

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Richard Fitzgerald	-	President, District 11
Charles J. Martoni	-	Vice President, District 8
John P. DeFazio	-	Council-At-Large
Chuck McCullough	-	Council-At-Large
Matt Drozd	-	District 1
Jan Rea	-	District 2
James R. Burn, Jr.	-	District 3
Vince Gastgeb	-	District 5
Joan Cleary	-	District 6
Nick Futules	-	District 7
Robert Macey	-	District 9
William Russell Robinson	-	District 10
Jim Ellenbogen	-	District 12
Amanda Green	-	District 13

Allegheny County Courthouse
Fourth Floor, Gold Room
436 Grant Street
Pittsburgh, Pennsylvania 15219

Tuesday, February 17, 2009 - 5:00 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
429 Forbes Avenue, Suite 1300
Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

James Flynn - County Manager
Joseph Catanese - Director of Constituent Services
John Mascio - Chief Clerk
Jared Barker - Director, Legislative Services
Jennifer Liptak - Budget Director
Jack Cambest - Solicitor

PRESIDENT FITZGERALD: Welcome to the Tuesday, February 17th, 2009 meeting of County Council. If everybody would please rise for the Pledge of Allegiance and please remain standing for a moment of silent prayer or reflection. And in your prayers, you can keep in mind Councilman Finnerty's father, John, who passed away over the weekend.

(Pledge of Allegiance.)

(Moment of silent prayer or reflection.)

PRESIDENT FITZGERALD: Thank you. Please call the roll.

MR. MASCIO: Mr. Burn?

(No response.)

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Present.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Here.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Present.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. MASCIO: Mr. Finnerty?

(No response.)

MR. MASCIO: Mr. Futules?

MR. FUTULES: Here.

MR. MASCIO: Mr. Gastgeb?

MR. GASTGEB: Here.

MR. MASCIO: Ms. Green?

MS. GREEN: Present.

MR. MASCIO: Mr. Macey?

MR. MACEY: Here.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Here.

MR. MASCIO: Mr. McCullough?

(No response.)

MR. MASCIO: Ms. Rea?

MS. REA: Present.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Present.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Here.

MR. MASCIO: We have 12 members present at this time.

PRESIDENT FITZGERALD: Okay. We're going to skip ahead. I don't see the Steelers here. I understand

they are on their way. So we're going to skip ahead to 4642-09.

MR. MASCIIO: Proclamation celebrating the 40th anniversary of Manchester Craftsmen's Guild. Sponsored by Council Members Green, Macey, Cleary, Finnerty, President Fitzgerald, Futules, Gastgeb and Vice President Martoni.

PRESIDENT FITZGERALD: Councilwoman Green?

MS. GREEN: I just want to ask Bill Strickland of the Manchester Craftsmen's Guild to join me in the presentation of the proclamation.

Whereas, for the past 40 years, Manchester Craftsmen's Guild has provided a unique minority-focused art and education center for the City of Pittsburgh's urban communities.

And whereas, in Pittsburgh's North Side in 1968, Bill Strickland created the organization to encourage children to focus on pursuing their artistic abilities and developing their characters during a time of racial and economic turmoil in Pittsburgh.

And whereas, the Guild grew substantially in the mid 1980s when Mr. Strickland became the leader of the vocational education program, Bidwell Training Center, and integrated the program with Manchester Craftsmen's Guild into a state-of-the-art vocational training and art center.

And whereas, the ever-expanding model set forth by the association has inspired not only a local audience, but also a national audience of leaders to develop similar corporations to help enrich their communities.

And whereas, due to successful growth as a non-profit organization during its impressive existence, Manchester Craftsmen's Guild has held steadfast to its commitment to educating and inspiring Pittsburgh's urban youth.

Now, therefore, be it resolved Allegheny County Council, on behalf of the residents of Allegheny County, celebrates Manchester Craftsmen's Guild's 40th anniversary in the City of Pittsburgh. Furthermore, we wish them success throughout their exciting future. Sponsored by all members of Council this 17th day of February 2009.

(Applause.)

MR. STRICKLAND: It's hard to believe that 40 years has passed since we started this in a row house on Buena Vista Street. But it's grown to be a pretty extraordinary sight. I guess a couple of the hallmarks,

seven of our faculty are actually former kids who went through the program, into college and actually back teaching at the center that saved their life. And for the first time in my own professional life, I'm going to close the circle. Next week I'll be at Winston Salem College at the invitation of Dr. Sharif Bey, who was a seventh grader at one of the Pittsburgh public middle schools, got a Fulbright Scholarship on his Ph.D. and has invited me to speak at his college. So we think that that's a pretty extraordinary example of the outstanding work the organization has done over the years. So this means something very special to me at this moment. And thank you very much.

(Applause.)

MR. DROZD: Mr. Strickland, I just want to make a quick comment. I just want people to know that I've known this gentleman for many, many years. And he not only believes in what he does, he walks the walk and talks the talk, and I really commend him for what he's done for this youth and giving people an opportunity. And also, I remember when his dad was a neighbor of mine for a long time, and he was up there doing sweat equity and renovating a house and he was in the community. And that really says a lot for a person. He's a good human being. Good to have him here.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: Okay. 4639-09.

MR. MASCIIO: Proclamation honoring the Pittsburgh Steelers for winning a record-breaking sixth Super Bowl World Championship. Sponsored by all members of Council.

PRESIDENT FITZGERALD: And I see we have Mr. Rooney and a special guest from the team here tonight, Mr. Keisel, who are with us. Okay. It must be a night that organizations with North Side roots are doing well. We just did the Manchester Craftsmen's Guild and then this other organization that started in the North Side and is still based there. And I think all of us certainly took a lot of delight on what happened a couple of weeks ago.

But I think it's also important, not just a note, that this is an organization and a team that won a sixth world championship, the only organization to have six Super Bowls, but the way that they represented this community with such dignity and with such class. And I

know there's a rumor out there that the head of the organization, Mr. Rooney, is up for or being considered to be an ambassador for this country in Ireland, and I can tell you that they've already been great ambassadors for this region all over the country. And how they represented us, not just in winning but the manner in which they did makes us all proud, not just from Pittsburgh or Allegheny County, but really, from all of southwestern Pennsylvania. And I'm just delighted to have them here tonight and to be able to honor them as a body. So let me read this into the record.

Whereas, on February 1st, 2009, at Raymond James Stadium in Tampa Bay, Florida, the Pittsburgh Steelers defeated the Arizona Cardinals 27 to 23 to win Super Bowl XLIII, the franchise's sixth Super Bowl championship, the most titles by any franchise in NFL history.

And whereas, spectacular moments defined the championship game. Linebacker James Harrison, the NFL's 2008 Defensive Player of the Year, intercepted a pass at the Cardinals' goal line and ran 100 yards for a touchdown at the end of the game's first half. The play is the longest in Super Bowl history.

And whereas, the team's comeback drive in the waning moments of the contest will prove in time to be one of the defining moments in franchise history. Players like Ben Roethlisberger and Santonio Holmes, the game's MVP, rose to storied heights to score the winning touchdown.

And whereas, every member of this team adds to the established legacy of the previous five Super Bowl teams, but each member also adds to the creation of a new legacy that a new generation of committed fans around the nation will adopt as their own.

And whereas, the historic victory is attributed to the Rooney family's commitment to goodwill, principle, faith and morality. These leadership qualities have molded the Steelers into the model professional sports franchise.

Now, therefore, be it resolved that on behalf of the citizens of Allegheny County, this Council commends the Pittsburgh Steelers for winning a record-breaking sixth Super Bowl championship. Furthermore, this Council wishes the franchise luck in its quest for an unrivaled seventh Super Bowl win, not that we want to put any pressure on them for next year.

But as anybody knows with the Steeler nation --- and it truly is a Steeler nation all over this nation. The crowds that turn out to root for this franchise because of what they represent, it really binds us all and it makes us all part of a stronger community. So we want to congratulate them, and I want to have Mr. Rooney and Mr. Keisel come up and say a few words. Congratulations.

(Applause.)

MR. ROONEY: Well, thank you, members of Council and President of Council and our good friend, Rich Fitzgerald. It's an honor for us to be here to accept this proclamation. And obviously, I think we're still on cloud nine. It takes a while to come down from cloud nine when you win a Super Bowl, so we're very excited. And I must say that we're honored to follow some of our neighbors on the North Side and good friend Bill Strickland. Following his recognition is certainly an honor for us and all the great work they've done. I want to say congratulations to them. And Bill, the great work you've done, it's an honor for us to be following your recognition.

My good friend, big number 99 is here with me, and we brought along a game ball, actually, a used game ball. And as many of you know, in the football world, when somebody accomplishes something and has a great game, after the game, they're awarded a game ball. And a couple of years ago, I was able to bring a game ball here to Council and present it when we won Super Bowl XL. So we're back again, and hopefully, this will become a habit that every so often we come back with a ball. And really, we present the ball to you as representatives of the citizens of the county because, you know, the citizens of this county have supported us in ways that have become legendary, really, around the country.

So it's appropriate, I think, to present a game ball to all of the citizens of Allegheny County for the great support that we've received for this year and down through the years. So thank you very much. Brett?

(Applause.)

PRESIDENT FITZGERALD: Now, as a defensive lineman, you don't get to handle one of those very often; is that right? So we're going to have a tough time getting it away from you. So anyway --- but congratulations on a great game and making us all proud. And we'd like you to say a few words.

MR. KEISEL: Well, thank you. It's a pleasure being down here today. I don't usually hold balls. I do have one from this game, but it says Arizona, that we took from them on that last possession. I'll treasure that one very much. But I love Pittsburgh. Pittsburgh's been wonderful to me. And it's actually started my own little family here, so I have a lot of pride and respect for Pittsburgh. So thank you very much.

(Applause.)

MR. FUTULES: I have one thing to say, Mr. President. I need four tickets for next year's Super Bowl. I'm putting my order in now.

PRESIDENT FITZGERALD: He tried to get the county renamed Steeler County.

(Pictures taken.)

PRESIDENT FITZGERALD: Okay. 4643-09.

MR. MASCIO: Proclamation commending Santonio Holmes for his MVP performance in Super Bowl XLIII.

PRESIDENT FITZGERALD: I'm sorry. 4643-09.

MR. MASCIO: I'm sorry. Proclamation honoring Ms. Bev Smith's career and achievements in the broadcasting industry. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Okay. Councilman Robinson?

MR. ROBINSON: Could I ask Bev Smith to join me? This is a unique opportunity to recognize someone who has been in our community for many years, a personal friend and someone who has distinguished herself throughout the country. It is always appropriate to honor those from your own community when they're in your community. And royalty is in our presence. I have a little surprise for her in this proclamation, which I'm sure she'll deeply appreciate.

Whereas, throughout Allegheny County's vast history, we've been blessed with exemplary visionaries with great determination and many invaluable and everlasting contributions to our community.

And whereas, Bev Smith, the queen of nighttime talk radio, has developed a national legacy since her television and radio career began in Pittsburgh in 1971 when she was named the city's first African-American consumer affairs investigator at WPXI television, which we know as channel 11.

Whereas, in 1975, she was named news and public affairs director of Pittsburgh's Sheridan Broadcasting

Corporation, where her talents became recognized quickly, allowing her to host her first show and develop her distinct style of talk show, which became known widely as the fire brand.

And whereas, Ms. Smith decided to merge herself into the issues she chose to confront, which included living with the homeless and talking with inmates on death row. When combined with her fire brand, Ms. Smith's talk shows became innovative gems in the broadcast world.

And whereas, Ms. Smith is acknowledged nationally as one of the most important radio talk show hosts in America. She has received nearly 300 awards, citations and trophies for her accomplishments on radio and television, and she has paved the road for the success of future African-Americans.

Now, therefore, be it resolved that this Council, on behalf of the citizens of Allegheny County, honors Bev Smith for her historic achievements and lasting impressions on the broadcast industry. Furthermore, this Council names February 17th, 2009 as Bev Smith Day in Allegheny County.

(Applause.)

MR. ROBINSON: I can say without challenge that many of the talk show hosts on television and radio owe a debt of gratitude to Bev Smith. In many ways, she was the first and is still the best, Bev Smith, the queen of nighttime talk radio.

MS. SMITH: Well, well, well. Thank you. Thanks to all of you, that are here. Jim Burn, my Democratic friend, thank you, thank you, thank you. And I would just like for my family to stand here tonight. My father is in heaven watching this, and my mom has been ill. So she sent a bunch of people to report back to her on everything, including how my hair looked and what I was wearing. Would my family please stand up? And that includes my boss, Jerry Lopes, from the American Urban Radio Network. Please stand up.

(Applause.)

MS. SMITH: It's been often said that a prophet is not honored in his or her own land. I cannot say that about my hometown. From the very day that I started until today, many of you in this room have patted me on the back and cheered me on my way. And whether it was in Los Angeles or Philadelphia or Miami, Florida, there was someone from Pittsburgh going, I remember you when you

were in that chicken coop. I remember when you walked with the prostitutes. I don't do that kind of stuff anymore. I thank you for this honor. I will treasure it because it means that home is where the heart is, and the heart has been open to me. Thank all of you.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4644-09.

MR. MASCIO: Proclamation celebrating Black Horizons' 40th anniversary. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President and members of Council. Timing is everything. And we have with us today some real outstanding people in broadcasting, radio, television, producing newspaper, and it wasn't planned this way. It just happened. Great people in the same room at the same time. We're friends. We're truly friends in the industry and in the personal lives, and I'm sure they will carry away some treasures because none of them knew that the others were going to be here.

So it's a treat for me to recognize Black Horizons, a television program that's been around for a long time, 40-some years, and to recognize in large measure Chris Moore. Aside from Black Horizons, Chris is on other stations other than QED, radio and television, and has distinguished himself. But it's today that we're going to recognize Chris and Minette Seate for their work with this extraordinary program in our community that is nationally and internationally recognized as one of the best magazine programs of its type anywhere in the United States of America.

Whereas, Black Horizons, the nation's longest-running minority affairs program on public television, is celebrating its 40th anniversary on Pittsburgh's WQED TV.

And whereas, the program pioneered --- premiered in April of 1968. No, thank you. I'm at the age that I refuse that wear glasses.

PRESIDENT FITZGERALD: But I don't know what your vision is.

MR. ROBINSON: No. I've got glasses over there. And Hurley Hoath (phonetic), Don Marbury and Ralph Proctor provided Pittsburgh's African-American community with a distinct public voice during trying times.

And whereas, Chris Moore has hosted Black Horizons for 28 years, and he has brought attention to many topics affecting African-Americans during his tenure at the helm of this very fine program, where in 1991, Mr. Moore produced and narrated Wylie Avenue Days, an Emmy-Award-winning documentary describing the great history of Pittsburgh's Hill District.

And whereas, under the guidance of co-producer Moore and producer Minette Seate, whose service is so integral a part of the program's success, the landmark television show continues to shine a light on issues important to the nation's African-American community.

Now, therefore, be it resolved that this Council, on behalf of the citizens of Allegheny County, celebrate Black Horizons' 40th anniversary --- here's a part, Chris, you'll really enjoy --- and hereby declare February 22nd, 2009 Black Horizons Day in Allegheny County. Furthermore, this Council looks forward to your continued success of this important program. I'm going to have Ms. Seate and Mr. Moore to have some kind words, for this is an outstanding program. If you haven't seen it, please avail yourself of that.

(Applause.)

MS. SEATE: I just want to say I feel really fortunate to have learned almost everything I know about television from this weird guy right here. And secondly, I'm really, really proud to be counted in the company of the people who are honored here today and to be supported by my hometown and those people over there. So thank you.

MR. MOORE: I just want to say thank you to all the people who have been around. It's great to be honored in the company of the Steelers, of the Manchester Craftsmen's Guild. I haven't been there 40 years, but Bill has, so I just want to point that out. And also with Bev Smith, you know how much I love Ms. Sloan and what great people I think they were. And the queen often lets me come into the throne room and play around like a court jester. I want to thank her for that. I thank WQED for allowing me to work in all these different places and still keep this as my main job.

I thank all of the people who went before us on Black Horizons and laid this foundation that Minette and I can continue to build upon, and QED for supporting it so long. They had a program that trained ---. The first producer of Black Horizons was a white woman named

Virginia Bartlett, because nobody was on staff that was black. But QED had the vision to know, we need to train some people up. Most people went on to direct Soul Train, soap operas, become vice presidents of public broadcasting and so many things.

I decided to stay here because I knew the Steelers were going to win another Super Bowl, and to work with Minette, my partner in crime, who I love very much, because everybody gives me all the credit because I'm the public face of Black Horizons, but without her and her writing and her urging and prodding, I would be nothing. So I really thank you so much, and thank you very much, Mr. Robinson, for recognizing us.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4645-09.

MR. MASCIO: Proclamation recognizing and honoring New Pittsburgh Courier as one of the most historical publications produced in Allegheny County's history. Sponsored by Council Members Robinson, Green and Macey.

PRESIDENT FITZGERALD: Councilman Robinson.

MR. ROBINSON: As usual, with my courteous and mannerly ways, I'm going to allow the young lady, my colleague, Councilwoman Green, to do the honors.

PRESIDENT FITZGERALD: She can see.

MS. GREEN: I'm going to ask the representatives from the New Pittsburgh Courier to come up, Mr. Doss. Come here, Mr. Doss. I'm just going to read this into the record.

Whereas, throughout the 20th century, our nation was home to great individuals and groups who influenced an innumerable amount of historical events that changed the landscape of our great society.

And whereas, the Pittsburgh Courier was established in 1907 by Edwin Harleston, a security guard in the H.J. Heinz food packing plant and an aspiring writer. And it was later purchased and transformed into a national entity by Robert Lee Vann in 1910.

And whereas, the Pittsburgh Courier became the country's most widely circulated black newspaper in the 1930s and 1940s and contributed to the toppling of America's racial divide by giving African-Americans a determined equal and sonic voice in the everyday world.

And whereas, the newspaper was one of the first print publications to object to the misinterpretation of African-Americans in the mainstream media. It endorsed socially conscious political candidates, supported important black athletes and publicized the voices of African-American soldiers abroad.

And whereas, today the paper is known as the New Pittsburgh Courier and consistently brings attention to our region. A feature focusing on 50 of the most influential men and women in Allegheny County is published yearly and enhances the county's most recognizable and important African-Americans.

Now, therefore, be it resolved that on behalf of the citizens of Allegheny County, this Council recognizes the New Pittsburgh Courier as one of the most historical publications this great county has produced. We hope the newspaper continues to help our nation's society progress into the future. Sponsored by Allegheny County Council Members myself, Amanda Green, Bob Macey and Bill Robinson, this 17th day of February, 2009.

(Applause.)

UNIDENTIFIED SPEAKER: I want to thank everybody for this honor. It comes at a wonderful time for us because in 2010, the Courier will be celebrating its 100th anniversary, which is a major achievement.

(Applause.)

UNIDENTIFIED SPEAKER: Hopefully, we'll have a lot of interesting activities coming up in the next year. And I also want to thank Rod Doss for giving me an opportunity 25 years ago to come over to the newspaper as a young man and learn the business from the ground up. And 25 years later, I'm still there. I enjoy my work every day, and it's just an honor to preserve the institution like the Courier in the City of Pittsburgh and for the nation. Thank you again, everybody.

(Applause.)

MR. DOSS: Of course, let me thank Council for this tremendous honor. It's great to be recognized. But you know, it's truly a privilege working at the Courier. It's a privilege because we work with such dynamic people, such skilled journalists, people who, on record, have taken time and commitment and put them to valued use, better serving the community. Let me tell you, this guy here, he does an outstanding job working with us on a day-

to-day basis. And he's not alone in that sense. Everybody over there does a wonderful job.

Again, it's a privilege to work with them. But the real honor is being able to serve the community. We think about it in terms of, let's service. No, we don't make a lot of money. I make second best, but the truth of the matter is, when you look at the Pittsburgh Courier, you're looking at people who are genuinely dedicated to the cause of the black press. You know, the black press itself is very unique. There are about 200 African-American publications across the country, and they come under the banner of the National Newspaper Publishers Association. It meets several times a year. I happen to be a Board member of this group of people. And it goes without saying, it crosses the country. There is a level of commitment to the African-American community and getting the word out that serves the community, unparalleled by any other media.

So again, I thank you for this great honor. It's a pleasure to be here. Thank you again.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4646-09.

MR. MASCIO: A proclamation recognizing American Urban Radio Networks for hosting the 35th Annual SBN Sports Network Black College All-American Weekend. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Councilman Robinson.

MR. ROBINSON: Thank you, Mr. President and members of Council. As I said before, timing is everything. Earlier this evening, we honored the Pittsburgh Steelers. Who would have known that this year, the 35th anniversary of the recognition of outstanding black college athletes, the Steelers would win the Super Bowl and be one of the hosts to these outstanding young men and their family? What is the connection? There is no doubt that the Steelers would not have won their first four Super Bowls without participation of some outstanding athletes from some very small yet prestigious schools called historical black colleges and universities.

While he is not here this evening, one of the persons who is largely responsible for this privilege of those men who helped building a Steeler dynasty is Mr. Bill Nunn, Jr.

(Applause.)

MR. ROBINSON: Bill Nunn, Jr., you guessed it, worked at the New Pittsburgh Courier. It gets even better. His father, Bill Nunn, Sr., was one of the first sportswriters to recognize black college football players and created, through his own initiative, a mythical black All-American team way back in 1927. The Courier and Sheridan Broadcasting together have kept that heritage alive.

You can go down the roster of Steeler players and you can identify the ones that went to historical black colleges and universities. As I used to say, they went out and included some ball players who would run through a brick wall for \$400. These were not men who were All-Americans in Sports Illustrated or other publications. These were young men, once given the opportunity, played their hearts out and brought a lot of pride to this city. Serendipity, I believe, is the word.

For those of you who were in the city this past weekend, you had a chance to experience the anniversary of Sheridan Broadcasting of 35 years of recognizing these young men and their families. Normally, this game is hosted in other cities. But this year, for whatever reason, Sheridan brought it home, the year the Steelers won that seventh Super Bowl. Timing is everything.

Whereas, the American Urban Radio Networks has hosted the Black College All-American Football Awards banquet for 35 years to celebrate the accomplishments of athletes from historical black colleges and universities.

And whereas, the radio network selects an All-American team comprised of the best football players from the nation's black colleges.

Whereas, the network assembles an honorary committee of football players from the National Football League, providing the young athletes in attendance the opportunity to encounter a group of men of a high caliber who could be role models, that could help them live stellar lives.

Whereas, the network awards scholarships to the schools in honor of the Offensive and Defensive Players of the Year, the Coach of the Year of a black college national championship team, to further the educational values of the schools involved.

Whereas, American Urban Radio Network, the only --- the nation's only African-American-owned radio network company, has continued tradition of supporting America's

historical black colleges and universities by hosting and celebrating this event.

Now, therefore, be it resolved that this Council, on behalf of the citizens of Allegheny County, commends American Urban Radio Networks for their support of black colleges and their great athletes. Furthermore, we hope that other broadcasting companies follow your honorable leadership. Thank you very much.

(Applause.)

MR. ROBINSON: Let me just say one thing before I bring up Jerry Lopes, who's the president of American Urban Radio Networks, you guessed it, headquartered right here in Pittsburgh, the biggest and the best. And guess what? The queen of nighttime talk radio, you guessed it, is a part of that family. It wasn't planned. It just happened. It just happened. And that's great.

I always emphasize that the athletes are students first, and that's what Sheridan Broadcasting Corporation emphasizes, you're a student first. The NFL players that come back and talk to these young men and mentor them are fine examples in this country. And all that is asked of them is to return each year, and many do, to help these other young men. This is the singular recognition that made these young men rule the sea of a national proportion --- but the education, the mentoring. And you have to go down the list of NFL stars who have gone to historical black colleges or universities, and you'll be surprised, the names. And you'll also be surprised of their accomplishments at the next level. Jerry Lopes.

(Applause.)

MR. LOPES: Thank you, Bill, and thank you, County Council, on behalf of the ownership team of American Urban Radio Network, Sheridan Broadcasting, Ron Davenport and the Davenport family. Thank you so much. You know, it really was a special weekend. You know, I'm listening to you talk here, and there was a lot of magic going on leading up to this --- leading up to this event. The fact that we would have our scone session brunch ---. And it's interesting to look here, and we honor the Pittsburgh Courier for lifetime achievement in this city of Pittsburgh, as Bill mentioned, dating back to, really, 1925. Even predating Bill Nunn, Sr., we were selecting and honoring an All-American team in the City of Pittsburgh.

And when you think of the Walter Paytons and the Jerry Rices and the Michael Strahans and the Shannon Sharpes, some of the great players to ever put the pads on, Doug Williams, who was here in our city over the weekend, our Offensive Player of the Year, named after the great Super Bowl MVP quarterback from the Washington Redskins. So it was an exciting time. And I told Art Rooney before he left how special it was.

We had one special kid who was an All-American last year. He sat in the seats of our honorees this past Saturday night. But he went to the Super Bowl. He was on the other side of the Super Bowl. Dominique Rodgers-Cromartie, number 29, you know, he was a defensive back for Arizona. He went to Tennessee State. And how tough it must have been, you know, for him to come back to Pittsburgh and to know that, hey, you know, I'm coming back, and I'm coming back to the Pittsburgh Steeler headquarters. You know, the kid's probably having --- because Santonio really --- you know, Santonio tore him up.

And I introduced ---. This says, I think, a lot about the Rooney family and the Pittsburgh Steelers. I introduced Dominique to Art Rooney. And Art said, you had us on the ropes, fellow. You're a good ball player. You're going to be a great player in this league. And thanks for coming. So, I mean, it says all you need to know about the Rooney family. It was really touching. The kid went back to Phoenix, you know, with some good --- with some better feelings.

So on behalf of all of us at American Urban Radio Networks --- and we've had so many wonderful people come before me, and there are tremendous connections here. Thank you all so much.

(Applause.)

(Pictures taken.)

PRESIDENT FITZGERALD: 4647-09.

MR. MASCIO: The remaining certificates and proclamations will be entered into the record.

4647-09. Certificate of Achievements recognizing John Cochran, John Miller, Michael Gabriel and William Leger of BSA Troop 248 for earning the rank of Eagle Scout. Sponsored by Councilman Finnerty.

4648-09. Certificate of Achievement recognizing Christopher J. Cain of BSA Troop 338 for earning the rank of Eagle Scout. Sponsored by Councilwoman Cleary.

4649-09. Certificate of Recognition celebrating the 100th birthday of Ms. Jennie Boyer of West Mifflin. Sponsored by Councilman Macey.

4650-09. Proclamation honoring the Milton Hershey School's 100th anniversary. Sponsored by Councilman DeFazio.

PRESIDENT FITZGERALD: I'd like to recognize Councilman McCullough.

MR. MCCULLOUGH: Thank you, President Fitzgerald. I just want to enter into the record two more Steeler-related proclamations, one for outstanding quarterback Ben Roethlisberger, who is probably --- and obviously in the very fine tradition of Terry Bradshaw, he gets it done. It might not be pretty, but he's one tough hombre. And last but certainly not least, Coach Tomlin. You know, I had the privilege of growing up in the same neighborhood with Coach Noll. He lived five houses up the street from me. And from what I've seen of Coach Tomlin, he's, like, absolutely following in Coach Noll's footsteps, not only with his abilities on the field, but with the way he conducts himself off of it. And I think we're seeing another golden age of sports in Pittsburgh.

And just one point before we move on here. I just want to call to everybody's attention that next year will be the 50th anniversary of the 1960 World Series. It will be the 30th anniversary of the fourth Super Bowl win in the Noll era. What we're seeing, really, with all these victories and celebrations is really another golden age in Pittsburgh for us. I hope we all keep this in mind. And frankly, we ought to be celebrating these wonderful accomplishments throughout the next year. I'd like to turn these over to our Chief Clerk for delivery to the Steelers. Thank you.

PRESIDENT FITZGERALD: Please have them entered into the record. Public comment on agenda items?

MR. MASCIO: We do have one.

PRESIDENT FITZGERALD: Okay. Mr. Dan Friedman? And Mr. Friedman, if you'd state your name and address for the record, please.

MR. MASCIO: Please let the record reflect that Council Members Burn and McCullough are in attendance.

MR. FRIEDMAN: Dan Friedman. I'm the rental manager at Enterprise Rent-A-Car. I'm here urging Council to immediately approve Councilman Gastgeb's bill establishing exemptions for the county rental car tax.

During last budget season, the alleged concern was that the county couldn't afford the lost revenue. Today, the Treasurer's Office announced that total collections from the rental car tax came in at approximately \$5.9 million, or \$1.9 million more than was budgeted. As a percentage, this is actually more significant than the over-collections of the drink tax.

Industry has also provided real data that shows the lost revenue will likely be less than \$100,000 annually. In other words, the fiscal impact would be to reduce the amount of excess revenue you shouldn't have collected in the first place from \$1.9 million to \$1.8 million. Any neutral analysis of these numbers clearly and decisively debunks any arguments against this plan. That leaves the argument in support of Mr. Gastgeb's bill.

Who benefits? Obviously, non-profits and those who require the services they provide will benefit from injection of more funds. Frankly, just about every entity honored today would benefit from not --- from being exempted from these funds. Non-profits are only one part of the issue, though, which, like Councilman Gastgeb's proposal, must be adopted as opposed to ones that would narrowly describe who should be exempted. Government entities frequently rent vehicles as a cost-effective alternative to large fleet pools or mileage reimbursement. CCAC, Pittsburgh Water and Sewer, County Airport, most school districts in the County of Allegheny as a whole, all rent cars and are exempted from every tax on rental except this one.

The most ridiculous example is that the Port Authority actually has to pay this tax. Every time they rent, we have to treat them as a non-tax-exempt entity, manually delete the tax on --- the six percent sales tax, the one percent RAD tax, the two percent state tax on transportation and the \$2 a day state tax on rental cars, so that we can collect the \$2 a day Allegheny County tax. The state sees fit to exempt the Port Authority from their taxes, yet the County won't exempt the Port Authority from a tax imposed for the sole purpose of funding the Port Authority. I actually have to pay someone in accounting to calculate this money and remit it to the County, who has to pay someone to receipt the money so that it can be shipped back to the Port Authority so that they can pay the tax on rental cars the next time they need to rent.

Frankly, though, it's shocking this is still being debated. During the original debate over this tax, when we were talking in terms of millions of dollars, I couldn't get Council to listen to anything I had to say. Nobody up here cared. Nobody wanted to listen to the industry. Nobody wanted any sort of facts or figures to prove that you were going to over-collect at \$2 a day, which it is, by 50 percent. All of a sudden, now that we're discussing \$100,000 in exemptions, it's impossible to have the conversation without tying it out to a penny. That's just ridiculous. We're talking about \$100,000. Stop debating it. Stop wasting taxpayer --- wasting taxpayer dollars and just pass this exemption. Thank you.

PRESIDENT FITZGERALD: Thank you, Mr. Friedman. Approval of minutes. 4633-09.

MR. MASCIO: A motion of the Council of Allegheny County approving the minutes of the regular meeting of Allegheny County Council held on January 20th, 2009.

MR. BURN: So moved.
(Chorus of seconds.)

PRESIDENT FITZGERALD: Moved, second.
Discussion? All in favor signify by saying aye.
(Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? The motion carries. Unfinished business, Committee on Budget and Finance, second reading. 4592-09.

MR. MASCIO: A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009, Submission Number 02-09.

PRESIDENT FITZGERALD: Chair Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. Move for approval.

PRESIDENT FITZGERALD: So moved.

MS. CLEARY: Second.

PRESIDENT FITZGERALD: Second. Discussion?
Please call the roll.

MR. MASCIO: On Bill Number 4592-09, Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. MASCIO: Mr. Futules?
MR. FUTULES: Aye.
MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Ms. Green?
MS. GREEN: Aye.
MR. MASCIO: Mr. Macey?
MR. MACEY: Yes.
MR. MASCIO: Mr. Martoni?
MR. MARTONI: Aye.
MR. MASCIO: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. MASCIO: Ayes 14, noes 0. The bill passes.

PRESIDENT FITZGERALD: Committee on Parks,
second reading. 4587-09.

MR. MASCIO: An ordinance of the County of Allegheny authorizing use of the County's park BMX track facilities.

PRESIDENT FITZGERALD: Chair Futules?

MR. FUTULES: Ladies and gentlemen, we had a meeting on February 11th, and we had discussed the extension of the contract for the BMX to December 21st, 2011. And I'm asking Andy Baechle to come up at this time. This is a little irregular, but when we vote on issues here in the County, as Council members, we all know what's going on, but people watching on television don't. I'd like to give them the opportunity to explain to the people what we do in Allegheny County parks and why it's a great place to live. Mr. Baechle?

MR. BAECHLE: Council, we are recommending passage of Ordinance 4587-09. It's a lease between South Park BMX, which is a non-profit, and the County. The term of the lease will be for three years. It will end in 2011. It's a revenue-producing --- although it's a revenue-producing contract, it produces about \$1,400. Really, it's the partnership that's important about it.

We have a track that we built in 1978. It hosts state, national and international events. It's known as an excellent track. It's been voted number one three years in a row. I would expect, maybe, this would be the fourth year in a row. It is the standard upon all the tracks. When they want to build them somewhere else, they look at how they did it in South Park and try to duplicate it.

ESPN is televised, extreme sports activities there. It is one of the few tracks that has hosted a national event every year since it's been built. And believe it or not, it's still the original layout of the track. So I recommend that this partnership is good for the residents, it's good for the region and it's good for the economy.

PRESIDENT FITZGERALD: Chair Futules, do you wish to make a motion?

MR. FUTULES: Thank you. I'd like to make a motion to pass this.

MR. GASTGEB: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? Please call the roll.

MR. MASCIO: On Bill Number 4587-09, Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: Aye.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. MASCIO: Ayes 14, noes 0. The bill passes.
PRESIDENT FITZGERALD: 4589-09.

MR. MASCIO: An ordinance approving the use of certain County-owned real property, namely, the McConnell farm house located in White Oak Park, by Mon-Yough Community Services, Incorporated for training of clients and an interpretive education program for visitors.

PRESIDENT FITZGERALD: Chair Futules?

MR. FUTULES: On February 11th, we also had this meeting for the McConnell's farm house located in White Oak Park by the Mon-Yough. This is a home that we --- that have disabilities --- for people, that they rent out. And this is a good opportunity for us to help people. And I'd like to make a motion to move this.

MR. GASTGEB: Second.

PRESIDENT FITZGERALD: Moved, second.

Discussion? Please call the roll.

MR. MASCIO: On Bill Number 4589-09, Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: Yes.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. MASCIO: Ayes 14, noes 0. The bill passes.
PRESIDENT FITZGERALD: 4590-09.

MR. MASCIO: An ordinance authorizing the County of Allegheny to grant a revocable license to Duquesne Light Company to replace its North-Wildwood electric power line in the southeast section of North Park.

PRESIDENT FITZGERALD: Chair Futules?

MR. FUTULES: This meeting was also held on February 11th. This is the existing right-of-way, revocable license right-of-way that Duquesne Light has. It was originally 50 feet. We had extended it to as wide as 100 feet in certain areas, if not all. And during the meeting, new things came to light, and our County Manager is going to continue negotiating with Duquesne Light in this matter as far as implementing --- and on a positive note, what we can do at the North Park and other park facilities. I'd like to make a motion to move this.

PRESIDENT FITZGERALD: So moved. Do I have a second?

MR. ROBINSON: Second.

PRESIDENT FITZGERALD: Moved, second.
Councilman Ellenbogen?

MR. ELLENBOGEN: I just have a question. Is this overhead or is this ---?

PRESIDENT FITZGERALD: It's overhead.

MR. ELLENBOGEN: Thank you.

PRESIDENT FITZGERALD: Please call the roll.

MR. MASCIO: On Bill Number 4590-09, Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Ms. Green?
MS. GREEN: Aye.
MR. MASCIO: Mr. Macey?
MR. MACEY: Yes.
MR. MASCIO: Mr. Martoni?
MR. MARTONI: Yes.
MR. MASCIO: Mr. McCullough?
MR. MCCULLOUGH: Aye.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. MASCIO: Ayes 14, noes 0. The bill passes.
PRESIDENT FITZGERALD: Committee on Economic
Development and Housing, second reading. 4591-09.

MR. MASCIO: A resolution adopting the East
Liberty Gateway Tax Increment Financing Plan presented by
the Urban Redevelopment Authority of Pittsburgh and
authorizing related agreements.

PRESIDENT FITZGERALD: Chairman Finnerty is
unable to be here this evening due to the death of his
father. But he had asked me to introduce this. This was
in his committee on the 10th and 12th of February per the
rules of Council. It was discussed extensively and
affirmatively recommended by the members of the committee.
And I'm recommending and making a motion to approve.

MR. ROBINSON: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? Please call the roll.

MR. MASCIO: On Bill Number 4591-09, Mr. Burn?
MR. BURN: Yes.
MR. MASCIO: Ms. Cleary?
MS. CLEARY: Aye.
MR. MASCIO: Mr. DeFazio?
MR. DEFAZIO: Yes.
MR. MASCIO: Mr. Drozd?
MR. DROZD: Aye.
MR. MASCIO: Mr. Ellenbogen?
MR. ELLENBOGEN: Aye.
MR. MASCIO: Mr. Futules?
MR. FUTULES: Yes.

MR. MASCIO: Mr. Gastgeb?
MR. GASTGEB: Yes.
MR. MASCIO: Ms. Green?
MS. GREEN: Aye.
MR. MASCIO: Mr. Macey?
MR. MACEY: Aye.
MR. MASCIO: Mr. Martoni?
MR. MARTONI: Aye.
MR. MASCIO: Mr. McCullough?
MR. MCCULLOUGH: No.
MR. MASCIO: Ms. Rea?
MS. REA: Yes.
MR. MASCIO: Mr. Robinson?
MR. ROBINSON: Aye.
MR. MASCIO: Mr. Fitzgerald, President?
PRESIDENT FITZGERALD: Yes.
MR. MASCIO: Ayes 13, noes 1. The bill passes.
PRESIDENT FITZGERALD: Committee on Health and
Human Services, second reading. 4588-09.

MR. MASCIO: An ordinance approving the disposition of personal property as set forth in a purchase offer memorandum dated October 31st, 2008 from Administrative Resources, Incorporated to the County of Allegheny.

PRESIDENT FITZGERALD: Chair Cleary?

MS. CLEARY: Thank you. On February 10th we had a committee meeting at Health and Human Services. And this legislation --- we belong to a purchasing cooperative that was called Amerinet Central, and we purchased medical supplies for Kane Hospital and the Health Department through them. We were a dues paying member of this, and it was a cooperative. But now they have changed to a for-profit company and have issued stock, and they gave the County stock in this company. And according to Pennsylvania Constitution, the County cannot be a shareholder in any company, association or corporation. They offered us \$4 --- \$8.24 for the 17,333 shares that they gave us. And we will get \$146,290.52 for these stocks, and then we will be in compliance with the Pennsylvania Constitution, but then we will not own stock. They're just going to buy the stock back from us. We still will be purchasing from them. We just will not own stock in them per the Pennsylvania Constitution. And I move for approval.

MR. GASTGEB: Second.

PRESIDENT FITZGERALD: Moved, second.
Discussion? Mr. Drozd?

MR. DROZD: Yes. I just have a question. Knowing that many times within non-profits and that, as well as profits, there's a captured market, you know, for --- in essence, there's one entity they buy through, includes within the county. But I want to know, are these ---? Does that include those --- our administrators to look outside to make sure to keep it on, say, so to speak, that they are competitive and we are getting the best price possible? Is that still permitted under this agreement that they have?

MS. CLEARY: I would believe so. We can ask the County --- yes. I mean, that's the way it works. We are still going to be able to buy through this place to purchase what we need. I mean, that hasn't changed. They just changed from non-profit to profit, and we can't own stock. And that's all we're doing, is changing that. We're still doing business with them and getting good prices on our medical supplies.

PRESIDENT FITZGERALD: Go ahead, Mr. Drozd.

MR. DROZD: Again, my question is --- you know, I want to make sure that the taxpayers are getting the best possible use of their tax dollars. And I find many a time that when you had a captured contract, there are many items that can be bought on the outside at a better price. I experienced that myself, even in the county. I've been able to save monies by sometimes looking outside, that there's a vendor there. But there's another vendor out there that offers a better price and saves taxpayer dollars. And I wonder if this is the case. Are they a captured market? Can they look outside --- look at other possible bids?

MS. CLEARY: Could I bring the manager up? I mean, I'm sure that is beyond --- I mean, he can come up and answer this --- and Dr. Dickson are fulfilling that obligation.

PRESIDENT FITZGERALD: I'll let Mr. Flynn ---. Yes. This doesn't have anything to do with this ordinance.

MR. FLYNN: Good evening. You're right, Mr. President. It has nothing to do with this ordinance. But you know, this is a not an exclusive purchasing contract for the Kanes. It's cooperative. We can use that if they

have the best price. If somebody else has a better price, we can go with them.

MR. DROZD: Thank you.

PRESIDENT FITZGERALD: Please call the roll.

MR. MASCIO: On Bill Number 4588-09, Mr. Burn?

MR. BURN: Yes.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: Aye.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: Aye.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Aye.

MR. MASCIO: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: Yes.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. MASCIO: Ayes 14, noes 0. The bill passes.

PRESIDENT FITZGERALD: Liaison reports. Anybody have any liaison reports this evening? Seeing none ---. I just have the one. I had sent an e-mail to everybody, I guess, late last week or over the weekend, regarding the fact that Pittsburgh has been --- we obviously celebrated the number one football team tonight. But we're also the number one market for commercial real estate as found by Moody's --- excuse me, Standard and Poor's, and it got very little attention in our local papers. And it's really incredible in these difficult times that we have the number one real estate market, and hopefully we can continue in it. Mr. Macey?

MR. MACEY: Okay. Thank you, Mr. President and members of Council. You know, many times we hear some disturbing news that comes out of the international airport, that gates have been closed, flights have been cancelled. But I can assure you that there are other --- there's other commerce going on out at that airport. Just to give you a couple side notes here, Airside Warehouse and Office Complex is 100 percent occupied, while the Northfield Warehouse and Office Complex is enjoying 90 percent occupancy. So air cargo is doing well at the international airport.

The last phase of the Clinton Industrial Park is under construction and things are in place. The walls are up on the new Dick's Sporting Goods home office, and the project is on schedule. Equally as important is that Dick's past --- or their old office is under lease, and we don't have to worry about that going vacant. And you know, it's been a year since the Council's been addressed by the Airport Authority, and I've made arrangements with the Executive Director, Brad Penrod, to come into a meeting and give us an update on the international airport and what other things are going on in the industrial parks.

I can also tell you that --- you know, there's going to be some exciting news coming from the Allegheny County Airport in the near future. So just hold on and look for it in the news. Thank you.

PRESIDENT FITZGERALD: Any other liaison reports this evening? Moving on. New business, ordinances and resolutions. 4628-09.

MR. MASCIO: An ordinance authorizing the short-term use of County-owned real property by the Western Pennsylvania Humane Society. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Parks. 4629-09.

MR. MASCIO: An ordinance authorizing the Allegheny County Sheriff's Office to accept a donation of personal property by the Pittsburgh Campus of the International Academy of Design and Technology. This is sponsored by the County Sheriff.

PRESIDENT FITZGERALD: Refer to Committee on Public Safety. 4630-09.

MR. MASCIO: An ordinance requiring and authorizing a review of the Allegheny County Clerk of

Courts, Prothonotary, Register of Wills and Recorder of Deeds, as well as the former offices of the Jury Commissioners and Coroner, under the terms of Chapter 225 of the Allegheny County Code of Ordinances and Article 1201 of the Administrative Code of Allegheny County. Sponsored by Councilman Robinson.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. Mr. Robinson, do you wish to comment?

MR. ROBINSON: Just a quick comment, Mr. President. Thank you. As Council knows, there was a merger of our court-related functions well over a year ago. We have not had an assessment of the efficiency of that particular merger. And I want to make sure that whatever we're doing is consistent with the rules and regulations already in place, and this will give us an opportunity ---. This ordinance will give us an opportunity to get some of that information and also to work cooperatively with the Administration in making sure that the merger is efficient and cost effective as possible. Thank you.

PRESIDENT FITZGERALD: 4631-09.

MR. MASCIO: An ordinance of the County of Allegheny amending Section 5-1007.11 of the Allegheny County Code to provide for a waiver of the residency requirement for certain positions or classifications of employees. Sponsored by Councilwoman Cleary.

PRESIDENT FITZGERALD: Refer to Committee on Health and Human Services. Councilwoman Cleary, do you wish to comment?

MS. CLEARY: No. We'll talk about it in committee.

PRESIDENT FITZGERALD: 4638-09.

MR. MASCIO: An ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, Administrative Code, Article 808.B, Rental Vehicle Taxation, in order to provide consistency with regard to exemptions from the County tax on the rental of certain motor vehicles within the county and the exemptions from taxes imposed by the Commonwealth on such rentals. Sponsored by Councilman Gastgeb.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. Councilman Gastgeb, do you wish to comment?

MR. GASTGEB: Thank you, President Fitzgerald. I'm actually bringing this back. We've had discussion on

this item in Budget and Finance in various fashions over the last probably six months to a year. But I think now we know more than we did back then, which I think should help members. A, we did over-collect, as a speaker has brought forth, even a higher percentage than the drink tax. We rolled back the drink taxes for that very reason. The rental car community is not even asking for a rollback of the tax, just ask that they be treated the same as the state with regard to the exemption, which I think is an important distinction.

Additionally, the effects or the fiscal impact to our budget is very minimal, maybe as low as \$100,000. So when you put it all together, this does benefit charitable organizations, non-profits, schools and children, and it just seems foolhardy to continue this going. But one thing I will say as this goes into committee that separates my bill from others is that I think it's just going to be a waste of time, so to speak, to try to narrowly define whether a certain number of things should be exempt out of the non-profit community and what others should. It kind of slows us down. So hopefully it'll streamline the process, and it really helps the business community, at least this business community. So I look forward to discussing this in committee.

PRESIDENT FITZGERALD: Please add Mr. Drozd as a co-sponsor.

MR. DROZD: Yes, please.

PRESIDENT FITZGERALD: 4632-09. I'm sorry. Mr. Macey?

MR. MACEY: I'd like to be a co-sponsor.

PRESIDENT FITZGERALD: Add Mr. Macey. Mr. Burn.

MR. MASCIO: I have Gastgeb, Burn, Drozd, Macey, Martoni. Did I miss anyone?

PRESIDENT FITZGERALD: 4632-09.

MR. MASCIO: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009, Submission Number 03-09. Sponsored by the Chief Executive.

PRESIDENT FITZGERALD: Refer to Committee on Budget and Finance. New business, motions. 4634-09.

MR. MASCIO: A motion of the Council of Allegheny County approving an Allegheny County Council Policy Governing Access to Public Records. Sponsored by Council Vice President Martoni.

PRESIDENT FITZGERALD: Councilman Martoni.

MR. MARTONI: I'd like to refer that to committee. Okay?

PRESIDENT FITZGERALD: You're not ready to bring it out? Okay. Refer to Committee on --- the Executive Committee?

MR. MARTONI: The Executive Committee, yes.

PRESIDENT FITZGERALD: 4635-09.

MR. MASCIO: A motion of the Council of Allegheny County pulling Bill Number 3677-08, establishing an annual Roberto Clemente Day in Allegheny County, from committee for an immediate and final vote. Sponsored by Councilmen McCullough and Gastgeb.

PRESIDENT FITZGERALD: Councilman McCullough.

MR. MCCULLOUGH: Thank you. I introduced this bill a year ago, and I don't think there's anything I could feel more passionate about of all the legislation I've introduced to County Council. The fact that pitchers and catchers have already reported it is just coincidental, maybe jogged my memory to bring this forward. But I could go on and on about what Roberto Clemente means to this community, what he means to this country and what he stood for, not just as an athlete --- that's a sideline --- what he did as a human being.

I did a little bit of research today, trying, frankly, to learn more about Roberto and found out some things that I didn't know, and I like to think I'm a pretty good sports fan. Roberto had a motto, and I think it's something we all ought to consider. And his motto was this. Anytime you have an opportunity to make things better and you don't, then you are wasting your time on this earth. Roberto Clemente gave his life living up to that credo. Roberto Clemente was the first baseball player to receive the Congressional Gold Medal. Now, I went through a roster of the people who received the Gold Medal. It takes an act of Congress to do that, by the way. Nobody gets a Gold Medal from Congress unless two thirds of the members of both the Senate and the House sponsor that and refer it to committee. Our first recipient of the Gold Medal was George Washington. It takes an act of Congress to do it.

Roberto was the first Major League baseball player and only the second baseball player in history to receive it. Jackie Robinson came along and got his several years after Roberto Clemente passed away.

Probably what's noteworthy of the famous and great Americans who did not receive this medal. President Eisenhower didn't receive it. Babe Ruth didn't receive it. Ted Williams didn't receive it. Any number of war heroes did not receive it. Pope John Paul, II did receive it. Mother Teresa received it. I think that underscores just the quality of human being we had the benefit of for the 17 years that he graced this town.

I think this is something that we really should build upon. I understand we have, you know, a bridge named after him and maybe a school here, a school there. But I think we need to keep what Roberto stands for alive, and I think by having an annual day to recognize his memory, his contribution to this region, his contribution to this country, his contribution to the world, it's something that will keep this alive and going on forever.

Now, I also found an interesting sideline. There was actually a community academy, a quasi-military school named after Roberto Clemente in Chicago. And President Obama has been a past supporter of that. Wouldn't it be wonderful if we could energize a Roberto Clemente Day and somehow get President Obama to participate in this, given his past linkage to the memory of Roberto, either by video conference or something else? I think that would be a wonderful idea. I think it would be a tremendous thing to build on. I think it would be a tremendous statement for diversity in this region. And I request all of you to pull this out of committee. Let's vote on it. Let's get it done. And let's turn it over to people like the Chief Executive, the County Manager and Larry Cozmenko (phonetic) and see what we can do with this. Thank you.

PRESIDENT FITZGERALD: Motion to pull the bill out of committee?

MS. REA: Second.

PRESIDENT FITZGERALD: Then seconded. Let me just --- as the chair of the committee it was in --- and we voted on this motion last April, actually. Councilman McCullough made a motion to pull the bill out of committee, and it failed that night. And we've had subsequent committee meetings, and the committee also deemed not to bring the bill forward. And certainly, it has nothing to do with the terrific individual and the terrific representative that Roberto Clemente was in this community. Nobody could argue that.

One of the things, I guess, is that the Pirates themselves, as we tried to contact them to get them some part of this, did not seem very much to be for this. And I think it wasn't --- again, it was not about having a day for Roberto Clemente. Major League Baseball already has a day for Roberto Clemente, and I guess they didn't want to supersede that, in addition to the fact that this county has named a bridge after Clemente. There's a statue. There are streets named after him, et cetera.

But I guess they were trying to reach out into other tremendous representatives and examples in their organization's rich history, guys like Willie Stargell, people like Bob Prince who dedicated a lot of his time and effort to charitable organizations, and on and on. Certainly, when we had the Steelers here tonight, you could go down the list of someone we just lost in their family, Myron Cope, who dedicated so much of his time towards charity and raising money for people with less privileges than others.

So again, I think the committee certainly considered this and looked at it and it's something that we can certainly consider again. But I think there were certainly other names that were brought up at the time at the committee meeting whom we thought about honoring as well. And again, it became very difficult to do that. Mr. Gastgeb and Mr. McCullough.

MR. GASTGEB: Just under discussion, it's somewhat of a practice if a member wants to apprise the other members that there's a bill out and if you want to cosponsor it, you're welcome to. And when I saw Chuck put this out and everybody was welcome to cosponsor it, I cosponsored it last time and I cosponsored it this time. But my reason may be a little bit different. I certainly agree with the accolades Mr. McCullough has given forth. I certainly agree with Mr. Fitzgerald. There's always going to be very deserving Pittsburghers, whether they're in sports or whatever, but I think it comes down to what is the will of this Council. When you have a member that's bringing up something that's, someone important to that number that we've had a practice for --- and Mr. Fitzgerald's mentioned we've made bridges and other county-owned property.

Mr. McCullough is not asking for anything different than any courtesy you would give any other member. We're not asking for a grand day or the Pirates

participate in some sort of ribbon parade. All Mr. McCullough wants to do is honor something he thinks important. And obviously, by Mr. McCullough's standards as well as others, he is.

So I guess I'm a little bit confused as to why our body, trying to make ourselves more prestigious by taking people who have done so much, is balking at this. We actually make ourselves look better as a body when we take a prized person in our history like Roberto Clemente and make him one of ours. There's always roadblocks to whoever we might think of. And this is just some small gesture, maybe to some a large gesture, but to our body, it should be a gesture of what we want to do. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough, then Mr. Ellenbogen and Mr. Drozd.

MR. MCCULLOUGH: Thank you. Rich, you named a number of famous athletes and people connected with the sporting world. It is enough --- when I talk about Roberto, I said very little about his accomplishments as a baseball player. And I'm not denigrating anybody by saying this, but this man was an exemplar of what we all should ascribe to. He gave his life in service to his fellow man, not only for people in this country for which he did a tremendous amount for, and we can talk about his baseball academy, his charitable areas and all that, but he went into Nicaragua for reasons only because he wanted to help people in desperate time of need, and died at the pinnacle of his fame to do that. How many people in the history of mankind volunteered to put their life on the line for no other reason than to help their fellow man? A famous figure, a famous athlete, a wealthy individual, a father and a husband of three children, put all that on the line to help people who barely knew who he was.

That's something that I think we need to keep alive here, we need not to forget about. He is a tremendous role model for children, people of all races, colors and creeds. He's a role model for all of us. I'm asking you for the privilege of letting me take this and run with it. Let's give him a day. Let's pull it out of committee first. Let's give him a day. Let's see what we can build on here. I think this is something that can bring great honor and prestige to this Council. I think it can bring great honor and prestige to this County.

You know, every day --- I mean, every year they have a Jackie Robinson Day. And Jackie Robinson is honored in

New York and Los Angeles. It's an annual event. Roberto Clemente is our Jackie Robinson. And the fact that the Pirates may or may not be enthusiastic about this I think speaks more to their shortcomings than as a valid reason not to go forward with this. The fact that Major League Baseball has designated September 18th, which is of no historical significance regarding Roberto Clemente, is a day that does nothing formally to honor him on that day, I think is of no import. This is something for us to celebrate. And I'm asking to pull it out of committee and vote for the day. Thank you.

PRESIDENT FITZGERALD: Mr. Ellenbogen, Mr. Drozd and Mr. Robinson.

MR. ELLENBOGEN: Thank you, Mr. President. If this bill does go back to committee, I would ask the committee to consider the following. Because I mean, if you really look back at the history of this County, I mean, there's been so many great --- I mean, one of the great humanitarians in this town, Art Rooney, Sr. I mean, if you're talking about baseball, people like Pie Trainer, Honus Wagner, I mean even the great Mary Lou Williams. I mean, there've been so many wonderful people who've contributed to this community that helped build it that I would ask the committee --- in the sense of realism, I mean, we could probably have a day for somebody every day of the year that if we would come up with some kind of a, maybe a county hall of fame day where we honor and have people that are inducted into it and maybe go with that. I think that might be a little bit more realistic and give us an opportunity to really look at some of the great people who've come out of here.

I mean, you know, I look at a kid that I grew up with, David Tepper, who just gave, you know, \$60 million to Carnegie Mellon to build a school, that he could have walked away from this town. You know, that money will contribute so much to the minds of young people that are coming up. So I would ask the committee to consider that. Number one, like I said it would be a more realistic approach, and number two, give us an opportunity to really include some people who have really contributed and done so much for this county. Thank you.

PRESIDENT FITZGERALD: Mr. Drozd, Mr. Robinson and Ms. Green.

MR. DROZD: Thank you, Mr. President. I don't think it really needs to go to committee. It's black and

white. You either agree that this individual should be recognized --- but more importantly than recognizing the individual --- I attended the services on the hill in the church. Regardless of your party affiliation, there's an eloquent speaker there that really struck home with a lot of things that he said. And one of the things he said was regardless of your party affiliations, in the essence of the new President, that he gives a lot of hope to those young kids of minority population that they can. He says, yes, I can. And that's what it is, really. It's not just heroifying an individual. It's getting mentorship and a role model for them to achieve and look forward to achieve.

This gentleman was drug-free. This gentleman was a minority population. This gentleman really cared about other people. And more importantly, we have a lot of people out there, including our prisons that are swelling right now, in those areas that these kids don't think that they really can do it. They really don't know if they can do it. They don't know, you know, if somebody that comes from poverty or whatever, they can do it. And this guy, this gentleman, Roberto Clemente, shows that it can be done. And I think we really need to set these role models. And I can't think --- maybe someone can maybe think in Allegheny County, isn't there, I don't know, a memorial of any significance or a day that we honor any minority? I don't think so. I don't think so. So I would ask you --- this doesn't have to be considered. This doesn't have to be debated. What are we going to debate in committee? You either agree with it or you don't. Do you want to send a message to those kids out there that they need a role model and someone to look up for and what he stood for or you don't? And I'd ask you to support this tonight. I think we need to do it.

PRESIDENT FITZGERALD: Councilman Robinson?

MR. ROBINSON: Thank you, Mr. President and members of Council. It's my understanding that Mr. McCullough's motion is to pull that bill from committee. That is what we should be discussing. And I presume all members are discussing that. Having made those comments, I think we should bring this bill out of committee, discuss it here tonight and vote it up or down. Thank you, Mr. President.

PRESIDENT FITZGERALD: Ms. Green and then Mr. McCullough.

MS. GREEN: Thank you, Mr. President. I wanted to know if there was any financial impact or fiscal impact on the County when I hear fellow Council Member McCullough say see what we can make of it. It indicates to me that we're talking about more than just a day or maybe some event or something like that, if that's what he meant, that may cost some money. That's my question. And to my fellow Council Member Drozd, to answer your question, millions of dollars are being raised to build something called the August Wilson African American Cultural Center right downtown. There is something. That's one thing. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough?

MR. MCCULLOUGH: I'd like to respond specifically to Councilman Ellenbogen's comments and also Councilwoman Green. Jim, in all due respect, it can be contemplated down the road. I want to start with today. That's my hope. The kind of people you're talking about, maybe they can be honored someday with a Roberto Clemente Award. Okay. Again, we're not talking about recognizing an athlete here. We're not talking about just recognizing somebody who did charitable work. We're talking about somebody who is a symbol for nearly every walk of life in this country, a tremendous exemplar of diversity working in this country, a tremendous exemplar of somebody rising from nowhere to make something out of himself and then giving his life, the ultimate sacrifice, the fame and the good fortune that he was blessed with.

Amanda, as to your comment, there's absolutely no financial commitment to this. It's my idea to start with this and see what it leads to. You know, if there's a financial commitment down the road, that's something that could be discussed. I'll discuss the personal commitment that I'd be willing to make of this. But there's no strings attached to this. I want to start with today. I think it's important to do that, and let's see what we can build upon. Thank you.

PRESIDENT FITZGERALD: Councilwoman Cleary?

MS. CLEARY: Thank you. From what you said, Rich, I understand that we already voted once not to take this out of committee; is that correct?

PRESIDENT FITZGERALD: Yes, last April.

MS. CLEARY: Okay. Mr. Cambest, what do our rules say or what's --- I mean, we already voted once not

to take this legislation out of committee. Do we need to vote --- I mean, how do all the rules work?

MR. CAMBEST: Under our rules, there is the right to bring the bill back out of committee. You would need eight votes to do that. And that's because of our local rule. Those rules, once a bill has been put on and goes to the next session --- we don't have a session like the Legislature. We have meetings. Usually it's dead and gone after that. But our rules do provide that you can bring it out with the vote of eight members.

MS. CLEARY: Thank you.

PRESIDENT FITZGERALD: Mr. Ellenbogen and then Mr. Gastgeb.

MR. ELLENBOGEN: With all due respect to Councilman McCullough, I mean, I'm not --- I might have mentioned some athletes, but I could also mention Dr. Jonas Salk and Dr. Tom Starzl, who's probably saved more lives than anybody in this county or probably in the United States, period. Plus, like I said, I just think it's a more realistic approach in terms of having the opportunity of honoring all kinds of people who deserve that. Thank you.

PRESIDENT FITZGERALD: Mr. Gastgeb?

MR. GASTGEB: Thank you, President Fitzgerald. Again, for me this comes down to what this body wants to do when a member has what I believe to be a prerogative as an elected member. To me, it's somewhat embarrassing, if you're watching it on TV, we're spending all this time on Roberto Clemente Day in light of all the problems we have in this county, because it's just languishing in committee. You know, take it out and vote it up or down. If it gets voted down, you'll never hear it again. If it gets passed, then one of our members who is equal to all of us as far as representing a district of the county has a chance to do something that's important to him.

Having achievements debated is ridiculous. If somebody has a notion, then they can bring up a day like Mr. McCullough did. You know, we were debating the bridges that were named, whether it be for Andy Worhol or Rachel Carson or the Homestead Grays. We work with the member who brought it forth because it was important to that district, that member. All the votes were unanimous because it was important. So I think we're getting off track with what really is important. And in certain things like the fiscal impact, with all due respect, you

know, don't let that dissuade you because it could be privately raised, just like the human relations committee was supposed to be privately raised. I mean, you could put any type roadblock you want, but the bottom line is respect our body and the members that serve on it or be done. Thank you.

PRESIDENT FITZGERALD: Please call the roll on the motion to pull the bill. I'm sorry. Mr. Martoni. I didn't see your hand.

MR. MARTONI: Have we considered talking to the Pittsburgh Pirates? If I heard some rhetoric correctly, what we're saying is the Pittsburgh Pirates, for whatever reason, thinks that this gentleman, who was a great asset to this city --- that they're holding back on it. I would like us to settle something with the Pittsburgh Pirates; okay? I think that is really --- I think that's destructive if that is the case; okay? Is it possible that we could get somebody from the Pittsburgh Pirates to come to one of our committee meetings and discussions? This guy was a great, great attribute to Pittsburgh. No one questions that; okay? Am I making sense?

PRESIDENT FITZGERALD: Yes. And Dr. Martoni, we actually did reach out to the Pirates. They were, I guess, unable to attend the committee meeting that we had on it. I think we had a couple. We could try and do it again, and I'll make that commitment to invite them again.

MR. MARTONI: I think we should --- I was very --- the Steelers were here; okay? The Steelers are a winning team; okay? I think the last time the Pirates were contenders, I think some of you guys were babies back then; okay? And I personally remember this guy as being a great attribute for Pittsburgh; okay? I'm not sure if the timing is right for Roberto Clemente Day. Excuse me for that. It's not baseball season; okay? But I do agree with the concept. I think we should explore it with the Pirates and we should have them listen to us about why we should do this; okay? They theoretically represent us around the country; okay? If I'm not making sense, you just shut me up; okay?

PRESIDENT FITZGERALD: Mr. McCullough?

MR. MCCULLOUGH: May I respond to that, please? We built the Pirates a park.

MR. MARTONI: That's right.

MR. MCCULLOUGH: And the Pirates, frankly, have let us down. What we have here tonight with the Steelers

is an example of a true public/private partnership working. We've got that same commitment from the Pittsburgh Penguins. We get the same commitment from the University of Pittsburgh. We don't get that from the Pirates. The Pirates, that would be the tail wagging the dog. The fact that the Pirates don't see the wisdom of this, don't see the sense of getting on board with something like this, don't see how we can enhance it ---.

And I point out that there was a recent poll in the sporting news. The Pirates rank just above the bottom of all organized professional franchises in the United States as far as fan popularity and name recognition. If anybody needs a shot in the arm, it's that organization. I know, Rich, you approached them about it a year ago. You know, as they handled just about everything they've got, they fumbled it. This is our celebration. This is our recognition. If they want to get on the bandwagon, that's wonderful, but I don't think they should be, frankly, given any more weight than anybody else as far as weight on this.

PRESIDENT FITZGERALD: Let me just respond, and again, I'll reach out to them again to get them here. We can certainly put a lot of pressure to do so. I don't want anybody --- I'm not going to stand here and defend the Pirates' winning or losing ways, but I think they certainly have honored Roberto Clemente. To say that they've treated his memory --- they named a wall after him in the new park. They built it 21 feet, his number. They built a statue near the entrance to the park. I mean, they certainly --- I don't think in any way is it meant in any disrespect to him. And I'm not going to speak for them, but you know, I think they realize that maybe there's some other great heroes that they've had in their 100-year-plus history that they would like to honor.

Again, there's a day for Roberto, there's streets named after him, et cetera. And you know, we have military heroes --- and I do think it's a good idea for our committee to consider some of the heroes. Mr. Ellenbogen brought up some good names, Jonas Salk and Dr. Starzl. We've had, again, military heroes in World War I and World War II, et cetera, in our wars who have defended this country and been great heroes. So there's no shortage of people that we need to honor. Maybe we need to figure out a good way, like a hall of fame type of county honoring of all the heroes that we can look up to.

Mr. Martoni?

MR. MARTONI: I would like to see us do this during baseball season and on a particular day when they have a particular game and call that day his day. In fact, the Pirates could use all the promotion they can get, okay, and this would be a good promotion for them. And I think it would be good for Allegheny County and good for us. I'd like to see it deferred to that time. If we do it today, it's just going to happen and it would probably be a divided vote and it's not going to mean a whole lot, but during baseball season, I think it could mean a whole lot to a whole lot of people. It's just my sense.

PRESIDENT FITZGERALD: Mr. McCullough and then Mr. Futules.

MR. MCCULLOUGH: Just to clear up something, Doc, this bill would designate opening day as Roberto Clemente Day, not today, not this month. It would be an annual opening day celebration. Again, you know, and maybe I'm not making myself clear, this isn't to honor just a great person, you know, who has done ---. This is to honor a symbol, a symbol for all of us, a person who lived among us, played ball with us, entertained us, did all that, who went beyond and gave his life for mankind. We haven't had too many people, quite frankly, from down the pike like that. He is a symbol of diversity. He is a symbol of patriotism. He is a symbol of overcoming poverty. He represents so many things to so many different people. He is recognized in various countries throughout the Third World and other parts of this country.

I'll just tell you one sideline. I saw Willie Stargell Day. The last time Willie Stargell had a day in Pittsburgh, it was about ten years ago. Do you know how Pirates honored him? During batting practice. That was their idea of having Willie Stargell Day. There was about 5,000 people in the stands. Willie Stargell got out on the field, hardly anybody knew he was there, and that was the way they honored Willie Stargell. And he died a year or so after that.

So the idea that we really need to wait any longer on the Pirates, in my mind, is just totally irrelevant. I'm not saying they disrespect Roberto. That's fine. That's wonderful. But if anything, we're giving them an opportunity to bootstrap on some publicity

that could help restore the luster of that franchise that has been dissipated over the last 17 years.

PRESIDENT FITZGERALD: Mr. Futules?

MR. FUTULES: I've listened to all the testimony here tonight and everybody does make sense. You know, Chuck, you make sense --- where's Chuck? And Mr. Martoni and you, Jim. Everybody makes sense, but implementing this could be somewhat embarrassing if we vote on it and the Pirates organization doesn't want us to do it. That seems to be an issue to me. We can call --- I mean, anybody can have a day and call it anything. But if we can't get anybody to recognize it publicly, it doesn't mean much. I mean, I just changed the name of the county last month and it didn't make a difference. It just seems to me that it's a great idea, but I think we really should all be on the same page. This should be a unanimous vote. We shouldn't be up here arguing over whether we should do it or not. I really think we have to discuss this, like Chuck said, come back and everybody vote unanimously in one direction. This is an important thing to do and I feel that maybe tonight isn't the night to do it, because I can see different votes here. And I think we should take it back to committee, continue this and not forget about it.

PRESIDENT FITZGERALD: Councilman DeFazio and then Councilman Martoni.

MR. DEFAZIO: Yeah. I agree with Nick. And Chuck makes sense on this. All kidding around aside, I don't know why the Pirates --- and it's really not their call. We should do what we want to do. I agree with that. But we should have maybe one more meeting. Why --- I mean, what did they say? Why are they against this? I mean, did they say anything?

PRESIDENT FITZGERALD: I don't know that they were necessarily against this. I think it was more about singling out just one individual with all of the great --- and again, I think they felt that they've done a lot of honoring to --- and rightly so. He's a great hero. And I think they were trying to maybe do with something that would be more broadly --- to more of their heroes that they've had throughout their history. So I think it's a good idea. I think Dr. Martoni makes an excellent suggestion. Let's bring them in. Let's get their answer and maybe --- you know, maybe it isn't opening day. Maybe it's the All Star Game. Maybe it's, you know, the last

game of the --- whatever it might be, that we can work together with them on.

MR. DEFAZIO: You know, I go back a long time with even Clemente. I sat in the banquets with him where I was there with him. He's a great person. I was on the telephone with him. There's no doubt about it. But I would like to have one more meeting myself. Maybe we can get everyone or mostly everyone on the same page, if it's possible.

PRESIDENT FITZGERALD: Mr. Martoni and then Mr. McCullough.

MR. MARTONI: I would like to close it by having another meeting on this only because I would like something like this to have 15 votes; okay? I would really like something like this to have 15 votes if we're going to do it. Otherwise, it's almost meaningless if it just went to a small majority. It's not the right thing to do. I think we should hammer it out until we resolve it and we get the votes to make it unanimous; okay? I think it's a worthy cause. It crosses all lines, really. It's a worthy cause. And he was a great person, and not only that. We talk about a lot of great heroes and he's one of the few heroes who literally died being a hero. Most of us aren't going to die being a hero. We should hope we don't; right?

MR. DEFAZIO: The meeting is not over yet.

PRESIDENT FITZGERALD: Mr. McCullough.

MR. MCCULLOUGH: One of the reasons why I want to bring this up is that it has been languishing. What I'm hearing is there's a commitment from really everybody who has spoken, not letting it languish any longer. Rich, if you could make a commitment we're going to try to drag some people over here and try to build on that consensus, I'll withdraw this with the idea that we're going to have a Government Reform Committee meeting on it in the very near future.

PRESIDENT FITZGERALD: I will certainly make that commitment. As you know, when I make those commitments, you've got your wish on those things.

MR. MCCULLOUGH: Certainly I would agree with it. All right. So consider it withdrawn for the night.

PRESIDENT FITZGERALD: The motion is withdrawn. Move on to 4636-09.

MR. MASCIIO: A motion of the Council of Allegheny County urging the Chief Executive and County

Manager to evaluate with all deliberate speed the feasibility of replacing the County's entire vehicle fleet in order to modernize and improve its efficiency and cost effectiveness while simultaneously improving its environmental soundness and providing an economic stimulus to local dealers of American-built vehicles. Sponsored by Council Members McCullough and Gastgeb.

PRESIDENT FITZGERALD: Councilman McCullough.

MR. MCCULLOUGH: They say that imitation is the highest form of flattery. This obviously wasn't my idea. I borrowed this from President Obama. It was part of the stimulus package that's going to turn over the federal government fleet. This is nothing more than a request that the Chief Executive and County Manager evaluate this. It's certainly not a commitment to unload our fleet. It certainly wouldn't make sense if we're going to incur an expense. What I know from the county fleet during my time as an employee here is, you know, cars are kept in service for a long time. It may make sense, given how cheap you can get cars these days and how much more fuel efficient they are, to turn them over. This would be a good shot in the arm for some local dealerships. If you've read recently in the paper, they're really being squeezed by the automobile manufacturers, several of whom got billions of dollars of bailout money. They have not pushed it down to the dealers. I think it's a good faith effort to see if we can help out an important industry in this area.

PRESIDENT FITZGERALD: Let me just suggest, Mr. McCullough, I think it's really worth looking at. Particularly in light of the economic stimulus, we're all, I think, anticipating where this might go. And my suggestion might be that we have the County Manager or possibly Mr. Johnson, if it goes to administrative services, come to the Budget and Finance Committee and kind of talk about the feasibility, what kind of money we're talking about, if there's stimulus money out there. I certainly think while it's a good idea, I think it certainly has budgetary implications that, you know, we need to know about.

MR. MCCULLOUGH: Well, that's the idea. Let them decide and report to us. It's not that they have to do it or anything like that. I'd hate like heck to see this just tied up in committee.

PRESIDENT FITZGERALD: I don't think it's going to be tied up in committee. Mr. Robinson can bring them

in, ask them, get some figures, or do you want to have them just send us a report?

MR. MCCULLOUGH: That's it. Just have them send us a report. I don't see why we'd have to, frankly, take up the time in committee. We just ask them to look into this and report back. If it makes no sense and we need to do something going forward, then we can make that a budgetary matter.

PRESIDENT FITZGERALD: I need a second on that motion. Do I have a second?

MR. GASTGEB: Second.

PRESIDENT FITZGERALD: Second. Ms. Cleary?

MS. CLEARY: Yes. I know I've heard a lot about keeping things in this legislative body, so just for that reason alone, I think just handing this off to the County Manager and saying do this and get back to us is not the way to handle this. I think we need to have a committee meeting and find out what the steps are going to be and how they're going to evaluate the fleet. And I think Mr. Robinson's committee can do that very well. Thank you.

PRESIDENT FITZGERALD: Take a vote to send it on or have a vote --- otherwise, it will be referred to committee. Is there a motion to vote?

MR. MCCULLOUGH: Motion to approve it.

PRESIDENT FITZGERALD: Motion to approve. I'm sorry, Mr. Ellenbogen.

MR. ELLENBOGEN: And I'm just going on my own experience, you know, when I was chief of operations of special services in Public Works. I'm sure the County Manager, with the folks in the garage, they have some kind of a plan where, you know --- at least we did, where you would replace certain vehicles and you put money aside in terms of how you were going to go about this. I mean, you have to take into account the County Manager, how he tries to deal with the budget as a whole. For instance, you know, the fleet of dump trucks, you know, dump trucks only have a certain life span where you have to start replacing them and doing them, you know, in terms of a progression to it. To just be able to say let's replace everything, I mean, I think it's a bit unrealistic in a practical way. I mean, at least my experience is, I mean, we have to fight and scratch, you know, just to replace certain things.

There's other kinds of machines. It's not just vehicles. You have heavy equipment. You have all kinds

of other different kinds of hand tools that are electric that cost thousands of dollars. So you know, I think the thing to do would be to maybe ask them to bring in Mr. Gillin (phonetic) or someone --- I assume he probably is still the person that handles the fleet --- to be able to say, well, what is your five-year plan? I think that's more realistic. Thank you.

PRESIDENT FITZGERALD: Mr. Drozd and then Mr. DeFazio.

MR. DROZD: This bodes a lot of ---. I think it needs to go to committee, including the fact that we ought to look at leasing some of our vehicles instead of owning vehicles. And from those days, some people do. We have an analysis from the car rental companies here. I think they have some good information and input that could save this county money and we ought to invite them to participate to show us how we can. I know we did it at the university. That's how we saved money, by leasing vehicles instead of owning vehicles in many cases. Thank you.

PRESIDENT FITZGERALD: Mr. DeFazio?

MR. DEFAZIO: Yeah. This motion, all it says is for the County Manager to evaluate and get back to us with the feasibility. Look, at the end of the day, it has to go back to the budget. If it's going to cost too much, if we can only do a little bit at a time, that's all this is asking. Let them evaluate and get back. Maybe it's possible to do a little bit or more or what. We don't know. Let them evaluate and come back. We're not spending a penny. All we're doing is letting them tell us what you can do or can't do. Maybe there's no money coming in ---.

PRESIDENT FITZGERALD: Mr. Futules and then Mr. McCullough.

MR. FUTULES: When I read this, it says the entire fleet. We buy new cars every year and I'm sure we've got some brand new cars at the time. Maybe the older vehicles that need replaced, I can understand. I could see the headlines now, bridges falling, North Shore Connector, and we're buying new cars. That doesn't seem to be the way to go in my opinion, but we'll be the first to get attacked when we're buying ourselves new Cadillacs when we should be fixing roads and bridges.

PRESIDENT FITZGERALD: We'd get a Lexus. Mr. McCullough and then Mr. Martoni.

MR. MCCULLOUGH: Let's get back on to what the Councilman just said. All we're doing is asking the County Manager. I point out to you that this stimulus package that the President got passed has \$660 million earmarked for the turnover of the federal fleet. It says all. It doesn't require all. Maybe the County Manager comes back and says this doesn't make any sense at all. Maybe he comes back and says we can turn over cars so many years old. Maybe he comes back and says we can turn over this and we can turn over that. That doesn't necessarily impact on the five-year plan. We're just asking. The idea that we have to throw this in the Budget Committee, call people over, take up people's time, when all we have to do is just ask them, it doesn't make any sense. And I pointed this out.

The County Manager and the Chief Executive execute the contracts for purchase of vehicles without our vote. This is an executive function. And all we're doing is flagging for them to see if there is some benefit to us and at the same time provide a local stimulus to an industry, which is the automobile dealership industry, and the automobile industry in general, which as we know, relied on steel. I mean, that was at one time the backbone of this region. And the decline of the automobile industry really crippled this region 25 years ago. We're just asking. That's all this is, just a request.

PRESIDENT FITZGERALD: Mr. Martoni?

MR. MARTONI: Yeah. I tend to agree with that. We're simply asking the feasibility of what we --- we have no idea, at least I have no idea, maybe some of you geniuses know, but I don't, of what kind of money we're going to get for stimulus right here in Allegheny County. But we've got to maximize whatever we get. And this is just probably one of 100 things that's going to be maximized. Why not look at it? I agree with John.

PRESIDENT FITZGERALD: Mr. Ellenbogen?

MR. ELLENBOGEN: One thing that really bothers me is passing laws and ordinances that you don't really need. Mr. Flynn, would you be kind enough to take the podium, sir?

PRESIDENT FITZGERALD: Mr. Flynn, would you come up and see if you can help us?

MR. ELLENBOGEN: Don't worry. I'm not going to beat you up too bad, John.

MR. MARTONI: Jim, I don't want to interrupt, but this is not a law. It's a motion.

MR. ELLENBOGEN: Does it not have a number, Mr. Martoni, 4636-09?

MR. MARTONI: I can't count that high.

MR. ELLENBOGEN: Well, it does. It is a motion and we're voting it and it will be in the record. Mr. Flynn ---.

MR. FLYNN: You really don't want my opinion on what ordinances or resolutions you need or don't need.

MR. ELLENBOGEN: No, I'm not going to ask you that. I just want to straighten something out. Do you, sir, not have people who evaluate your fleets and your machinery?

MR. FLYNN: Yes, we do.

MR. ELLENBOGEN: Okay. And do you not look at the cost effectiveness and what not in terms of your budget? Aren't you already doing this?

MR. FLYNN: Yes.

MR. ELLENBOGEN: So the point I'm saying is, now, you just heard from the County Manager --- I know for a fact they do that. All I'm saying is, Mr. President, if you would just send a note to Mr. Flynn, I'm sure he would be kind enough to share all that with us without us making a motion that's in the county record forever.

MR. MCCULLOUGH: That's the motion --- excuse me, that's the motion. That's all it is.

MR. ELLENBOGEN: Mr. Flynn ---.

PRESIDENT FITZGERALD: One person at a time. Mr. Ellenbogen, go ahead and then I'll let you respond.

MR. ELLENBOGEN: This is the biggest rap on this Council that I hear in the street all the time is we just sit there and create ordinances and motions that are just --- we don't need them, whether it's --- and even in terms --- even though there were some resolutions. My point I'm saying is all we've got to do is ask across the hall for this information. Why do we got to make a formal motion about it? That's the point I'm saying. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough, I'll let you respond, and then Mr. Drozd.

MR. ELLENBOGEN: Thank you, Mr. Flynn.

MR. MCCULLOUGH: We're making a formal motion so we get a formal answer; okay?

PRESIDENT FITZGERALD: Mr. Drozd?

MR. DROZD: Just to reiterate --- and I'm not going to put Mr. Flynn on the spot, but something you might want to look at, and I want to stress again the leasing opportunities. We used to have ownership of cars. Some people, they really didn't need them all the time. So it's cheaper to rent a car for a day; you know what I'm saying?

PRESIDENT FITZGERALD: Well, let's stay on the motion. Let's vote on the motion. Please call the roll.

MR. MASCIO: Ms. Cleary?

MS. CLEARY: No.

MR. MASCIO: Mr. DeFazio?

MR. DEFAZIO: Yes.

MR. MASCIO: Mr. Drozd?

MR. DROZD: Aye.

MR. MASCIO: Mr. Ellenbogen?

MR. ELLENBOGEN: No.

MR. MASCIO: Mr. Futules?

MR. FUTULES: Yes.

MR. MASCIO: Mr. Gastgeb?

MR. GASTGEB: Yes.

MR. MASCIO: Ms. Green?

MS. GREEN: Aye.

MR. MASCIO: Mr. Macey?

MR. MACEY: No.

MR. MASCIO: Mr. Martoni?

MR. MARTONI: Yes.

MR. MASCIO: Mr. McCullough?

MR. MCCULLOUGH: Aye.

MR. MASCIO: Ms. Rea?

MS. REA: Yes.

MR. MASCIO: Mr. Robinson?

MR. ROBINSON: Aye.

MR. MASCIO: Mr. Fitzgerald, President?

PRESIDENT FITZGERALD: Yes.

MR. MASCIO: Ayes 10, noes 3. The motion carries.

PRESIDENT FITZGERALD: 4637-09.

MR. MASCIO: A motion of the Council of Allegheny County urging the General Assembly and Governor of the Commonwealth of Pennsylvania to proceed with the legalization of a limited number of video poker machines in bars, private clubs, taverns and other establishments provided that such legalization generates revenue for both tuition stabilization and for counties and municipal

governments in which the legalized poker machines are located. Sponsored by Council Member Futules.

PRESIDENT FITZGERALD: Councilman Futules.

MR. FUTULES: Thank you. Jim, after your comment, I'm not sure if I want to continue, all these bills and motions. In light of the Governor, we all remember last year. Our Chief Executive was in favor of legalizing poker machines to reduce or eliminate the drink tax and the car rental tax. The Governor has now come forward and said that he was interested in legalizing these games in the state. I lost my place. I'm sorry. He talked about education and how the poker machines will help the college students, but he seemed to have left out counties and local governments, such as in small communities. I believe that this bill brings that to attention that if you're going to legalize poker machines, don't leave us out, because this county and local municipalities certainly depend on these revenues to reduce property tax, drink tax, credit card tax. And I'm asking this Council to support this motion in that manner.

MR. MARTONI: Second.

PRESIDENT FITZGERALD: Moved and second. Mr. Macey?

MR. MACEY: Thank you, Mr. President. I'd like to be a cosponsor.

PRESIDENT FITZGERALD: Add Mr. Macey. Mr. Drozd?

MR. DROZD: Are we discussing the bill now, Mr. President?

PRESIDENT FITZGERALD: Yes.

MR. DROZD: I think we have to look outside the box for revenues, because we know, as the forecast has been shown by Controller Flaherty, it's that we're in dire need three to five years down the road. And the machines have been used. And why not? The revenues will help the taxpayers, to reduce the burden on the taxpayers and also to help maybe down the road for tuition. So this is an innovative idea that we really have to explore and really have to look at and I think the state needs to look at. If they're out there and being used now, why shouldn't we get revenues that will alleviate the burden of the tax on the taxpayer and maybe support some of our students if this is what the concept is and the idea? So think this is one of those things that we really have to take a look at. Thank you, Mr. President.

PRESIDENT FITZGERALD: Councilman Gastgeb?

MR. GASTGEB: Thank you, President Fitzgerald. I agree with Mr. Futules and Mr. Macey, but I think we should take it a step stronger, potentially, moving forward to support this amendment. But you don't know how it's going to be looked at statewide. Only so many counties have slots casinos. I think we need to push for a second class county exemption so if the state doesn't pass it statewide, at least we can have it in our county. I think there's sufficient need here. And if there's a 50 percent tax on the Governor's plan, that means that establishments, which no one brought up, is going to get to garner some of the revenue, too, of an already existing, whether you want to call it enterprise or whatever. They already exist. So I think this is one step. Hopefully we can vote unanimously so it carries some weight. But you know, again, if you want to do something substantial beyond the motion and everything else, let's start taking our second class county exemption more seriously so we can make our own laws up. Thank you.

PRESIDENT FITZGERALD: Mr. McCullough?

MR. MCCULLOUGH: With Mr. Futules' consent, I'd like to cosponsor this. I think it's a good first step and I think it's a great idea.

MR. GASTGEB: Add me as well.

PRESIDENT FITZGERALD: Let's just call for a voice vote on this. All in favor signify by saying aye. (Chorus of ayes.)

PRESIDENT FITZGERALD: Opposed? Motion carries unanimously. Public comment on general items. We have one speaker this evening, Mr. Patrick McConville. Is Mr. McConville here? I don't see Mr. McConville here.

I'd just like to make an announcement. We're going to be voting in executive session in the back room with Mr. Wojcik and Mr. Cambest regarding litigation that's before this County. With that --- Mr. McCullough?

MR. MCCULLOUGH: Yeah. I just wanted to make one public comment. There were two articles over the last several days regarding some issues concerning the airport PIT and the Airport Authority. One was the Authority's apparent attempts to --- or efforts to borrow \$20 million, really, as an advance on gaming money, to cover cash flow needs, which should be a real concern to everybody. And the one that --- I believe it was yesterday about their efforts, which the Chief Executive put on hiatus, to

scuttle some fine artwork out there, sell some wall space for advertising.

I'm not going to belabor this point, but I think again, it shows the need for hands-on oversight by this Council. Now, we have two bills in committee that relate particularly to the Airport Authority. One is an oversight bill, that before they would incur this kind of indebtedness, they would have to get the approval of this Council and the Chief Executive. And the other one is a consideration of putting the Airport up for sale or for lease. Obviously, times are tough out there. Times were tough in Chicago. Chicago has a billion dollars in the bank right now because they unloaded an airport that was having trouble, too.

I think these are some things that need to be taken a look at. I know they're in committee. I hope that the committee process will revive them. Because we have to do something different out there. When you see an authority going down the road borrowing for cash flow purposes, that's a cause for concern. And that got the SCA in trouble with respect to the Convention Center. I think it's a warning signal for all of us. Four or five months ago, everybody thought Shell Drilling was supposed to be a panacea, and that turned out to be a red herring. So I'm just calling it to everybody's attention, and hopefully these bills can get some attention in the future in committee. Thank you.

PRESIDENT FITZGERALD: Thank you. With that, meeting adjourned.

MEETING ADJOURNED AT 7:00 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.


Court Reporter