENT CATENA

CO-SPONSORS:

Read and approved in Council, this 12th day of September, 2023,

Council Agenda No. 12802-23



Patrick Catena
President of Council

Attest: 

Jared E. Barker, Chief Clerk
Allegheny County Council