

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

John P. DeFazio	-	President, Council-At-Large
Nicholas Futules	-	Vice President, District 7
Samuel DeMarco	-	Council-At-Large
Tom Baker	-	District 1
Cindy Kirk	-	District 2 (Via Telephone)
Ed Kress	-	District 3
Sue Means	-	District 5
John F. Palmiere	-	District 6 (Via Telephone)
Dr. Charles J. Martoni	-	District 8
Robert J. Macey	-	District 9
DeWitt Walton	-	District 10
Paul Klein	-	District 11
James Ellenbogen	-	District 12
Denise Ranalli-Russell	-	District 13

Allegheny County Courthouse
Fourth Floor, Gold Room
436 Grant Street
Pittsburgh, Pennsylvania 15219
January 3, 2017 - 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:

Jared Barker	-	Director of Constituent Services
Walter Szymanski	-	Budget Director
Jack Cambest	-	Council Solicitor

PRESIDENT DEFAZIO: Would everyone stand for the Pledge of Allegiance to the Flag and remain silent for prayer or reflection. After me ---.

(Pledge of Allegiance.)

(Silent prayer or reflection.)

PRESIDENT DEFAZIO: Roll call.

MR. BARKER: Mr. Baker?

MR. BAKER: Here.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Here.

MR. BARKER: Mr. Ellenbogen?

MR. ELLENBOGEN: Here.

MR. BARKER: Mr. Finnerty?

(No response.)

MR. BARKER: He's no longer a Council member. I apologize.

MR. BARKER: Mr. Futules?

MR. FUTULES: I'm still here.

MR. BARKER: Ms. Kirk?

MS. KIRK: Here.

MR. BARKER: Mr. Klein?

MR. KLEIN: Here.

MR. BARKER: Mr. Kress?

MR. KRESS: Here.

MR. BARKER: Mr. Macey?

MR. MACEY: Here.

MR. BARKER: Mr. Martoni?

DR. MARTONI: Here.

MR. BARKER: Ms. Means?

MS. MEANS: Here.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Here.

MR. BARKER: Ms. Ranalli-Russell?

MS. RANALLI-RUSSELL: Here.

MR. BARKER: Mr. Walton?

MR. WALTON: Present.

MR. BARKER: President DeFazio?

PRESIDENT DEFAZIO: Here.

MR. BARKER: Fourteen (14) members are present.

PRESIDENT DEFAZIO: 9950-17.

MR. BARKER: Proclamations congratulating the 2016 Celebrate Coalition Awardees and thanking them for their dedicated service to Big Brothers Big Sisters of Greater Pittsburgh. Sponsored by Council Members DeMarco and Baker.

MR. BAKER: Thank you, Mr. President. If we could have all the Honorees for Celebrate Coalition from Big Brothers Big Sisters come on up? And Councilman DeMarco and I are very proud to sponsor this proclamation together. We have absolutely, fantastic honorees this year for the Celebrate Coalition Awards event. And the event is going to be next Tuesday night so we know Council is meeting tonight, and then, too, Tuesday, so no excuse for anyone that's here. You're all invited to attend the James Street Speakeasy. It's also the kickoff for Bowl for Kids' Sake this year which is a great annual fund raising event that brings together hundreds of people and raises lots of good fun and opportunities for Big Brothers Big Sisters. I know we have some media here, but I was not going to share until next Tuesday night so this is off the record, but we can share it among friends. We are happy to share that last year, 2015 (sic), Big Brothers Big Sisters served exactly 1,400 kids and we pulled the numbers just yesterday, and that was a record at 1,400. This year was 1,483 children that were served by Big Brothers Big Sisters.

(Applause.)

MR. BAKER: So it's another record-setting year for our organization which is a great thing. We've very, very, very proud of that and a lot of good things going on. With that, we're going to turn it over to Councilman DeMarco to read the proclamation and then everyone will get to know the honorees.

MR. DEMARCO: Thank you, Councilman.

WHEREAS, each year Big Brothers Big Sisters of Greater Pittsburgh presents deserving volunteers and partners with awards at the annual Celebrate Coalition Awards event recognizing the importance of team work and cooperation to their vital community services; and

WHEREAS, in recognition of their praiseworthy work furthering the charitable mission and goals of Big Brothers and Big Sisters, the 2016 award honorees will be recognized at the Bowl For Kids' Sake Kick Off, it's the seventh annual Celebration Coalition Award Event on January 10th, 2017 at the James Street Speakeasy for their efforts on behalf of the Agency. On behalf of County Council, myself and Councilman Baker, we want to take and recognize Garrett Gibson, Jenny Sabol, Correy Dandoy, Amber Rooke, Kim Dinnin, The Carnegie Science Center and the Clint Seymour Play Ball Fund.

NOW, THEREFORE BE IT RESOLVED, that the Allegheny County Council does hereby congratulate the 2016 Celebrate Coalition's Awardees and we thank them for their dedicated service to Big Brothers Big Sisters of Greater Pittsburgh. Sponsored by Allegheny County Members Samuel DeMarco and Tom Baker and presented this 3rd day of January, 2017. Thank you.

(Applause.)

MR. BAKER: And with that we want to make sure that we get to honor each of our honorees here individually. If they can all come up and share a little bit about their experiences with Big Brothers Big Sisters. Up first is our big Alumni Association Board Member of the Year, Kim Dinnin.

MS. DINNIN: Hi. First of all, I just want to take a second and thank you. This is a great honor. I was very surprised to get an award like this. I have been involved with Big Brothers and Big Sisters for over 20 years. I was a Big Sister for a long time, and now I just do a lot of odds and ends for the Agency. But it's a great agency. Thank you very much for the honor. And if anyone is interested in getting involved, I would highly recommend it. Thank you.

MR. BAKER: Thanks, Kim.

(Applause.)

MR. BAKER: And up next --- there's a lot of competition in this life. Our next honoree actually had to defeat her husband who came in second for this award, Justin is Correy's husband. But Correy Dandoy was our Washington County Advisory Board Member of the Year. She's a terrific person.

MS. DANDOY: Hi. I just want to also say thank you so much for this recognition. I've been involved with Big Brothers Big Sisters just for about two years. I've been a Big Sister in Washington County and I get to be on the Washington County Advisory Board. And this past year we planned our first kind of big fundraiser in Washington County and it went really well. So I'm excited to keep that up. So I'm just really proud to be a part of such a great organization. Thank you, again.

(Applause.)

MR. BAKER: Thank you, Correy. And our next honorees are the Carnegie Science Center. How many Carnegie Science Center fans do we have in the crowd tonight? Oh, and up there, good. Nick, okay. Jim,

okay. Zack is our key partner on this opportunity, but I want to invite him up just to share a little bit.

MR. WEBER: Thanks. My name is Zach Weber. I usually work with adults at Carnegie Science Center in some of our adult programs. But it's great to work with Big Brothers Big Sisters. We've been able to partner with them a couple of times, let them recruit at some of our events for their Bigs, for their mentors, to work on a couple of events. We were able to give them some free tickets so their Bigs and Littles could come and explore the Science Center so they can be delighted, educated and inspired as our mission says with science at the Science Center. So it's an honor to be here and to be recognized and thank you.

(Applause.)

MR. BAKER: Thanks to the Science Center. Amber Rooke is our next honoree from the Allegheny --- or I'm sorry, Allentown Learning and Engagement Center, ALEC, part of the Brashear Association. ALEC has been awesome and Amber has been a great partner.

MS. ROOKE: Hi, I'm Amber Rooke. I'm with the Brashear Association, and we had a really cool opportunity with Big Brothers Big Sisters to start hosting family nights and start closely partnering with them, so they started coming to a lot of our events. And through just having them there, we started getting our kids involved and partnered up. But we also started engaging our parents much more closely through this. And it was just super awesome, super helpful. And it's been a great organization to partner with, so thank you.

(Applause.)

MR. BAKER: Zach mentioned all those amazing 21 plus nights that the Big Brothers Big Sisters goes to. Jenny Sabol is one of the leaders for our Big Recruitment Board and those are the folks that --- someone has called them our weekend warriors. They're the ones that are kind enough to spend their Friday nights and weekends with me out there spreading the good word about Big Brothers Big Sisters. So Jenny Sabol is the BRB member of the Year.

MS. SABOL: Thanks, Tom. I'm Jenny Sabol. I've been matched with my Little Sister for about three and a half years now. But as Tom said I'm also on the Big Recruitment Board which we go to 21 plus nights at the Science Center, the museum, the Heinz History Center. We recently went to the Children's Museum just to share our

experiences about being a Big, telling people about the different opportunities they have, these events that --- they can host anywhere up to 1,000 people so it's a really good opportunity to spread the word about the organization. So thanks to Tom and everyone else for inviting me here tonight.

(Applause.)

MR. BAKER: And Garrett, I'm going to keep you for last. Brian, right? Brian Seymour is here. Brian works and serves with the Clint Seymour Play Ball Fund. And we'll get together last because I want to finish off with you. But Brian, if you could say a couple of words about the Fund and all the great work and the partnership that we've had with the --- in Clint's memory.

MR. SEYMOUR: Yes. So my name is Brian Seymour. Clint was a cousin of mine and it was --- he lost his life in a really tragic way a few years ago. And we've been able to, through his work with his --- that his dad has put through, my uncle, we've been able to set up this Play Ball Fund which helps get youth involved in baseball and building parks and programs and facilities. And part of that is partnering with Big Brothers and Big Sisters. And we've been able to get some pairs to get tickets to ballgames and meet some of the players. And we've had clinics. Neil Walker was a close friend of Clint's and he came out for a clinic a few --- that was, I think, two summers ago and it was --- it's been really great. I've been able to go to most of the events with the Bigs, Big Brothers Big Sisters and it's all been great. And it's been great for us and for our family to be able to take this tragedy and kind of turn it into something, you know, with some good light to it and everything. So thanks a lot for the award and thanks.

(Applause.)

MR. BAKER: All right. And for our final awardee, so proud to call him a friend and it's just amazing that he's here with us tonight. That's Garrett Gibson, who we are so glad to have back safely here in Pittsburgh. And Garrett is our Young Professional Board Member of the Year. He's an inspiration to everyone in our organization. Garrett Gibson.

MR. GIBSON: Hi, my name is Garrett Gibson. I've been a Big Brother for about two and a half years now. I'm also a member on the Young Professional Outreach Board. Just to give you guys a little bit of an idea of

the actual relationships that are formed here; the person who came to visit me the most while I was in the hospital, back here in Pittsburgh after I had gotten home from Florida, was my little brother. His mom, 100 percent, was on board with not only maintaining our relationship, but also making sure that he understands the importance of being there for a friend. And so I just wanted to come here and let everybody know it does make a difference. And I appreciate the award. Thank you.

(Applause.)

MR. BAKER: We'll do a group photo. And I will say for Garrett --- I don't want to embarrass him here among friends, but after what took place for him in Florida took place, he does have a couple tattoos. We sent him, what was it, a muscle-bound teddy bear tattoo with Garrett on it, so we're happy to have Garrett back. And if all of our honorees can come up for the group photo, and congratulations. Can we give one more big round of applause for all of our honorees for Celebrate Coalitions?

(Applause.)

(Pictures taken.)

PRESIDENT DEFAZIO: 9951-17.

MR. BARKER: Proclamations posthumously honoring Commander Gwen Elliott and Walt Harper upon the occasion of the Port Authority of Allegheny County 2017 Spirit of King Award Ceremony at The Kingsley Center on January 19th, 2017. Sponsored by Council Member Walton.

PRESIDENT DEFAZIO: That's going to be read into the record?

MR. BARKER: That's correct.

PRESIDENT DEFAZIO: Public Comment on Agenda Items. We don't have any; right?

MR. BARKER: Actually, we do have quite a few.

MS. MEANS: Yeah, we do.

PRESIDENT DEFAZIO: Oh, I'm sorry.

MR. BARKER: Correct, they're agenda topics.

PRESIDENT DEFAZIO: The first one, what is that, Erika Fricke.

MS. FRICKE: Hi, there. My name is Erika Fricke. Thank you so much for the opportunity to speak with you all today. I'm from an organization, Allies for Children, which is a child advocacy organization representing children in Allegheny County. The executive director, Patrick Dowd, is also here with us tonight.

And we wanted to come to let you know that we strongly support the Allegheny County Health Department regulations prohibiting smoking or vaping e-cigarettes in locations where smoking all other cigarettes is already prohibited. So we see this as simply an extension on the limitation of inhaling nicotine in a public space or emitting an e-vapor or secondhand vapors related to nicotine consumption in a public space where children may be present. And that's very important to us as a child advocacy organization.

The science is pretty clear that certainly we know that secondhand smoke is very dangerous. And there's some good evidence --- there's no evidence saying that secondhand vapor is not dangerous. And there are some real concerns around the secondhand vapor and what's contained in it including, let's see, not only nicotine, carcinogenic materials, let's see, I apologize, formaldehyde, a lot of words that involve the word --- a lot of words involving --- ending the word hyde. Nicotine, formaldehyde, acetaldehyde and basically, as a child advocate, I know that maybe when there is a gap in science because there has not been enough time to fill it, common sense can fill that gap. And we know that children should not be inhaling the secondhand vapors with a lot of words ending in the word hyde. So I apologize for mangling that.

The second point is related to the fact that when adults can inhale nicotine around children, young people may assume falsely that tobacco use in any form is a healthy decision. And we know that youth are actually taking up e-cigarettes in alarming numbers, that we've gone from 1 in 200 in 2011. In 2015 --- and this is middle school students --- it was 10 in 200. High school students, 32 in 200 and in Allegheny County that's 40 in 200. So just from 2011 to 2016, we've seen this dramatic rise in number of youth smokers. And while secondhand vapor from e-cigarettes may be safer than secondhand smoke, it's not safer than clean air. And while nicotine from e-cigarettes may be safer than inhaling nicotine through a combustible, it's still not safer than not smoking at all.

So we thank you for considering these regulations.

PRESIDENT DEFAZIO: Thank you. Richard Marino.

MR. MARINNO: My name is Richard Marino, and I'm here to tell you everything that she said was wrong. I'm here to urge you to reject the Board of Health's proposed ban of electronic cigarettes in public places. The proposed ban might even be illegal. And it is an infringement on business owner's private property rights. And the County should not be dictating what a business owner can or cannot do in their business.

The decision to allow or disallow the use of electronic cigarettes is currently enforced by the management of that facility. This process works. At the last meeting, I gave you an example of an X smoker that now uses a healthy alternative electronic cigarette that works in the U.S. Steel Building on the 30th floor. There are no children there. No one is offended. And it takes less than ten seconds of that employee's time. If the ban is passed, that same employee will be forced to take a 20-minute break with other traditional smokers. This is very unproductive, disruptive, costly and may lead to an employee reverting back to regular cigarettes.

Let me give you some more examples. The Rivers Casino, where there are no children, you might want to allow electronic cigarettes. The Children's Zoo, you would not. Bars and restaurants, you might want to allow patrons to use electronic cigarettes. But Chucky Cheese and McDonalds, you would not. Workplaces where there are no children around, you might want to allow electronic cigarettes, but schools and daycares, you would not.

The County has much bigger problems to worry about. The Board of Health should be focused on major problems like heroin and opioid abuse, not electronic cigarettes. Creating a ban on electronic cigarettes would remove a healthy alternative from a deadly habit. Kind of like removing methadone from a heroin addict.

You may hear from these groups today that will misrepresent and distort the facts. That's why I handed out today three different studies that I gave you. One is the Monitoring the Future which is from the University of Michigan, and it shows and proves to you that electronic cigarettes use is down for the past two years in tenth through twelfth graders. I highlighted that on your first sheet. And that study came out last month, December of 2016.

Second is the Royal College of Physicians from the UK that shows electronic cigarettes is 95 percent less

harmful than traditional cigarettes. That's the second handout.

And on the third part, is the actual study from Dr. Bernstein from the University of Drexel. It indicates there's no evidence that vaping produces inhalable exposures and that the exposures to bystanders are none of apparent concern. The CDC reports over 1,000 people, 1,000 people die every day from cigarettes. This is finally a revolutionary device that can --- to help resolve that problem.

I urge you guys to reject the ban from the Board of Health. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Ellen Mazo.

MS. MAZO: Good evening. I'm Ellen Mazo from Children's Hospital of Pittsburgh representing Dr. Jonathan Spahr, who is the clinical director of our Division of Pulmonary Medicine and he has spoken here before. I sent you all --- I sent each of you a letter that Dr. Spahr has written. And a lot has been said and he has spoken before, but I just want to say this one thing that just really strikes me as what is so important about why you should vote for this ban.

The body --- this is what Dr. Spahr wrote. The body, specifically the lung, is beautifully designed to fend off disease and injury. With every breath, our lungs filter and process everything we breathe to make sure that only oxygen gets into our body. We live in an environment that continually stresses this function of the lungs. By banning the use of e-cigarettes in public places you will help limit the amount of work in that the lungs have to do to prevent injury and disease. We learned the hard way the harmful effects of secondhand tobacco smoke. Let's not make the same mistake with e-cigarettes. Please consider this with a vote to ban the use of e-cigarettes in public spaces where combustible cigarettes are already banned. Thank you.

PRESIDENT DEFAZIO: Thank you. Amy Crivella.

MS. CRIVELLA: Hi. My name is Amy Crivella. I'm a mother of two. I own a vape lounge in Butler County. So if this bans goes through, it doesn't affect me. My grandmother passed away seven-and-a-half years ago. And I found her dead. And I'll never forget. I went outside and I lit up a cigarette. And I called my family and I remember looking at my hand thinking this is

what killed my grandmother that I just seen two minutes ago. How do I quit? Well, I tried. I tried Wellbutrin. I tried Chantix. I tried the patch. I tried the gum. It did nothing. Nothing for me. It wasn't until I tried vaping, and it helped. This would set our industry back. And what if you guys are wrong and we're right? I quit smoking. I did. It killed my grandmother. Does that matter? I'm here as a resident. I'm here as a mother. I'm not standing here as a vape shop owner. This helped me and I help people every day. Every day I help people. I go home at night, I know what I do and I go to bed with a clear conscience. Now, I'm not saying, hey, vape in a daycare. I'm not saying that. I'm asking you --- it should be at the discretion of a business owner. This is their right. My entire family owns businesses. This is their right. This should be their decision.

I feel that this is a defamation of our product. I feel that we should not be categorized with cigarettes because we're not. We're not cigarettes. We're simply vapor. And it's not until people start respecting that, that we're not going to get anywhere. How many flags are we going to waste? How many people are going to die of cigarettes until we do something about it? Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Bill Godshall.

MR. GODSHALL: I'm Bill Godshall, founder and executive director of Smoke Free Pennsylvania.

According to the scientific and empirical evidence, vapor products are at least 95 percent less harmful than cigarettes. They've helped millions of smokers quit smoking. They've never created nicotine dependence among nonsmokers. They're not gateways to cigarette smoking for teens and they pose no harm to nonusers.

Since 2010, as more smokers have switched to vaping, the US adult smoking rate had declined by 20 percent. And teen smoking has declined by 50 percent. In 2015, the CDC survey found that two and a half million vapers in America, including about 10,000 in Allegheny County, have quit smoking cigarettes. In 2009, after the Food and Drug Administration unlawfully banned e-cigarette sales due to lobbying by big pharma shells (phonetic), I collaborated with two e-cigarettes companies, Smoking Everywhere and Enjoy, that sued the FDA. And Smoke Free Pennsylvania filed an amicus brief with the D.C. Court of

Appeals in 2010. All 12 federal judges adjudicating the case agreed that the FDA unlawfully banned vapor products and failed to prove its fear-mongering claims about the products which is why vapor products are legal to sell in the US today. For disclosure, Smoke Free Pennsylvania nor I have received any funding from any vapor, tobacco or drug company.

But even after the FDA lost in court in 2011, Obama's Department of Health and Human Services and drug industry financed health and medical groups have continued to falsely claim that vapor products are addicting teens, are gateways to smoking, don't help smokers quit smoking, may be as harmful as cigarettes and many other fear mongering claims to lobby for vaping bans, vapor product sales, bans and taxes on the products.

This massive anti-vaping propaganda and lobbying campaigns is eerily reminiscent of the anti-marijuana propaganda and lobbying in Reefer Madness in the war on drugs. Just as taxi companies and unions have been lobbying to ban Uber and Lift, and just as hotels have been lobbying to ban Airbnb, drug companies that market nicotine gums, lozenges and patches have been lobbying to ban vapor products and vaping because they cannot compete against the new superior technologies in the marketplace. The war on vaping is crony capitalism disguised as public health which is why the proposed vaping ban exempts nicotine products marketed by drug companies including their inhalers.

Many employers allow workers to vape at the workplace because doing so helps smokers quit smoking, increases productivity and reduces smoking breaks, absenteeism and healthcare costs. In sharp contrast, banning vaping in workplaces stigmatizes vapers, urges vapers to switch back to cigarettes, discourages smokers from switching from vaping, deceives the public to believe lifesaving vapor products are as harmful as cigarettes, and exposes youth to far more vapors and vaping outside of buildings than now occurs.

Since our mission is to reduce cigarette smoking which is the number one cause of disease and death in this country, we urge you to reject this.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Michelle Hall.

MS. HALL: My name is Michelle Hall, as I'm sure you remember me from the last time I spoke at a meeting a

few months ago. I was not going to speak again, as I did not want to appear redundant and discuss the same subject of the purposed ban, but after more thought, I knew that I must stress the importance of what this ban can mean to those who vape.

My husband and I are the owners of Diversity Vape Shop located in Dormont. I am the owner of Pittsburgh Reporting Service located downtown. My husband and I are longtime citizens of Allegheny County where we have worked and lived our entire lives.

First, I will address the proposed ban for vaping in public places. This is the best opportunity for vapers to have smokers see that vaping is and gives the vaper their opportunity to tell smokers, as they so proudly do, that they too can quit smoking and not die from cigarettes. Every vaper looks forward to the opportunity to tell smokers that it does work, as this meeting alone is a testament to. If there were not so many people who have chosen to vape, there would be no need to have this discussion today. As concerned citizens, when we see others killing themselves needlessly, we cannot help but speak up.

My husband, one glorious day in an Allegheny County Park, at a work picnic of mine, met one of those concerned citizens who introduced him to vaping. He took one hit of our friend's e-cigarette and never looked back. Because of this one act, one opportunity that would have never happened had vaping been banned, our store would have never been opened in 2012, and we would have never been able to convert the many thousands of people we have over the years.

Secondly, I would like to talk about as a business owner in an office building in the City of Pittsburgh, I believe I should have the right to choose if I would like my employees to vape indoors or not. In the time it takes for that one employee to tell their office manager they are going outside for a vape break, walk to the elevator, wait for the elevator, walk outside, walk ten feet away from the front door, take two puffs of their e-cigarette, then turn around and go back up 19 floors, is absurd, then all it would take is a matter of five seconds to puff on their e-cigarette at their desk, where no one would even know they've done that.

The word ban alone has a stigma attached to it. You immediately think something is harmful, even if it is

not. Please don't be a part of preventing people from looking for alternative to smoking that will work for them and help them kick this horrible, deadly habit.

My other comment is on the ban of persons under 18 years of age going to a vape shop. As I have requested in the past, we would like the language to read, unaccompanied minor, rather than a flat-out ban of those younger than 18. Many of our customers have children with them when they quickly run into the shop to grab their vaping supplies. We need to make it as easy as we can on parents who vape and have young children to be able to continue to vape so they do not go back to smoking, where it is much easier to run into a convenience store to buy their cigarettes or a grocery store than it is to just run into their local vape shop.

Thank you for your time.

(Applause.)

PRESIDENT DEFAZIO: Okay. Marc Conn.

MR. CONN: Hello, everyone. And thank you for the opportunity to speak to you again. My name is Marc Conn. I'm one of the owners at Steel City Vapors. I'm an Allegheny County resident and both of my locations are located in Allegheny County as well.

I've come to you to ask you once again to vote against this countywide indoor vaping ban. Last meeting there were several proponents of this regulation and a lot of claims were made, and I feel it would be a mistake not to address some of these.

First, you heard from a woman who's child had smoking-induced asthma. She claimed that the presence of propylene glycol in e-liquid could cause the same issues in her child as smoking would. This is simply untrue. In fact, some asthma inhalers have used medication dissolved in propylene glycol. Propylene glycol is anti-microbial and some hospitals pump it through their ventilation systems to clean the air, further proving the harmlessness. PG poses no harms when inhaled.

Next, you heard from several people who are clearly for this ban and against electronic cigarettes entirely. You've heard about heavy metals and formaldehyde in exhaled vapor. I've explained before that the studies that produced these results were using incorrect power for the device. And it would be impossible for a human being to use the device consistently at the voltage used. When used at the

correct voltage, no significant amount of toxins were found. You were also told about electronic cigarettes exploding. While it true there have been around 200 e-cig failures to date, that's 200 out of CDC's estimated nine million adults who vape. That's .00002 percent. That's in comparison to a five-percent chance of side effects with FDA-approved Chantix.

Furthermore, the ban doesn't have any effect on these devices and where they're used --- I'm sorry, and where you can take them, only where you can use them. You also heard about an increase in the percentage of calls to poison control involving children and e-liquid. But percentages don't tell the whole story. The American Association for poison control shows there were around 1,500 calls for e-liquid in 2016. This sounds like a lot, but in 2013 alone there were 300,000 calls for over-the-counter drugs, 200,000 calls for cosmetics and another 200,000 for cleaning substances. Additionally, the federal government has already enacted a childproof cap law that is currently in effect to reduce accidental exposure. Once again, the proposed regulations have nothing to do with this issue. These numbers show fear tactics and stigma attached to vaping and highlights that you need to look deeper to the information presented before passing this regulation.

Finally, we heard from a medical doctor who asked to keep air clean for his breathing-challenged patients. This I must agree with. However, as many studies have shown, secondhand vape provides no harm to bystanders. Nothing prevents establishments where these people frequent to enact their own no vaping policy. As Bill Godshall said on his first visit, vapor is one of the least concerns for clean air. Car exhaust, perfumes, even cooking food puts off more toxic chemicals than vapor products.

In conclusion, this ban does nothing more than handcuff businesses owners, demonize vapor products and stigmatize vapers all with no merit of proven harm. The status quo allows for each establishment to make its own policy, and I support businesses who want to enact and enforce a no vaping policy. But a one size fits all regulation is not the answer. As elected officials, it is your job to vote for your constituents. They have made their voice clear. Allegheny County's Board of Health released their comments and responses for this regulation.

They received 842 comments on the regulation. Thirty (30) of those were supporting it, 812 were opposed. Please protect the County's business owners and vote no for your constituents. Thank you.

(Applause.)

PRESIDENT DEFAZIO: Thank you. Kate Conn.

MS. CONN: Hi, my name is Kate Conn. I'm an Allegheny County resident and an Allegheny County business owner. Thanks for allowing me here today. I'm here to explain why I am against the Countywide indoor vape ban.

First and foremost, I do support the decision to choose. And I respect any business owner's wish to not allow vaping inside their establishment. I've talked to many business owners who have varying opinions on whether they would or would not allow vaping and they all had one thing in common. They would want to make the decisions themselves.

I don't agree with the Countywide rule forcing all business owners to implement a ban. It's overreach and that impedes their private property rights. I keep hearing there's not enough evidence to show low to no risk of electronic cigarettes use, but I have no issue finding the studies myself. There have been plenty of studies done citing the same results over and over again, current studies done by reputable organizations showing low risk. Risk that is comparable to other smokeless nicotine products. Just a few of these studies done are credited to Dr. Siegel of Boston University, Dr. Eissenberg of Virginia Commonwealth, Dr. Gronowitz (phonetic) of the Roswell Park Cancer Institute, Dr. Loginsun (phonetic) of Health New Zealand and Dr. Igor Burstyn of Drexel University.

FDA studies have even failed to find toxic chemicals or harmful carcinogens in vapor. That may seem hard to believe considering how negative the FDA has been regarding vapor products. Dr. Burstyn of the Drexel University School of Public Health did a comprehensive study of over 9,000 observations of liquid and vapor and found no apparent concern for bystanders exposed to secondhand vapor. And that was done in worst-case assumptions about exposure. Science is on our side.

And I believe that following through with the county-wide indoor ban would be a disservice to public health. There are mounds of proof that these products are at least 95 percent less harmful than traditional

cigarettes and something like this taking effect will only sway public perception that these are just as bad as traditional cigarettes.

Once again, I want to reiterate that I am for owners making their own decision on their electronic cigarette policies. And I think that a countywide ban is not fair to all business owners. Plenty of places already have a policy in place. A lot of people don't understand vaping. They think it's a hobby. Some think it's obnoxious. A lot of people make fun of it and make fun of us for using them. But please know that vaping is the most successful way to quit traditional cigarettes. It delivers nicotine, which is not bad for you. The tar, carcinogens and combustion in cigarettes are the deadly elements. I can only hope that personal opinion aside, you see that there is scientific backing to show that these are not hazardous to bystanders. And this would be a step backward in the constant fight to prove the validity of vapor products.

Please put yourself in the shoes of private business owners. Whether they are for electronic cigarettes or not, this is just another unnecessary regulation we'll all have to abide by. Thank you.

PRESIDENT DEFAZIO: Thank you.

(Applause.)

PRESIDENT DEFAZIO: Brittany Huffman.

MS. HUFFMAN: Good evening. My name is Brittany Huffman, and I'm the program coordinator with Tobacco Free Allegheny. We are a regional, primary contractor with Allegheny County and the PA Department of Health's Division of Tobacco, Prevention and Control. I'm also an Allegheny County resident. And I'm here today to speak in support of electronic cigarette regulations.

Electronic cigarettes are a potential public health risk as the aerosol from e-cigarettes is not harmless water vapor and is not as safe as clean air. E-cigarettes also contain propylene glycol or glycerin. These chemicals may meet the FDA's definition for generally recognized as safe as food additives. But that distinction does not extend to the inhalation of these chemicals. We also do not have the longevity studies on many of these devices as we do with combustible tobacco yet. Many adults don't know that the indoor use of electronic cigarettes exposes children to nicotine and leaves nicotine deposits on surfaces. Various supporting

sources across the United States have reported an increase in serious second and third-degree burns from exploding e-cigarettes. Local hospitals have banned e-cigarettes from their facilities because of the concern safety officers have for explosion risks. These exploding devices now present a huge safety hazard to others. These regulations would not impose stricter standards on e-cigarette users than are already imposed on current cigarette users, the inability to use e-cigarettes in the same place that cigarettes are already banned.

An additional public health risk is exposure to e-cigarette liquid. The Centers for Disease Control and Prevention report that e-cigarette nicotine liquid exposure has resulted in a dramatic increase and calls to poison centers, increasing from one per month in September of 2010 to 215 per month in February 2014. The poisonings have been among users and nonusers due to the ingestion of nicotine liquid, absorption through the skin and inhalation. More than half the calls to poison centers due to e-cigarettes involved young children under age five and about 42 percent of the poison calls involved people age 20 and older.

The health of youth is a major public health concern and needs of e-cigarettes in public places promotes the normalization of the behavior of smoking with youth. From 2011 to 2015, past 30-day use of e-cigarettes increased nearly tenfold for high school students and nearly nine fold for middle school students. They are now the most commonly used form of nicotine among youth according to the just released Surgeon General's report on e-cigarettes. Even the Royal College of Physicians from the United Kingdom who are examining the harm reduction potential of electronic cigarettes states that there is a need for regulation to reduce direct and indirect adverse effects of e-cigarette use. Prohibition of electronic cigarettes in areas where smoking is not allowed and could support tobacco free norms, support enforcement of tobacco free laws, preserve clean indoor air standards and protect bystanders from exposure to the secondhand electronic cigarette aerosol. Thank you.

PRESIDENT DEFAZIO: Thank you. Approval of minutes. 9952-17.

MR. BARKER: Motion to approve the minutes of the November 22nd, 2016 regular meeting of Council.

MR. MACEY: So moved.

MR. DEMARCO: Second.

PRESIDENT DEFAZIO: Any remarks? Seeing none, all those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. 9953-17.

MR. BARKER: Approving the reappointment of Roxanne N. Sewell to the Minority Business Enterprise Advisory Committee for a term to expire on December 31st, 2019. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go into the Appointment Review Committee. 9954-17.

MR. BARKER: Approving the reappointment of Tim Stevens to the Minority Business Enterprise Advisory Committee for a term to expire on December 31st, 2018. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go into the Appointment Review Committee. 9955-17.

MR. BARKER: Approving the reappointment of M. Gayle Moss to the Minority Business Enterprise Advisory Committee for a term to expire on December 31st, 2019. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go into the Appointment Review Committee. 9956-17.

MR. BARKER: Approving the reappointment of Wayde Fargotstein to the Allegheny County Property Assessment Appeals and Review Board for a term to expire on December 31st, 2019. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: 9957-17.

MR. BARKER: I'm sorry. For the previous one Appointment Review?

PRESIDENT DEFAZIO: What's that?

MR. BARKER: The Fargotstein appointment you wanted to refer that to proving the Appointment Review before we moved on?

PRESIDENT DEFAZIO: Yeah.

MR. BARKER: Okay. Thank you.

PRESIDENT DEFAZIO: 9957-17.

MR. BARKER: Approving the reappointment of Timothy Hazel to the Allegheny County Property Assessment Appeals and Review Board for a term to expire on December 31st, 2019. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to Appointment Review Committee. 9958-17.

MR. BARKER: Approving the appointment of Ann Ogoreuc to the Allegheny County Port Authority Board of Directors for a term to expire on September 17th, 2019. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to Appointment Review Committee. 9960-17.

MR. BARKER: 9959-17?

PRESIDENT DEFAZIO: Yeah. 9959-17.

MR. BARKER: Approving the reappointment of Representative Harry Readshaw to the Allegheny County Sanitary Authority for a term to expire on December 31st, 2021. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: Okay. 9960-17.

MR. BARKER: Approving the reappointment of the Honorable Jan Rea to the Allegheny County Airport Authority for a term to expire on December 31st, 2021. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to Appointment Review Committee. Liaison Reports. Anyone ---? Seeing ---. Representative ---.

MS. RANALLI-RUSSELL: Yes. Thank you, Mr. President. I just wanted to give a shout out to --- and say thank you to the Pittsburgh Police Department and to the Pittsburgh Public Works for them on First Night making it very safe. And we had no problems and they gave up their time to make sure that the people of the City of Pittsburgh and Allegheny County were safe and could enjoy a very fun evening. Thank you very much.

PRESIDENT DEFAZIO: Okay. Seeing no more, we'll move on to 9961-17.

MR. BARKER: An Ordinance of the Council of the County of Allegheny to adopt an Allegheny County Health Department Rule and Regulation and to ratify amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. Section 12001 et seq. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That's going to go into the Human Health, Human Resources Committee. We'll move on to 9962-17.

MR. BARKER: An Ordinance delegating to the Commonwealth of Pennsylvania, Secretary of Transportation the right to acquire in the name of Allegheny County right-of-way necessary for a Locally-Owned Multi-Bridge, Bridge Bundling Project, and to take such further action

as may be necessary under applicable law, including the Eminent Domain Code. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to Representative Macey's Committee. 9963-17.

MR. BARKER: A Resolution of the County ---.

PRESIDENT DEFAZIO: Public Works. Public Works Committee. Go ahead. 9963-17.

MR. BARKER: A Resolution of the County Council of Allegheny County enacted pursuant to Section 6930.5 sub(7) of the Pennsylvania Tax Increment Financing Act declaring that the County of Allegheny will not participate in a Tax Increment Financing district for the proposed "The Block at North Tax Increment District" located in the Township of Ross. Sponsored by the Chief Executive.

PRESIDENT DEFAZIO: That'll go to Economic Development. New Business, Motions. See none? Notification of Contracts, we have none.

MR. BARKER: We have none.

PRESIDENT DEFAZIO: Public Comment on General Items.

MR. BARKER: Also none.

PRESIDENT DEFAZIO: We have none. Someone want to make a motion to adjourn?

MR. MACEY: Make a motion to adjourn.

PRESIDENT DEFAZIO: Is there a second?

MR. PALMIERE: Second.

PRESIDENT DEFAZIO: All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT DEFAZIO: Opposed? The ayes have it. We are now going to go for Executive Session on --- yeah, this is personnel.

(Meeting adjourned for executive session.)

MEETING ADJOURNED AT 6:00 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.

A handwritten signature in cursive script that reads "Rachel Marie Fatter". The signature is written in black ink and is positioned above a horizontal dashed line.

Rachel Marie Fatter,

Court Reporter