

Allegheny County Council

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Committee Meeting Minutes

Tuesday, September 27, 2005

5:00 PM

Conference Room 1

Special Committee on Government Reform

C.L. Jabbour, Chair -- Committee of the Whole

I. Call to Order

Summary: *The Meeting was called to order at 5:20 PM*

Invited Guests:

Mark Flaherty, County Controller

Jim Flynn, County Manager

Guy Tumolo, Deputy Controller

Dennis L. Veraldi, Acting CEO of Port Authority

Summary: *Invited Guests Present: Mr. Flaherty, Mr. Tumolo*

Council Staff Present: Joe Catanese, John Mascio, Jennifer Liptak, Jared Barker

II. Roll Call

Roll Call: Present: C.L. Jabbour, Joan Cleary, Rich Fitzgerald, Brenda Frazier, Vince Gastgeb, Edward Kress, Chuck Martoni, Doug Price, Jan Rea, William Robinson, and Eileen Watt
Absent: John DeFazio, Dave Fawcett, Ron Francis, and Rich Nerone

III. Agenda Items

Ordinances

1994-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Part 2, Article 215, § 5-215.02 of the Administrative Code to provide that, unless otherwise required by law, all appointments to County agencies expire at the end of the appointee's term.

Sponsors: Vince Gastgeb

Summary: *Mr. Gastgeb provided a summary of Bills 1994-05, 1995-05, and 1996-05. He indicated that Bill Nos. 1994-05, 1995-05, and 1996-05 are companion bills, all of which amend different sections of the Administrative Code to provide that appointments expire at the end of an appointee's term, unless otherwise provided for by law or regulation.*

Bill No. 1994-05 addresses appointments to the County Agencies; Bill No. 1995-05 addresses appointments to the County Authorities; and Bill No. 1996-05 addresses appointments to County-sponsored or County-supported corporations and associations.

Bill No. 1996-05 also provides for confirmation of those appointees, unless law indicates otherwise. The Council currently confirms some of the appointments, even though existing language indicates that the appointments do not require the consent of Council.

He said that most of the authorities covered in Bill 1995-05, such as the Sanitation and Airport Authorities would not be bound by the legislation. He said that he agrees with the Chair's suggestion that the bill incorporate a 90 day grace period. The Chair asked if that was in the bill. Mr. Gastgeb said that would have to be presented as an amendment to the bill at the next Regular Meeting. Ms. Cleary asked if this would

conflict with the by-laws. Mr. Gastgeb said that would depend on the language in the enabling legislation.

Mr. Fitzgerald spoke in favor of the bill. All 3 bills were released from the committee with an affirmative recommendation.

Action: Released from the Committee

Enactment No: 41-05-OR

1995-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Part 2, Article 203, § 5-203.02 of the Administrative Code to provide that, unless otherwise required by law, all appointments to County authorities expire at the end of the appointee's term.

Sponsors: Vince Gastgeb

Action: Released from the Committee

Enactment No: 42-05-OR

1996-05

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending Part 2, Article 215, § 5-215.03 of the Administrative Code to provide that, unless otherwise required by law, all appointments to County and non-County nonprofit corporations and associations are confirmed by County Council and appointments expire at the end of the appointee's term.

Sponsors: Vince Gastgeb

Action: Released from the Committee

Enactment No: 43-05-OR

Resolutions

1592-04

Resolution of the County of Allegheny, Commonwealth of Pennsylvania, providing for the structural location of newly-created positions, divisions, and departments following the passage of a referendum authorizing row office reform.

Sponsors: Vince Gastgeb, Eileen Watt and Tom Shumaker

Summary: *Mr. Gastgeb indicated that the Bill would establish a structure for positions, divisions and departments created by the passage of an anticipated Row Office Reform Referendum and the resulting alterations to the Administrative Code. The Resolution was originally drafted to govern after the passage of a Row Office Reform measure that was different from the one that was actually enacted, however. In its current form, the Resolution would have placed four newly created administrative positions and divisions within the Executive branch with another being placed under the direction of the Court of Common Pleas, and would have assigned administrative authority as follows:*

The legislation would have established the Clerk of Records as the manager of the Division of Records, to be located within the Department of Administrative Services.

The Deed Clerk would have been named the manager of the Division of Deeds, to be located within the Department of Property Assessment.

The Treasurer would have been named the manager of the Division of Treasury, to be located within the Office of Budget and Finance.

The Medical Examiner would have been named the Director of the Department of the Medical Examiner.

Personnel matters for the Division of Records, Division of Deeds, and Division of Treasury would have been handled by the County Manager, while the Medical Examiner would have had authority over personnel matters in his or her Department.

The Jury Commissioners would have been placed under the direction of the President Judge of the Allegheny County Court of Common Pleas, and the legislation was silent with regard to what entity would have authority over personnel matters.

Mr. Gastgeb said that he wants Council to play a role in this and he does not see anything in writing that indicates that they would be involved.

The Chair said that he spoke with the administration and they told him that they would be sending something over to Council for their review. He also said that he still thinks the bill is worthy of passage. Mr. Gastgeb said that he would still like to have something in writing.

The Chair asked Controller Flaherty to provide the committee with a brief overview. Mr. Flaherty said that the real savings comes with the actual restructuring. He said that they have to take a good look to see what they want to do with these record keeping offices. He said that they must keep in mind that some of these offices are also under the Courts. He said that they need to involve Council and Courts. He said that his office will provide Council and the Chief Executive with a blueprint as to how they plan to restructure this. He said that the University of Pittsburgh also offered assistance.

Mr. Fitzgerald expressed concern that two of the offices, Jury Commissioners and Coroner will change at the end of the year. Mr. Flaherty said that the Jury Commissioners will continue to resume under the Courts, and the Coroner's title will be changed to Medical Examiner and be appointed by the Chief Executive. Mr. Fitzgerald said that he believed that the Government Review Commission should be involved in this. Mr. Flaherty said that they are included.

Ms. Watt asked Mr. Flaherty how he was able to calculate a \$775,000 savings when they do not know how the offices will be restructured. Mr. Flaherty said that was a bare bones estimate and it would probably be more.

Mr. Martoni recommended that the Council President create an oversight committee comprised of the Executive and Legislative branches. Mr. Gastgeb said that the bill already does that.

Mr. Flaherty said that he thinks the bill is too specific. He recommended that Council make it more open ended. Mr. Gastgeb said that they just want to mirror what the people passed. Mr. Flaherty cautioned the committee on being too specific in the bill.

Mr. Gastgeb said that he has a proposed amendment that would take some of the specifics out. He said that he would like to move on the bill and offer an amendment at the next Regular Meeting. The Chair said ok, as long as the bill was amended at the meeting.

Action: Released from the Committee

Enactment No: 39-05-RE

2121-05

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, setting forth County policy regarding cost overruns on the North Shore Connector project.

Sponsors: Edward Kress and Doug Price

Summary:

Mr. Kress explained that the Bill expresses the opposition of County Council to the use of County funds that exceed three and one third percent of the initial estimated budget for the North Shore Connector project. The initial estimated budget was \$390 million. The Bill also urges the Chief Executive to oppose funding in excess of three and one third percent of the initial estimated project budget. He said that he was concerned about cost over runs on this project. He said that he is attempting to stop the contractors from continually coming back for additional funds.

The Chair said that he believed that the financial support for the project was already in place. Mr. Martoni said that he does not think that the county would be responsible for cost overruns. He said that would be the responsibility of the funders. He said that Port Authority would be responsible for some of that cost should it occur. He said that he would rather communicate this intent to Port Authority and see what their response is. He said that the project has been approved on all levels of government and that any cost overruns would be picked up by either the state or federal governments, or the Port Authority.

Mr. Fitzgerald said that the project predates this Council, and Council is on record as having said they would have preferred a bridge. He said that since the project was budgeted in 1998 and would not be completed until 2008, then inflation would bring it over the original cost anyway. Mr. Martoni said that inflation cost was already built into the project.

Mr. Fitzgerald said that he fears if they pass the resolution that the federal government may take the money away. He said that this has all been worked out prior to council being here.

Mr. Kress said that he wants it on the record that the county will not be responsible for cost overruns. The Chair said that Mr. Martoni is willing to discuss this with the project engineer. Mr. Price said that the resolution indicates that the county does not desire any cost overruns, especially on a project that they disapproved of.

The Chair said he wishes to hold the bill and discuss this with the engineers. Mr. Gastgeb said that he would want the bill to stand on its own and vote it up or down. Mr. Martoni disagreed, saying again that he would rather discuss this with Port Authority. The Chair agreed with Mr. Martoni.

Action: Held in Committee

IV. Adjournment

Summary: *The meeting adjourned at 6:15 PM*