

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

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BEFORE:

Patrick Catena	-	President, District 4 (Via Telephone)
Robert J. Macey	-	Vice President, District 9
Samuel DeMarco, III	-	Council-At-Large
Bethany Hallam	-	Council-At-Large
Thomas Baker	-	District 1
Cindy Kirk	-	District 2
Anita Prizio	-	District 3
Tom Duerr	-	District 5
John F. Palmiere	-	District 6
Nicholas Futules	-	District 7
Paul Zavarella	-	District 8
Dewitt Walton	-	District 10
Paul Klein	-	District 11 (Via Telephone)
Robert Palmosina	-	District 12
Olivia "Liv" Bennett	-	District 13

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

July 14, 2020 - 5:01 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, Legislative Services
Ken Varhola - Chief of Staff
Jack Cambest - County Solicitor

MR. MACEY: I'm going to call this County Council meeting of Tuesday, July 14th, to order. Please rise and say Pledge of Allegiance to the flag and you may have a moment of silence afterwards, please, and reflection.

(Pledge of Allegiance.)

(Silent Prayer of Reflection.)

MR. MACEY: Thank you. Roll call.

MR. BARKER: Mr. Baker?

MR. BAKER: Here.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Here.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Here.

MR. BARKER: Mr. Duerr?

MR. DUERR: Here.

MR. BARKER: Mr. Futules?

MR. FUTULES: Here.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Here.

MR. BARKER: Ms. Kirk?

MS. KIRK: Here.

MR. BARKER: Mr. Klein? Mr. Klein? Mr.

Macey?

MR. MACEY: Here.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Here.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Here.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Here.

MR. BARKER: Mr. Walton?

MR. WALTON: Here.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: Here.

MR. BARKER: President Catena?

PRESIDENT CATENA: Here.

MR. BARKER: I believe Mr. Klein is now with us on the phone. Apparently he is, although silent at the moment. So Mr. Klein is marked as present.

MR. FUTULES: I can't see with my glasses on or off.

MR. MACEY: Okay. Proclamations and certificates, please.

MR. BARKER: 11559-20 is a proclamation honoring Carl Irwin Thomas, Sr. upon his 90th birthday, sponsored by Council member Macey. And that's the only one.

MR. MACEY: Okay. Thank you. Public comment on agenda items?

MR. BARKER: We have several.

MR. VARHOLA: Mr. President, I'm going to read the public comment tonight, but we have three in the room who have signed --- or two that did not sign up and one that did sign up. Would you like to address the ones that are here first before we read them?

MR. MACEY: Absolutely. Those individuals that --- and we can bring them up in alphabetical order. That way we're not protecting --- you know, picking or selecting special people.

Could you have those individuals named in alphabetical order, please?

MR. VARHOLA: Elaine Cummings would be first.

MR. MACEY: Elaine? Please stand up. You have three minutes, and please state your name and address, please.

MS. CUMMINGS: My name is Elaine Cummings of 153 Trump Road in Cheswick, PA. I'm here in support of the passage of ordinance 11542-20 co-sponsored by nine of our council members.

MR. MACEY: Would you speak up a little bit, please? It's a little touchy these days, but ---.

MS. CUMMINGS: Okay. Which would guarantee non-discrimination in healthcare settings for all Allegheny County residents, including those residents identifying within the LGBTQIA2 plus community.

This ordinance will preserve and secure the non-discrimination policies already set in place in Pittsburgh and Allegheny County.

The reason for --- 11542-20 is necessary is due to codices in HHS July 2020 Decision to remove healthcare protections for transgender and non-binary individuals from the Affordable Healthcare Act. This is clearly discrimination to this class of citizens solely based on gender identity and/or expression.

In no other class of individuals does a person's assigned at-birth body parts fall under a category of pre-existing conditions, which wouldn't be covered under insurance if medical, psychological or pharmaceutical treatments are required.

Regardless of political partisanship or religious ideologies, gender dysphoria is real and recognized by all accredited medical, psychiatric institutes and evidence-based protocols of treatment and therapies do exist. Many of these protocols are life-sustaining to these individuals and should not be denied under any circumstance.

To ignore medical experts and evidence based on personal opinions and religious convictions is a detriment to our society as a whole. The current pandemic that our country faces brings this point to bear. To discriminate and dehumanize any class of our citizens because of a personal or religious belief should --- shows a depth of an arrogance, an ignorance and an unwillingness to educate oneself to the truth.

In the case of the truth of --- the gender identity, is separate from assigned birth. The truth --- that the truth of gender identity is a spectrum, not binary. The truth of what being transgender or non-binary truly is. And the truth, we as a nation hold dearly, that all people are created equal under the law and in the eyes of our creator, all equally and unconditionally loved.

No one individual's rights or freedoms should ever supersede another's basic human rights of respect and dignity and the basic human right of competent affordable healthcare.

The last time I checked, transgender and non-binary individuals are humans. Like it or not --- can I go because of the delay?

MR. MACEY: Real quick, Ms. Cunningham (sic).

MS. CUMMINGS: They deserve the non-discrimination in healthcare settings, and I urge you all to pass this ordinance.

MR. MACEY: Thank you.

MS. CUMMINGS: Thank you for your time and your service to our county.

MR. MACEY: Thank you.

MR. VARHOLA: Sorry. Roslyn Dailey, please?

MS. DAILEY: Can I defer to Councilman Erosenko first?

MR. VARHOLA: That's fine.

PRESIDENT CATENA: Greg Erosenko

MR. VARHOLA: Mr. Erosenko, you've got three minutes, sir.

MR. EROSENKO: Can I keep my mask down? I'm more than six feet from everybody.

MR. MACEY: Do the best you can, sir.

MR. EROSENKO: Very good. Thank you for allowing me to speak Mr. Macey and President Catena.

As a member of the new Allegheny County Mayors/Council Association, we are strongly opposed to the use of force ordinance being considered this evening, for the reasons listed.

First off, federal law requires officers, if they --- to intervene if there is a violation of anybody's constitutional rights. The second thing is, is Allegheny County has no authority to pass this type of legislation county-wide. You only affect the Allegheny County Police Department.

The state legislature, as you all know, just passed legislation to that effect. Talking about the Allegheny County Police Department, if this legislation is passed, you handicap them. You put officers in danger and if they're trying to protect civilians, you might put their lives in danger or even property.

Non-lethal use of force saves lives. If it's taken away, the only force --- they have two choices, flee or use deadly force.

There's another issue I'd like to bring up for all of you to please consider. Police Officers have the right, under the law, to use --- go one step higher than the force that they're dealing with. So please remember that, and I'm sure all of you know that.

Look at Market Square, 60 different businesses destroyed. Look at Shadyside, 20 different businesses destroyed. When that same group went to East Liberty and tried to take down Target, because they used non-lethal force; that ended. There was no destruction of that property.

I am strongly suggesting, please, do not pass this ordinance under any circumstance. All you do is hurt the Allegheny County Police.

Thank you for your time.

MR. MACEY: Thank you, Mayor Erosenko.

MR. VARHOLA: Roslyn Dailey.

MS. DAILEY: I just want to agree with our Mayor or Councilman ---.

MR. VARHOLA: Excuse me, your name ---

MS. DAILEY: Oh, my name. Sorry.

MR. VARHOLA: --- and address, please?

MS. DAILEY: Roslyn Dailey from Monroeville. And I just want to stand with my Mayor/Councilman, that this --- this ordinance would be an assault upon the people, because it would handicap the ones who would protect us.

MR. MACEY: Thank you, Roslyn.

Next, please?

MR. VARHOLA: Mr. President, we have one signed up and he showed, so Gerald Montoya --- Montano --- Montano, I'm sorry.

MR. MACEY: Gerald, you have three minutes. Thank you.

DR. MONTANO: Thank you, Council.

So I'm Dr. Gerald Montano. I am commenting on Ordinance 11542-20, which is prohibiting discrimination based on sexual orientation and gender identity in a healthcare setting.

I am a Board Certified Pediatrician who have taken care of transgender, lesbian, gay and bisexual individuals for the last seven years. Many TLGB patients I have treated and worked with are healthy and thriving; however, they need an environment where they feel respected, safe and affirmed.

TLGB individuals are increased risk for adverse health outcomes due to stigma and discrimination. This is especially true in a healthcare setting in which a fifth of transgender individuals have been refused care due to their gender identity. As a result, many TLGBT individuals delay seeking healthcare, leading to difficult health problems that could have been easily prevented.

The Allegheny County Council has the chance to promote the health and wellbeing of their TLGB constituents by prohibiting discrimination in the healthcare setting. Although, rights for TLGB individuals have a long way to go, once this ordinance passes, TLGB individuals have one less problem to deal with when seeking healthcare.

With this ordinance, TLGB individuals will have one more reason to consider Allegheny County as a safe and affirming place to live. With this ordinance Allegheny County Council will take one step close to addressing the systems that hurt and marginalize the TLGB community.

The Allegheny County Council has the responsibility to keep the citizens safe, healthy and

affirmed. Passing this ordinance reaffirms their commitment to this cause. And if you have any questions regarding the medical aspects of this law, I'm more than happy to answer them as a medical professional.

Thank you so much for your time and attention.

MR. MACEY: Thank you, Doctor.

Next, please?

MR. VARHOLA: Linda Vaccaro, Pittsburgh, 15206. 11516-20, in favor of this ordinance to eliminate the use of less lethal devices.

Sofia Sunseri, Pittsburgh, 15206. I am in favor of the elimination of less lethal devices.

Marie Cosgrove-Davies, Pittsburgh, 15206. I'm in favor of Ordinance Number 11516-20.

Jane Jameson, Pittsburgh, 15206. I'm in favor of Ordinance Number 11516-20.

Lynn Cox, signed up from Pittsburgh, 15206, but did not submit any comments.

Nancy Gohring, Pittsburgh, 15206. I am wholeheartedly in favor of this amendment.

Loretta Kossenter, 57 --- or Pittsburgh, 15206. Eliminate the use of less lethal devices, I'm in favor of this ordinance.

Pat Hargis, Pittsburgh, 15206. 11516, I can concur with this item.

Jeremy Black, Pittsburgh, 15206. Eliminate the use of less lethal devices.

Dora Plummer Magovern, Pittsburgh, 15206. I am in favor of this ordinance, 11516-20.

Mary Barr, Pittsburgh, 15206. Ordinance Number 11516-20. I'm in favor of this ordinance. I'm against the use of rubber bullets and tear gas and other less lethal devices against protestors.

Melanie Sprenkel, Pittsburgh, 15206. 11516-20, I'm in favor of this ordinance.

Neepa Majumbar, I apologize if I mispronounce that name. Pittsburgh, 15206. I am in favor of Ordinance 11516-20, eliminating police use of less lethal devices.

Abe Stuckey, Pittsburgh, 15206. Ordinance Number 11516-20. I am in favor of this ordinance.

Susan Rupani, Pittsburgh, 15221. I support ordinance 11516-20 to prohibit the police use of tear gas, rubber bullets and other lethal weapons and use of force on our citizens.

Nancy Levine, Pittsburgh, 15206. I am in favor of 11516-20.

Alvaro Varela, 11516-20, I am in favor of this ordinance to stop police use of so-called less-than-lethal devices while the intent of the devices, like rubber bullets and tear gas is not to kill, in practice they often do just that. In scenarios where they are, in fact, less than lethal, they often maim or inflict other major harm.

Mavis Close, Pittsburgh, 15206. Use of tear gas, rubber bullets by police.

Christy Powell, I'm in favor of 11 --- I'm sorry, Pittsburgh, 15206. I'm in favor of 11516-20.

Samuel Nolan, Pittsburgh, 15206. I support proposed county ordinance 11516-20 regarding the prohibition of less lethal devices defined in the proposed ordinance.

James Rooney, Pittsburgh, 15206. Ordinance 11516-20. I'm in favor of this ordinance.

Nora Byrne Runco, Pittsburgh, 15206. In favor of Ordinance Number 11516-20.

James Pezak, Pittsburgh, 15206. I am strongly in favor of Ordinance Number 11516-20.

Erin Marie Haapala, Pittsburgh, 15206. Ordinance 11516-20, I am in favor of this ordinance.

Jessica Christy, Pittsburgh, 15206. It lists the ordinance number, in favor of the ordinance.

Amelia Whitmer, Pittsburgh, 15233. I am in favor of Ordinance 11516-20.

Hannah Breitenbach, Pittsburgh, 15208. I am in favor of ordinance 11516-20 to eliminate less lethal devices.

Samuel Stuckey, Pittsburgh, 15208. Ordinance 11516-20. I am in favor. There is no use for --- there's no reason for the use of rubber bullets.

Sarah Perry, Pittsburgh, 15206. Ordinance 11542-20, to establish countywide non-discrimination requirement in medical treatment settings, I am commenting in support of this ordinance and to urge councilmembers to pass the ordinance. In a country where rights are often --- not often affirmed, it is the duty of our local officials to ensure those rights can exist.

In the case of Ordinance 11542-20, I would like to unequivocally support the idea that non-discrimination should be required. People deserve dignity of care,

regardless of age, gender, gender identity, sexuality, race, ability, et cetera.

I want to make sure my friends and loved ones in the larger community can receive medical care that affirms their identity, such as usage of pronouns that the individual uses and ensures equality.

Thank you, Councilmembers for passing this ordinance today.

Melanie Stangle, Pittsburgh, 15206. Ordinance 11516-20, less lethal devices, I'm in favor of the ordinance. The response of Pittsburgh Police almost entirely peaceful protestors, especially over the last several weeks has been extreme, unwarranted and highlights the obvious need for real change in how the department uses force.

If a chemical agent such as tear gas is banned for warfare in the Geneva Convention, there's no excusable reason why police departments should be able to use it on their own citizens.

The tragic death of 22 year old Sarah Grossman in our neighboring state of Ohio two days after being sprayed with tear gas at a protest demonstrates that such devices can't be guaranteed to be nonlethal and that officers cannot be trusted to use these devices in a safe way.

As a local example, on Monday, June 1st at the intersection of Center and Negley Avenue in Shadyside, officers unleashed tear gas into a crowd of peaceful protestors shouting this is not a riot. They then proceeded to fire rubber bullets when their vision was obscured by the gas, and they cannot possibly see who they were hitting, where on the body they were aiming and how close they were to their victims.

This gross, dangerous irresponsibility demonstrates the necessity of this ordinance. Rubber bullets can maim, kill and cause permanent disability and injury as can many, if not all the devices affected by this ordinance.

These devices are not about public safety, they are about control and intimidation in light of a heightened awareness of police brutality and the systemic racism that underpins it. This ordinance is a step in the right direction of the City of Pittsburgh, please do the right thing and support it.

Thank you.

C. Peters, Pittsburgh, 15206. 11516-20, the ordinance to eliminate the uses of less lethal devices in Allegheny County, I'm in favor of this ordinance.

Andrew Davison, Pittsburgh, 15206. This ordinance is an important step in ensuring the safety of our populous.

Marika Reid, Pittsburgh, 15232. Ordinance 11516-20, I am in favor of this ordinance.

We have two from a Jennifer and Genevieve Davison at the same address, at Pittsburgh, 15206. Both said I'm in favor of this ordinance. No more police brutality, not in Pittsburgh, not in Allegheny County, not in Pennsylvania, not in the United States of America, not on planet Earth.

Christy Fitzpatrick, Pittsburgh, 15206. I'm very much in favor of Ordinance 11516-20.

Nicole Peeler, Pittsburgh, 15206. Allegheny County Ordinance 11516-20, eliminate the use of less lethal devices.

Andrew Medved, Oakdale, 15071. Please pass this non-discrimination measure and protect transgender people's access to safe and equitable healthcare. As a transgender person of Allegheny County, this would help protect my life and my siblings' lives.

Jennifer Doody, Sewickley, 15143. Ordinance 11542-20, please support this proposal and protect trans healthcare rights.

Janet Paulus, Sewickley, 15143. Ordinance 11542-20, as a mother voting and tax paying citizen and wife of a transgender person, I urge council to pass this ordinance to protect our community's most vulnerable citizens.

My partner is the bedrock of our family. They are the very heart of our home and the stark realization that they could be left to die by medical providers for the simple act of living authentically is devastating. This is quite literally life and death. I urge you to consider your responsibility to all of your constituents. I urge you to do only the right and decent thing and vote to protect all of our citizens from discrimination.

Jennifer Johnson-Nazareth, Coraopolis, 15108. Ordinance 11542, as a business owner, someone who cares about human rights voting and taxpaying citizen, I urge Council to pass this ordinance and protect our community's most vulnerable citizens.

The thought that a transgender --- they could be left to die by medical providers for the simple act of living authentically --- authentically is devastating. This is quite literally life and death. I urge you to consider your responsibility to all of your constituents. I urge you to do the only right and decent thing and vote to protect all of your citizens from discrimination.

Ellen Parsons, Ordinance 11542 is a necessary step to protect transgender individuals within the county from discrimination that would easily result in poor health outcomes or death.

Trans individuals are among the most vulnerable in the county --- in our county in the new national removal of transgender protections from the Affordable Care Act makes a bad situation worse. This ordinance is a basic issue of human rights and should be passed in our county.

Rachel Marchetti. I am writing to express my support for the proposed ordinance to establish county-wide non-discrimination requirement of medical treatment settings, reference Ordinance 11542-20.

I am a CIS woman, but it's vital that we stand up for all citizens of the country --- or of the county, including transgender people. Not only is it the right thing to do to ensure that all people have access to healthcare, but in the time of this pandemic, we are dependent on our neighbors' healthcare for our own safety.

The healthcare of others should supersede the opinions and beliefs of the provider. Please support this ordinance.

Melissa Compton, Pittsburgh, 15238. I'm writing in support of Ordinance 11542, which will allow trans people to be treated fairly in healthcare settings in Pittsburgh.

I was horrified to hear that --- Trump's decree, which only aims to hurt people. Pretending that it is for the protection of healthcare workers is a farce. I'm a registered nurse and a current volunteer at Children's Hospital. The transgender patients and community members, I know deserve to be treated with care and compassion, just like any other person.

Some may disagree with their choices or even be intimidated by their differences, but trans people deserve to feel safe and respected when they need care.

Catherine Costa, Pittsburgh, 15237. I am fully in favor of Ordinance 11542-20. Please pass this ordinance to enable all residents of Allegheny County to have the ability to seek and receive medical care without fear of discrimination.

Susan Kaminski, regarding Ordinance 11542-20, establishing countywide non-discrimination requirement in medical treatment settings. As a voting taxpaying county resident as well as friend of many transgendered persons, I find it shocking that as in this day and age we have to actually create an ordinance that people are entitled to equality in medical treatment. Sadly, though, we need a legal act to ensure this. I strongly ask that you ensure that all of your constituents are afforded the same protections. Fair treatment for all should not be a difficult decision.

Georgiana Fichter, Sewickley, 15143. Ordinance 11542-20, I am in support of establishing countywide, non-discriminatory requirement in medical settings. Thank you.

Catherine Kennedy, Pittsburgh, 15218. County Ordinance 11542-20, I write in support of this ordinance. I've read the text. I'm so grateful to live in a county that is standing up for citizens' rights to medical care regardless of gender. Please vote/pass this ordinance into law.

David Greve, Pittsburgh, 15218. The comment --- this comment pertains to Ordinance 11507, I want to all strongly urge that County Council pass both of these ordinances.

The first, 11507-20, which mandates testing for Allegheny County jail inmates and county employees and contractors. As cases of COVID rise and our hospitals fill, it is absolutely imperative to test jail inmates, especially jails have been site --- sites of some of the worst outbreaks across the country. It is unconscionable to put those in the county's care at risk of severe illness, death and long-term disability.

The county has this same duty of protection to its employees, contractors and hospital workers. They're on the frontlines of this pandemic and its destruction.

11563-20, David Greve. Pandemic rising case numbers of the oldest counties of the country, the county must be vigilant in enforcing safety requirements related to the virus. This includes getting information about

which employers are not following the guidelines and putting workers at risk, as well as customers.

It is workers especially that the county would depend on for this information. However, in a right-to-work state like ours, retaliation against employees that provide this information is an unfortunate reality. In order to protect Allegheny County residents, we need to protect our workers when they speak of an unfortunate reality.

I'm sorry, when they speak about unsafe conditions of the work at any time, but particularly during this pandemic, I urge you to pass this ordinance.

Mary Scallerico --- I'm sorry, if I mispronounced that, Sewickley, 15143. Please keep healthcare for transgender people. No one should be penalized for who they are.

Ciora Thomas, Ordinance 11542-20, I'm in full support of the ordinance, as it will protect countless LGBBQ Allegheny County residents, and especially our TGNC transgender and gender --- gender non-conforming community members who are currently already having trouble accessing trans component care before and during the pandemic. This would allow vulnerable community members to support discrimination when it's happening, while also putting medical practices on alert that they are being watched from the county, thus creating accountability for discrimination malpractice or abuse.

Megan Sheridan, Sewickley, 15143. I write in support of the proposed non-discrimination on basis of gender and healthcare.

Weston Marcum, Pittsburgh, 15218. Bill Number 11507, an ordinance requiring the county test all residents of Kane Hospitals, all inmates at the county jail and all county employees and contractors where we work, at either location for current COVID-19 infection.

As a resident and taxpayer in the county, I wholeheartedly support this. However, the ordinance does not go far enough. In order to keep our residents safe from COVID-19 as well as preventing the spread of the disease, generally, we need to perform regular testing on such populations where it may spread rapidly.

A single test on such person is not sufficient. We should have made provisions for regular testing months ago. Every day we delay in doing so increases the risk that we will allow the virus to spread without detection

through those populations, harming them directly, as well as endangering the public at large.

Bailey Turba, McKeesport, 15133. I am writing to voice my support of ordinance 11542-20, establishing county-wide non-discrimination requirements for medical treatment settings is absolutely necessary, especially in the wake of current administration's assault on protections for the LGBTQIA community in regards to their healthcare.

The life expectancy for trans people is significantly lower and further lower by trans women of color. This is due to the ignorance, bigotry and transphobia that have no place anywhere in the city, especially not as a barrier to safe and equitable access to medical care and attention. Healthcare for all now, solidarity forever.

Erin McDonald, Pittsburgh, 15232, ordinance 511542-20. I'm in favor of a county-wide non-discrimination requirement in medical treatment settings. Healthcare is needed regardless of sex, gender, race and sexual orientation.

Maryann Lewis, Pittsburgh, 15234. Regarding proposed ordinance 11542-20, I wholeheartedly support the establishment of a countywide non-discrimination requirement in medical treatment settings. Healthcare should be a right for all, and there's no room for discrimination based on gender, sexual orientation or for any reason.

It's a shame that we must have an ordinance to assure --- assure access for all, but it's the right and moral thing to do.

Cameron LeViere, Pittsburgh, 15128. Please support the county-wide non-discrimination ordinance. Many, if not most of my loved ones fear for their ability to receive medical treatment. It is unconscionable that anyone should have to fear in that way based on who or how they were born.

Before you make your decision regarding this ordinance, I urge you to consider how you would feel if you or your loved ones suffered or died because an immutable (sic) part of their --- of your identity.

Ross Carmichael, Pittsburgh, 15207. Ordinance 11542-20, establish county-wide non-discrimination requirement of medical treatment settings. Dear City Councilmembers. As a resident of the City of Pittsburgh

and Allegheny County and as a pastor of St. Andrew Lutheran Church in Shadyside, I ask and encourage you to take action and ensure that everyone who lives in this area is protected from discrimination in medical and healthcare settings.

No one in our community should be at risk being denied medical service and/or treatment or receiving inadequate care and mistreatment in relation to his, her, their health. It is essential that all our citizens are treated with dignity and respect and we protect our most vulnerable neighbors.

Given recent developments in the federal level with the Department of Health and Human Services in regard to discrimination on the basis of sex, it is especially important that we take action to protect our transgender neighbors who often face challenges in finding medical care and who may even avoid seeking it altogether to avoid concerns about any distress or potential mistreatment.

This ordinance is an important move toward such protection and I urge you to support this passage. Thank you very much for your consideration.

Jacob Barney, Pittsburgh, PA, 15211. I am writing to voice my support of ordinance of 11542-20, establishing county-wide non-discrimination requirements for medical treatment facilities is absolutely necessary, especially now in the midst of a pandemic when the current Trump Administration is attacking, legislating away LGBTQ2IA healthcare rights and protections.

The life expectancy for trans folks is significantly lower than the average human and even lower for black transgender women. This is due to the massive ignorance and systemic transphobia that hurts our community on a daily basis. Please consider and support this ordinance, as it protects people like myself and my friends.

We demand affordable protected healthcare for all humans, especially members of the LGBTQIA community, and especially --- and especially --- and specifically the trans community within Pittsburgh.

Joy Givens, Pittsburgh, 15216. Ordinance 11542. As a straight CIS gender married mother of two and 12-year resident of Pittsburgh, I strongly urge and ask the council to please take the crucial step of establishing county-wide non-discrimination requirement in medical treatment settings.

All of our friends, neighbors and family members deserve to be treated with respect, support and equity. No person who is already in a vulnerable position of receiving medical treatment should have to face the additional fear of discrimination and adequate care, dismissive care or even refusal of care simply because of who they are, how they look or whom they love.

In particular, trans people face even greater threats now because of the federal government's cruel stripping of protections in healthcare settings. Our county has the opportunity to send a message that our trans siblings will and remain valued in this region. Please consider how you would feel in their shoes and pass this ordinance to show that we protect all our neighbors.

Valetta Boudreau, Pittsburgh, 15218. I urge the County Council to vote in support of 11507-20, the ordinance requiring the testing of all residents of Kane Hospital, all inmates at the county jail and all county employees, contractors at either location for current COVID-19 infection.

Jails around the country are rapidly becoming hot beds for COVID-19 outbreaks. Widespread testing of inmates and workers at the county jail and Kane Hospitals is vital protecting those vulnerable populations.

Nicole Hall, Pittsburgh, 15212. I am in full support of the agenda item, ordinance 11542-20, establishing non-discrimination protection in medical treatment settings, especially because of the ordinance's ability to protect the rights of trans people.

As a CIS person, I stand in solidarity with our trans, binary and non-gender non-conforming community members and thank the council for doing the same. Let's not stop here but take affirmative action to ensure that everybody, including our disproportionately impacted LGBTQ population of Allegheny County has access to basic needs, including housing, healthcare, food, education and more.

I am also in support of ordinance 11516 and am pleased that these non-lethal weapons will no longer be allowed to be used by police. However, a \$300 fine is maybe too little, unless it's charged that every on-duty officer, per every rubber bullet and each tear gas canister used while the officer is on duty in the location by him and his fellow police.

Perhaps these fines can also be made retroactive for the past several months or even years. However, this

is not enough. While this does not, in some cases, limit the ability of police to cause harm, cases around the United States have shown that the police officer needs to be more than near a fist or even threats and a pair of handcuffs to cause lethal harm.

The conversation we should be having is around defunding the police. I turn you to the people's budget of LA and ask that you look at how they propose allocating spending. A significantly smaller portion of that budget goes to police.

Thank you also for proposing testing for inmates in county jail, but do they need to be there in the first place? No. Please release all non-violent inmates at the very least, including those who have not yet been convicted and allow them to quarantine at home. If they're unhoused, you need to help them find safe housing.

I am also in support of workplace protections for employees with non-compliant employers. I think they should also apply to restaurant and other service industry employees who wish not to return to work when indoor dining re-opened. Only for a spike in COVID-19 cases to justify their concerns.

How will they be compensated, how will we pay people to stay home and quarantine until there's a vaccine? What gaps would a county fill in terms of income for its residents who cannot work right now? Thank you for all the work you're doing. It's truly appreciated. I yield my time.

Jesse Wozniack, Pittsburgh, 15218. This comment is offered in support of ordinance proposed by Councilors Hallam and Bennett, requiring the county to test all residents of the Kane Hospitals, all inmates at the county jail and all county employees and contractors performing work at either location for current COVID-19 infection.

This is the kind of basic commonsense ordinance that should pass with little discussion. Although there's much we remain unaware of as to how exactly COVID-19 has spread, one of the few things nearly all epidemiologists and biomedical researchers can agree on is that at the highest possible risk for transmission is between individuals exposed to one another in enclosed spaces for extended periods of time.

This is the central reason hospitals and jails have been such hot beds of COVID-19 transmission, as they are definitionally the types of places transmissions most

likely occur. In the case of jail, it is important to note that a majority of people housed within it are on pre-trial detention, meaning they have yet to be convicted.

It simply flies in the face of any concept of democratic constitutional right to be exposed to a fatal disease simply by virtue of having been suspected of committing a crime. Even for those within the jail serving criminal sentences, there is not an offense among them that could be reasonably argued to be deserving of death.

Keeping inmates alive is one of the baseline expectations of any functional jail system, and without testing for both inmates and staff, the ACJ would be in grave danger of failing this bare minimum standard.

Jenna Neckridge, Pittsburgh, 15232. Bill Number 11507-20, all residents of Kane Hospital, all inmates at the county jail, all county employees and contractors should require COVID-19 testing.

I worked at Kane Glen Hazel up until March when it was no longer safe for any resident or employee to be there due to COVID. Everyone must be tested to stop the further spread of the deadly virus.

Scott Pospisil, Sewickley, 15143. I want to comment on ordinance 11516-20, which would ban police from using tear gas, et cetera. I want to urge all the councilmembers to please use commonsense when voting today on this ordinance.

If you heard that Allegheny County surgeon had made a mistake in using a scalpel to do surgery and accidentally killed someone on the operating table, would you then try to make an ordinance banning all surgeons in Pittsburgh from using a scalpel? Of course not. That would not make sense, because scalpels are still necessary to save lives.

Then why do we need to try to prevent Allegheny County police from using the tools they need, like tear gas, to save lives during a riot just because those tools have accidentally hurt a few people nationwide. That would not make sense.

The council has not proposed a better alternative. In violent riots, when rioters are breaking the law then there is no way to make sure that both the rioters and innocent civilians stay totally safe from

injury. So it is the violent rioters that should assume the greater risk.

If police need things like tear gas and rubber bullets to protect innocent civilians and their property from harm than they need to be allowed to do that. Please use commonsense and protect innocent lives and property when violent riots occur and riots are --- and rioters are breaking the law after repeatedly being warned by the police.

Please vote no against Ordinance 11516-20. Most citizens in Allegheny County would applaud you. What would you want the police to be able to do if your life and property were being threatened? Please use compassion and commonsense and vote no to Ordinance 11516-20.

Mr. Vice President, I am completed.

MR. MACEY: Thank you, Mr. Varhola. We all know we're in trying times and trying times takes a little special effort. And I think that Mr. Varhola stepped up to the plate and handled the task eloquently.

Thank you.

Okay. Approval of minutes, please.

MR. BARKER: 11561-20, a motion to approve the minutes of the June 23rd, 2020 regular meeting of council.

MR. DEMARCO: So moved.

MR. WALTON: So moved.

MR. PALMOSINA: Second.

MR. MACEY: Motion made by Councilman Dewitt Walton, second by Councilman Palmosina. All those in favor, signify by saying aye.

(Ayes respond.)

MR. MACEY: Okay. Presentation of appointments.

MR. BARKER: We have none.

MR. MACEY: Okay. We're going to go on to unfinished business. Committee on Government Reform, second reading. Mr. Futules.

MS. FUTULES: Do you want to read it first?

MR. BARKER: I can read the title. Bill 11542-20, an Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, Division 2, entitled County Government Operations, Chapter 215, entitled Boards, Commissions and Committees, Article V, entitled Human Relations Commission, in order to establish a countywide non-discrimination requirement in medical treatment settings.

Sponsored by Council Members Klein, Futules, Duerr, Hallam, Bennett, Prizio, Walton, Palmosina and Zavarella and Catena.

MR. MACEY: Councilman Futules.

MS. FUTULES: Okay. Last Tuesday the committee did meet on a human relations bill, and it had left the committee with an affirmative recommendation. And I might add that it was unanimous, and I'd like the motion to approve.

MR. DEWITT: Second.

MR. MACEY: The motion has been made by Councilman Futules, seconded by Councilman Dewitt. All those in favor --- we're going to do a roll call vote.

MR. FUTULES: Any comment?

MR. MACEY: Roll call vote, please.

MR. BARKER: On the motion to approve. Mr. Baker?

MR. BAKER: Yes.
MR. BARKER: Ms. Bennett?
MR. BENNETT: Yes.
MR. BARKER: Mr. Demarco?
MR. DEMARCO: Sure. Yes.
MR. BARKER: Mr. Duerr?
MR. DUERR: Yes.
MR. BARKER: Mr. Futules?
MS. FUTULES: Yes.
MR. BARKER: Ms. Hallam?
MS. HALLAM: Yes.
MR. BARKER: Ms. Kirk?
MS. KIRK: Yes.
MR. BARKER: Mr. Klein?
MR. KLEIN: Yes.
MR. BARKER: Mr. Macey?
MR. MACEY: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: Yes.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: Yes.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: Yes.
MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 15, nos zero. The bill passes.

MR. MACEY: Thank you. Committee on Health and Human Services, second reading.

MR. BARKER: Bill Number 11516-20. An ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 5, entitled Health and Sanitation through the creation of a new Chapter 600, entitled, Less Lethal Devices, in order to protect the public health by eliminating the use of certain devices within Allegheny County.

Sponsored by Council Members Hallam and Bennett.

MR. MACEY: I just wanted to say that this has been well vetted and there has been three different meetings, but I'll let the sponsor go to that. But I have a special request from Councilwoman Anita Prizio. She wanted to make a short statement.

Is that okay? Is that all right with everyone?
All right. Thank you.

MS. KIRK: Well, should I --- did I introduce the ordinance?

MR. MACEY: Yeah, one second, Councilwoman Kirk.

MS. KIRK: Okay.

MS. PRIZIO: Thank you, Vice President Macey. As a member of the Health and Human Services Committee, I struggle with the less than lethal weapons ordinance sponsored by Councilors Hallam, Bennett and amended by Councilor Duerr.

It has become painfully clear to me, despite any amendments offered, this bill is still in jeopardy. I believe the issue regarding the use of non-lethal weapons can be addressed in the context of discussion of an independent ombudsman, perhaps paired with a civilian oversight panel.

For example, in the midst of a respiratory pandemic is deploying tear gas as crowd control a really good practice? What may be appropriate for a SWAT situation may stir up a crowd rather than suppress it.

A demonstration must not be viewed as a homogenous crowd, but as different folks requiring different responses. For example, maintaining dialogue with the peaceful protestors and target the destructive ones with the rest. This nuanced approach will allow the

police to do their job protecting and serving our entire community.

Thank you very much.

MR. MACEY: Thank you. Councilwoman Kirk, please?

MS. KIRK: Thank you. This ordinance was amended in committee and differs from the version that was introduced. The current form of this ordinance bans the use of less lethal devices by the county police but exempts any devices falling within the definition of ammunition under the terms of the PA Uniform Firearms Act from the stand. This exemption is intended to mitigate issues under the USA's pre-emption clause.

The Health and Human Services Committee met, along with several council members, and worked on this ordinance on June 24, June 30th and July 7th. We heard from our solicitor. We had law enforcement explain the less lethal weapons and their indications. And we heard from supporters who shared their story. Amendment was made and accepted. Two of the three from Councilman Duerr were made to the original ordinance.

After discussions we voted to pass this ordinance onto the full council with a negative recommendation. So on behalf of the Health and Human Services Committee, I would ask the members of council to vote no on Ordinance 11516-20.

Thank you.

MR. MACEY: Is that a motion?

MR. KIRK: No, that's just reporting the recommendation back from the committee.

MR. MACEY: Do we have a motion?

MR. DUERR: Vice President Macey, this is Councilman Duerr ---.

MR. MACEY: Mr. Duerr, we're following procedure here. I'm asking for a motion. Do we have a motion?

MS. FUTULES: I'll make a motion.

MR. MACEY: Okay. A motion has been made by Mr. Futules. Do we have a second?

MS. HALLAM: Sponsor of this legislation, please.

MR. MACEY: Excuse me, Ms. Hallam. We're looking for a second.

MR. DEMARCO: Second. Demarco.

MR. MACEY: A second has been made by Councilman Demarco.

Okay. Questions on the motion? I'll take you in order, by alphabetical order to stop confusion.

MR. WALTON: Mr. Chairman, was the motion to pass or reject the legislation?

MS. FUTULES: To reject it.

MR. MACEY: To reject it.

MR. WALTON: Okay. But I'm asking, is that the motion that Mr. Futules is making?

MS. FUTULES: I'll make a motion to reject the ordinance.

MR. DEMARCO: I will second the motion to reject.

MR. KLEIN: Point of preference, please. This is Councilman Klein. Can we hear from the sponsor? Can we hear from ---?

MR. MACEY: Councilman Klein --- Councilman Klein, I stated that I will allow individuals --- those who have already been to those meetings, and those people that have not been to those meetings. I want to be fair, give everybody an opportunity, but I'd like to do it alphabetical order. It makes it a little bit easier for me and for us to follow along.

So Mr. Baker, do you have any comments?

MR. BAKER: Vice President Macey, I do not have comments. Thank you.

MR. MACEY: Ms. Bennett?

MS. BENNETT: I do not have comments either. Thank you.

MR. MACEY: Thank you. Mr. Demarco?

MR. DEMARCO: Thank you, President Macey. I would just like to add that this bill has been vetted, it's been discussed at least at three meetings. And I think we need to allow the police officers the tools to be able to take and protect our community.

I heard from one of our colleagues, talked about the folks with respiratory disease. Maybe they shouldn't be out there or should leave when the police give them the order to disperse and then they wouldn't be exposed to any of these non-lethal munitions. So I recommend that it be rejected.

Thank you, President Macey.

MR. MACEY: Councilman Duerr?

MR. DUERR: Yes, Vice President Macey. Thank you very much. I have a brief statement.

So in the attempt at a compromise on this issue, during the committee process, I offered up three amendments that I felt would have fixed the concerns. Many of my constituents and even some of my fellow councilmembers had about this bill.

And while two of my amendments passed fixing the legal issues, still the third one focusing on the scope of the bill, unfortunately failed. My support of this bill would hinge on the passage of all three amendments as well the legal issues of the bill have been resolved. Its scope is still far too broad for me to support.

The way in which the bill is written right now --- the way in which the bill is written right now, it would take these less lethal devices out of the hands of our officers, not just in non-violent and crowd control situations, but in all situations, including those like the Tree of Life shooting where these tools were used.

I cannot, in good conscience, vote for a bill that would put our law enforcement officers in a significantly worse position to respond to such life and death situations. Plainly put, this bill would put --- this bill would solve the issue of these devices being used prematurely, and the case of non-violent protests but create a much larger one by prohibiting across the board and taking them out of the hands of our law enforcement agencies in the most dangerous and life threatening situations.

I do, however, deeply understand the need for increased oversight on this particular issue and will once again, urge my fellow councilmembers to vote to bring Councilman Walton's Civilian Police Review Board Ordinance, a bill that many of us, at least to some extent agree upon to the floor as soon as possible.

Thank you very much.

MR. MACEY: Thank you, Mr. Duerr. Councilman Futules.

MS. FUTULES: Okay. Thanks.

During this deliberation, we heard from several different people in the police field, and of course, we had several if --- I can't actually count the number of e-mails that I read, people that were for it and then the ones that were against it. And there were several different analogies, and some of them became interesting.

And one analogy was a man's --- described a doctor with a scalpel, and if he were to accidentally kill

somebody, would you take scalpels away from all doctors? And the answer is no. Of course, that's a poor analogy, of course, but that's what he said.

I heard from the police union, the FOP president. He e-mailed us, and some of you may have read that special one. He stated over 33 years ago he was a police officer and they didn't have the non-lethal weapons that they have today. They had, basically, shields, their helmets and a billy club. And the only way to --- and a gun, of course. The only way to subdue a crowd was to beat them with clubs. And that's when they started implemented new types of weapons of --- less lethal to control crowds.

So the bottom line is, it's a safety factor for the private property, other people actually there in the protesting lines, and police officers probably would not have been able to stop the Target onslaught, as it saw, in East Liberty, had they not have used lethal weapons. So you've seen what happens across the country where cities are being burned down, looting is ridiculous. And I'd be ashamed to be a part of that city.

Pittsburgh had minimal damage here, and I thought our police force did a great job controlling the crowd in the early ongoings and as you know, as it got days past --- even in the town of Oakmont where I live, they had a very peaceful protest. They stood on the street corner and along the street pass --- and actually social distanced. And they were waving to the crowd, very, very polite actually.

And it was one of those type of protests where you would say you had to respect for what they believed in. So that's all I have. Thank you.

MR. MACEY: Okay. Thank you, Councilman Futules.

Ms. Hallam, please.

MS. HALLAM: Yes. Thank you, Vice President Macey.

So the status quo is untenable. We cannot carry on with business as usual. We cannot wait for any more of our black neighbors to be killed at the hands of law enforcement officers. We cannot wait for those who protest against the racism and injustice that pervades this country to be attacked by police with weapons that are illegal to use in the theatre of war.

This ban proposed tonight is just one small piece of a much larger effort to truly re-imagine what it means to be safe in today's society and how we can all work towards this. We need this ban on chemical weapons like tear gas, and actually quite lethal weapons, such as bean bag rounds and rubber bullets.

But this ban, it's nowhere near enough. There is no evidence whatsoever that the less than lethal devices described in this ordinance actually reduce the use of lethal force, despite what many of my colleagues like to reference in their state.

The so-called reform our political leaders have been promising are proving not only to be inadequate but even dangerous. And all the while, funding for services have tapped out --- spending always is prolonged ---. For decades we've been told that we need to do more with less, that we need to tighten our belts. But there isn't money in the budget to fund --- health grant --- program or to tackle the issue with blood in our homes and our bodies.

Spending on public safety has risen steadily, while we're repeatedly told that there is not enough money to tax the ---. More --- police officers are feared every year, while there are future teachers ---.

MR. MACEY: Ms. Hallam, you're breaking up.

MS. HALLAM: This cannot continue. We need to vote.

MR. MACEY: You're breaking up, Ms. Hallam.

MS. HALLAM: Can you hear me now?

MR. MACEY: Yes. Is there any electronic devices interfering with your phone?

MS. HALLAM: I mean, I'm on an electronic device to participate in this meeting.

MR. MACEY: You sound much better now, Stephanie. Thank you.

MS. HALLAM: Yeah. No, I literally didn't even move. But anyways, this can't continue. We need to divest from police departments and law enforcement and reinvest in our communities and our neighbors, and particularly in our communities and neighbors of color.

Over the next several months we will be working with community partners and political leaders to call for various reforms, including first responders who are medical, mental health and social worker professionals, services that can meet people where they are, providing methods in areas for the safe use of substances and

focusing on harm reduction, getting funding for --- to invest in affordable housing and assisting individuals and families who are housing insecure and working to decriminalize poverty, mental health condition, sex work, housing instability and substance use disorder.

We need to take all of these steps to move towards a world where we do not depend on police with guns and other harmful weapons to solve all of our problems in society. I do look forward to working with all of you to make these changes that we so desperately need. And I ask that you to support this ordinance tonight.

Thank you.

MR. MACEY: Thank you, Councilwoman Hallam. Councilwoman Kirk, or do you want to wait until the end?

MS. KIRK: Actually, there's something. I wasn't going to say anything, but I just can't take hearing it anymore. That's about the statement about the banning of this and war. That is such a falsehood. That is an overstatement and the hardships of war has nothing to do with this.

What they ban, if anyone would do any research into military history, you would know, that was to blind their enemies. It was so forceful, if used today, it would melt a contact lens to the cornea of your eye. You'd be instantly blinded by that. If you had any moisture in your skin from perspiration, you would have three degree burns.

That is what they're talking about. It has no point of being in this amendment. And the twice I heard it tonight, I couldn't hold back any more and say that was such hyperbole with ridiculousness in there. It's trying to fool people to think that's what they use. And they do use tear gas, not the mustard gas and everything else they're using, it's used in training all the time on our own law enforcement officers and the military. So it's not what you're talking about. And it made no sense in here, and I just couldn't hold back any longer, because it was ridiculous that it was even in there. And for you to bring it up again, you need to do your research, because that was --- it's really a falsehood built into it, because that --- what they were talking about has nothing to do with the less lethal weapon of tear gas use today.

Thank you.

MR. MACEY: Thank you, Councilwoman Kirk. Councilman Klein? Councilman Klein?

Okay.

MR. KLEIN: Yes. Thank you, Mr. Vice President. Last week in the committee meeting, Councilman Duerr did introduce three amendments, as he mentioned earlier. Two of them passed in the committee, but one did not. And that one which did not was --- the third that he recommended was entrusting to the discretion of police officers the responsibility with determining when all other recourse to using non-lethal weapons had been exhausted.

One of our members argued against that standard, claiming that it would lead to the discretion of whether to use non-lethal force in the hands of the police. So by that logic, if we can't trust law enforcement to make that call with respect to the use of non-lethal weapons, then how do we trust them with weapons of deadly force? If the answer is no to both, then this bill should be much broader.

In fact, police officers are not robots. We expect them to exercise discretion and judgment in all situations. In a study that was conducted by the National Institute of Justice, during the Obama Administration, when Eric Holder was the Attorney General, it was noted that less lethal weapons decreased the rates of officer and offender injuries. The study also notes that although pepper spray and DEDs such as tasers cause pain, they reduce injuries. And death or serious harm associated with their use is rare.

Charles Heal, a former L.A. County Sherriff and a Marine --- I guess they're never former --- and also a non-lethal weapons expert in a profile in the New Yorker in 2008 offered this. He said non-lethal is an imperfect term. Lethal weapons are defined by their capability, non-lethal weapons are defined by their intent. In the hands of police, non-lethal weapons are meant to resolve a crisis.

And the question they raise is this. Did the non-lethal weapon create a save, an apprehension as opposed to a killing? To be clear, DEDs, as we might broadly call them, as the study concluded, can be overused. They can be overused, they can be used inappropriately and they can be used too many times in a single case. This is something that is unacceptable, but there is a possible anecdote that my colleague, Mr. Duerr, just mentioned and has noted before.

Two years ago my colleague, Mr. Walton, and I introduced legislation to create an independent civilian police review board in Allegheny County. It was reintroduced throughout the floor by Mr. Walton this past January. I will be voting against this ban tonight, because these less lethal devices and serious efforts to de-escalate tense situations are mitigating factors that might forestall or avoid a far darker outcome. And if we're able to build a civilian police review board in this county, that county will make --- that board will make those determinations as to when the non-lethal force was acceptable and when it was not acceptable.

Thank you very much.

MR. MACEY: Thank you, Mr. Klein. Thank you very much.

Mr. Palmiere?

MR. PALMIERE: Mr. President?

MR. MACEY: Yes, sir.

MR. PALMIERE: I'm in complete --- I'm in complete support of our county police. I think they've done a wonderful job in the past, and I'm sure they will continue to do so in the future. I'll be voting no. I want them to have the best tools, the best possible means to be able to quell any situations that come up in Allegheny County. Thank you.

MR. MACEY: Mr. Palmosina, please.

MR. PALMOSINA: No comment. I'm ready to vote.

MR. MACEY: Thank you. Councilwoman Prizio?

MS. PRIZIO: I have nothing.

Mr. MACEY: Okay. Councilman Walton?

MR. WALTON: As one member of Council who has spent much of his life engaging in civil disobedience, challenging decisions and policies that I believe to be not in the best interest of folks that I represented and communities in which I served, I found it important that I had my ability to protest and, again, engage in civil disobedience, but at the same time not to have to worry about being shot. The ability and right to citizens to protest and to challenge policies and decisions are critical, but at the same time we have to protect their rights to protest and we have to maintain order at the same time.

So predicated on that, I think a decision to limit the ability of officers in this instance to use non-

lethal weapons is not in the best interest of our citizenry at large. And I'll be voting no.

MR. MACEY: Councilman Zavarella?

MR. ZAVARELLA: I have no comment, other than to say I think we're ready to make a well-informed vote tonight.

MR. MACEY: Thank you, Councilman. Councilman Catena?

PRESIDENT CATENA: Thank you, Vice President Macey. Just from the point of clarification, I've heard it mentioned numerous times tonight that this would ban --- and we went into --- if we needed to go into a critical incident situation and use flash bang grenades or what have you, that's not the way the ordinance is written. It's written in a way that it's specifically directed toward crowd control. And for the point of clarification, I just felt the need to point that out for everybody, because if you go back and read the ordinance, it's very clear in stating that. And it's in numerous whereas clauses where it says that, so it would only be for crowd control measures.

Now that I've said that, I've heard from numerous people in my district and my district made it abundantly clear that they don't want to remove the tools --- any tools from the police departments. Is there a better way to do crowd control? I don't know. I mean, honestly, I really don't know. But when you have people that are getting hit with tear gas or rounds of rubber bullets or what have you and they're protesting, I mean, that is a problem. You've got to admit that that's a problem and that's a serious problem, especially if they're peacefully protesting.

The Citizens Police Review Board --- I know, the City of Pittsburgh is investigating the incident that took place, and I'm very interested to see what their ruling is going to be once all is said and done. I think it's very important, and I think if their ruling comes out with something that we can learn from that, I think it would be important to possibly revisit the subject, but I would very much like to hear what the Civilian Police Review Board of the City of Pittsburgh has to say after they investigate these incidents and find out if this was proper use of force.

So thank you, Mr. Vice President.

MR. MACEY: Thank you, Mr. President. I want to thank everybody for their comments and being patient through this. This is a very concerning motion on a bill that affects everybody. Everybody.

And I just want to make it clear, this particular motion by Mr. Futules was to vote no on this --- on 11516.

Is that correct?

MS. FUTULES: No.

MR. VARHOLA: You just need an up or down vote. So it's just a motion to bring it up and you need a second, which I think we already have a motion, a second. We need to clarify. Right, Jared?

MR. BARKER: The original form of the motion was a motion to disapprove the bill.

MR. MACEY: Okay.

MR. BARKER: I think the form might be something we want to be clear about before proceeding.

MR. WALTON: Thank you. The form is critical.

MR. VARHOLA: A yes votes for passage and no votes against passage.

MR. MACEY: This is the ordinance. The motion is yes to pass the ordinance or to bring it to the floor?

MS. FUTULES: To bring it up for a vote.

MR. MACEY: To bring it up for a vote.

MS. FUTULES: Yeah.

MR. MACEY: That's correct?

MS. FUTULES: Yeah.

MR. MACEY: Well, that's what I thought.

MR. VARHOLA: If you vote yes, you're in favor of this ordinance. If you vote no you're not.

MS. FUTULES: Correct.

MR. VARHOLA: I'll make that real clear.

MR. WALTON: Make that very clear.

MR. CAMBEST: We have a motion on the agenda to approve Ordinance 11516-20.

MR. MACEY: Correct.

MR. CAMBEST: That's the motion.

MS. FUTULES: The motion was to disapprove.

MR. CAMBEST: You made a motion --- and I don't know whether you're confusing that with the representation that came out of the committee, but procedurally you should never have a motion not to approve. It should be to approve. If you want to approve 11516-20 as written

you vote yes. If you do not want to approve it, you vote no.

MS.HALLAM: I motion to approve this ordinance.

PRESIDENT CATENA: Mr. Vice President for the sake of clarity, ---

MR. MACEY: Yes.

PRESIDENT CATENA: --- can Vice President --- can Councilman Futules just withdraw his motion, because the motion is already on the agenda?

MR. FUTULES: Okay. I can.

MR. CAMBEST: If you want to make it for the record, Mr. Futules, that you want to withdraw your motion not to approve, you can choose not to recommend approval.

MS. FUTULES: I can. The only reason I made the motion because the Chairman of the committee failed to.

MR. CAMBEST: I understand. I think it was just confusion as to the form of the motion.

MR. MACEY: Okay.

MR. CAMBEST: Mr. Barker, would you read the motion as written on the agenda?

MR. BARKER: Give me a second here.

MS. HALLAM: I move to approve this ordinance ---.

MR. MACEY: By point of order, just hold off, Ms. Hallam, please.

MR. BARKER: The bill, as it appears on the agenda is number 11516-20, an ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 5, entitled Health and Sanitation, through the creation of a new Chapter 600, entitled less lethal devices, in order to protect the public health by eliminating the use of certain devices within Allegheny County, sponsored by Council Members Hallam and Bennett.

MR. CAMBEST: We need a motion. Motion to approve, Mr. Palmosina, making a motion on this?

Ms. Hallam made the motion. Do we have a second?

MS. BENNETT: Second. Liv Bennett.

MR. CAMBEST: Okay. We have a second. Now we need to vote. So that there's no confusion, if you want to approve the motion as written, you vote yes. If you do not want to approve this motion, you vote no. It has a negative recommendation. That's all.

MR. MACEY: Okay. To approve the negative recommendation ---.

MR. CAMBEST: No, motion to approve the order.

MR. PALMOSINA: Just a yes or no vote.

MR. BARKER: The vote is essentially to approve the ordinance. Just a yes or no vote.

MR. MACEY: Okay. I'm going to be real cordial now. Okay. There's been a motion made and --- by Beth Hallam and seconded by Anita Prizio (sic) to approve this ordinance. We'll have a roll call vote.

MR. BARKER: On the motion to approve, Mr. Baker?

MR. BAKER: I think it was Liz Bennett with the second, but I'm a no.

MR. BARKER: Thank you. Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Demarco?

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: No.

MR. BARKER: Mr. Futules?

MS. FUTULES: No.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Ms. Kirk?

MS. KIRK: No.

MR. BARKER: Mr. Klein?

MR. KLEIN: No.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: No.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: No.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: No.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: No.

MR. BARKER: President Catena?

PRESIDENT CATENA: No.

MR. BARKER: Ayes 3, nos 12. The bill fails.

MR. MACEY: Thank you, everybody. And I apologize for the confusion.

Okay. We have Ordinance 11556.

MR. BARKER: An Ordinance of the Council of the County of Allegheny ratifying amendments to Section 2104.10, Commercial Fuel Oil of the Allegheny County Health Department Rules and Regulations, Article XXI, Air Pollution Control, sponsored by the Chief Executive.

MR. MACEY: Councilwoman Kirk?

MS. KIRK: Thank you. This ordinance would authorize the amendment of existing clean air regulations to render them consistent with the recent renovations to the Commonwealth regulations governing sulfur content and certain liquid fuel.

The county's regulation would have the same effective date as the Commonwealth and per testimony offered to the Committee, industry standards are already in compliance with both. So the health and human service committee, along with several other council members, met on July 7th where we had testimony and discussion. And on behalf of the Health and Human Service Committee I'd like to ask the members of council to vote yes to Ordinance 11556-20, low sulfur fuel regulation.

Thank you.

MR. MACEY: Mr. Barker, roll call vote, please.

MR. CAMBEST: We need a motion and a second.

MR. MACEY: Oh, darn it.

MS. HALLAM: I move to approve this.

MR. ZAVARELLA: Second.

MR. MACEY: Okay. Motion made by Ms. Hallam, second by Councilman Zavarella. Roll call vote, please.

MR. BARKER: On the motion to approve, Mr. Baker?

MR. BAKER: Yes.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Demarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MS. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Ms. Kirk?

MS. KIRK: Yes.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?
MR. MACEY: Yes.
MR. BARKER: Mr. Palmiere?
MR. PALMIERE: Yes.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: Yes.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: Yes.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: Yes.
MR. BARKER: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes 15, no zero. The bill passes.
MR. MACEY: Thank you. Committee on Public

Safety, second reading, 11507-20.

MR. BARKER: An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, requiring that the County test all residents of the Kane Hospitals, all inmates at the Allegheny County Jail and all County employees and contractors performing work at either location for current COVID-19 infection, sponsored by Council Members Hallam and Bennett.

MS. HALLAM: Point of personal privilege, please, President Macey?

MR. MACEY: Councilwoman Hallam, please?

MS. HALLAM: Yes. Thank you. I move to introduce an amendment to this ordinance. My colleagues all received this in their inbox this morning. I've spoken to a lot of you about it. But the amendment is specifically to add testing of all county employees to this ordinance, and also to make it voluntary for any of the individuals who are included in the ordinance. So if anyone who was listed in the ordinance to receive the testing wants to voluntarily opt out, they have the right to do so.

MR. MACEY: Okay. On behalf of some of our colleagues here, maybe all of them, this bill was introduced in May, and we had a lot of time to --- and we've had three separate meetings. We've had a lot of time to bring information to us, as well as amendments. And it would be more courteous to give us several days to digest an amendment and not at the last minute. That's a comment from Bob Macey. I'm not speaking for the Council.

So on that note ---.

MS. HALLAM: What's that, Mr. Macey?

MR. MACEY: One second. We're not debating this. One second.

We're --- we're looking at the ordinance right now. Thank you. Some people didn't get it.

MS. FUTULES: You mean the amendment.

MR. MACEY: The amendment. I'm sorry.

MS. HALLAM: May I clarify something, Councilman Macey?

MR. MACEY: Sure.

MS. HALLAM: Yes. All I want to clarify is, is that the amendment was discussed at the committee meeting last week, but the feedback that I received in that committee meeting was that in addition to adding the county employees, that folks felt more comfortable if it was voluntary for folks to be able to opt out if they wanted to, and so that is the only new addition to the amendment.

MR. MACEY: Okay.

MS. KIRK: Didn't that amendment fail?

MS. HALLAM: It did without the opting out part.

MR. MACEY: Wait a second.

MS. HALLAM: The amendment is different ---.

MR. MACEY: It's not good to have cross talking. You're to address the chair ---

MS. HALLAM: Sorry.

MR. MACEY: --- and we will assign you a time to speak, please.

MS. HALLAM: That was my fault.

MR. MACEY: Okay. Councilwoman Kirk, please go ahead.

MS. KIRK: No. I guess I'm just confused, because every time we go to vote on this there's another amendment. And at the last meeting we asked about making it optional and it was refused. And what I don't understand is, why did it take like seven days to all the sudden have the amendment so we would just get it hours before the meeting? This has been a pattern.

You had the night of the meeting, the next day, the next day, the next day, the next day, the next day, and finally the morning of the meeting, oh, I'm going to make it optional. Because then we really didn't have time ---.

MR. MACEY: Councilwoman Kirk? Councilwoman Kirk, I don't want to, you know, stop your concerns if there's other people who have the same concerns, but please address the Chair. You're addressing Ms. Hallam.

MS. KIRK: Oh, okay.

MR. MACEY: Sorry. Thank you.

MS. KIRK: Yeah, okay. Sorry about that. But what I don't understand with this amendment is, we didn't have --- I'm concerned, because we didn't have a chance to really discuss it, because we didn't entertain it, because it was shortly thereafter it went down.

And there would have been more numbers we could look at, the availability of all the clinics that are open for people who want to have it, who don't even have any symptoms, but if they consider themselves exposed, there are many, many sites. I called in an hour before the meeting started and I can have my --- I was told, hey, Penn Avenue, Wilkinsburg, come on over. And I called that clinic.

MR. MACEY: Okay. Thank you. Understood.

MS. KIRK: Okay? Thank you.

MR. MACEY: Thank you. Councilman Walton, please?

MR. WALTON: With all due respect, Mr. Chair, while a member may have a concern regarding the introduction --- the timing of an introduction of an amendment or a motion, we may not like it, it's not a violation of rules of council.

MR. MACEY: You're correct. She is within the rules.

MR. WALTON: And as a result, we have to decide whether or not we want to support it or not.

MR. MACEY: Correct. And that's why we're going to ask for a motion on the ordinance.

MR. CAMBEST: Amendment.

MS. PRIZIO: Amendment.

MR. MACEY: I could go to the ordinance first.

MS. FUTULES: Mr. Macey, may I?

MR. WALTON: It's the amendment first, then the ordinance.

MS. FUTULES: Mr. Macey? Mr. Macey?

MR. MACEY: Okay.

MS. FUTULES: I have a comment yet about the amendment.

MR. MACEY: Okay. Mr. Futules.

MS. FUTULES: Okay. Sorry. My comment about the amendment itself is we came tonight to vote on an ordinance. If you are in favor of this ordinance, you may want to consider the amendment. If you're not in favor of this ordinance, you want to make a motion not to accept this amendment because it doesn't make any sense to the people that are --- already have a decision not to vote for it.

So at that point, I would make a motion not accept this amendment ---.

MS. HALLAM: I already motioned to accept the amendment. Mr. Macey, I already moved to do that.

MR. MACEY: Excuse me. For the clarity, I'd like to talk to Counsel.

Mr. CAMBEST: We have --- we have a motion, as I understand it, on the floor ---.

MR. MACEY: Use your mic, please.

MR. CAMBEST: Can you hear me?

MR. MACEY: Yes.

MR. CAMBEST: Okay. We have a motion on the floor concerning the amendment. And I think there was a second to the motion.

MR. PALMOSINA: I will second --- I will second that.

PRESIDENT CATENA: I'll second. I'll second. This is President Catena.

MR. CAMBEST: All right. So now we a vote on the motion to amend. If you vote yes, the amendment will then be made as part of the original motion. If you vote no, the amendment fails, and then we can go to vote on the original motion.

MR. MACEY: So Mr. Cambest, it is correct, we can vote on the ordinance before the amendment?

MR. CAMBEST: No.

MR. WALTON: No. You have to vote on the ---.

MR. CAMBEST: It was not the way it was put on the floor. We have a motion to amend first, so we need to vote on the motion to amend.

MR. MACEY: Okay. That sounds good. All right. Any other comments? All right. The motion's been made by Mr. Futules, second ---.

MR. ZAVARELLA: No, Ms. Hallam made the motion.

MR. MACEY: Everybody is motioning.

MR. PALMOSINA: Mr. Cambest, I am second --- I am seconding Bethany's amendment.

MR. CAMBEST: That's correct.

MR. MACEY: Okay. Got it.

The motion's been made by Councilwoman Hallam, seconded by Councilman Palmosina. And we'll have a roll call vote.

MR. BARKER: On the motion to amend, Mr. Baker?

MR. BAKER: No.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Demarco?

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: No.

MR. BARKER: Mr. Futules?

MS. FUTULES: No.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Ms. Kirk?

MS. KIRK: No.

MR. BARKER: Mr. Klein?

MR. KLEIN: No.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: No.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: No.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: Yes.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes six, nos nine, the motion to amend fails.

MR. CAMBEST: All right. Now we need a motion on the original motion.

MR. MACEY: I got it, Jack.

MR. CAMBEST: You got it?

MR. MACEY: Okay. Thank you. Okay.

Now, we're going to have a motion --- well, if anybody wants to discuss this ---

MS. HALLAM: I move to approve the ---.

MR. MACEY: --- at some point --- one second. Does anybody have any comments on this particular bill?

MR. CAMBEST: Well, we need to have a motion to approve and a second ---.

PRESIDENT CATENA: Vice President Macey, I have a comment, but if we need to make a motion ---.

MR. MACEY: Okay. Motion to approve?

MS. HALLAM: I move to approve this ordinance.

MR. MACEY: Okay. Second?

MR. ZAVARELLA: Second.

MS. BENNETT: Second, Liv Bennett.

MR. MACEY: Second by Liv --- or by Ms. Bennett. Okay. Roll call. Or any questions on the motion?

PRESIDENT CATENA: Discussion, point of personal preference ---.

MR. MACEY: Any questions on the motion, calling for discussion.

Mr. Catena?

PRESIDENT CATENA: I don't have anything. I'm just pointing out there needs to be discussion before you call for the vote.

MR. MACEY: I said question on the motion. It's calling for discussion.

PRESIDENT CATENA: I thought you said --- I'm sorry, I thought you said something different.

MR. MACEY: It's all right. We'll get through this.

Councilman Futules.

MS. FUTULES: Seeing as though we're asking for questions, I believe the original ordinance includes the Kane Hospitals, which have already been tested, by --- mandated by the state. The jail, quite a few of the jail mates have been tested. And I believe --- I believe the Health Board gave us their reasonings as well as the warden had conversation with them as to how important it is for them to test those who need it, but not necessarily everyone.

I want to remind every council member and people that are listening that this is July. This started in March when we closed down our country. The testing didn't start until some time later, and if anybody thinks that we're done with testing at this point, you're dreaming. This COVID-19 is only starting. We need to save these tests for the people that need them. It is what we've been told on a federal level by Dr. Fauci. We've heard it

from medical doctors, I have personally. My daughter is a medical doctor, about to be, and she told me exactly what they're telling us. It's a snapshot. Today you can test negative, tomorrow you can test positive. We know that. There's no secret.

But as time goes on, we've seen a number of cases rising, because more people have been getting tested and the fact that when you really need these tests for people, we're going to have them. And I certainly wouldn't want to see us run out, because I don't want to be tested unless I'm sick. I don't want to be told that I have to be tested, because you might be sick. We all know our bodies and I think that the people in our county know the difference as well. They're professionals. They've listened to --- we listen to what the Health Board has to say, but we shouldn't ignore them, what they're telling us. Because what's the sense in inviting him to testify if we're not going to listen to the experts?

That's what I have to say. Thank you.

MR. MACEY: Thank you, Councilman Futules. Is there any other comments?

MS. HALLAM: I'd like to say ---.

MR. MACEY: Councilman Zavarella?

MR. ZAVARELLA: Yes. Thank you, Mr. Macey. I would be remiss if I did not speak to the subject of not only on behalf of the county residents, but as equally important on behalf of the county employees, many of whom are in this room tonight. I think that we have to address people that are coming into this building during the course of business through the electronic testing entrances. While they may be masks --- masked, I have some concerns that as a county, we're not doing a little bit more, either by taking their temperature or asking them some questions as they enter the building.

And before I vote, I'd just like to think that at a later time, we certainly can address ingress into this building by folks that are coming who are not only employees of the county that work in this building, but those that are coming in to file documents. And I don't mean to single out this building, other than to say that's where we are this evening. I think we have to address that at the city county building, the county office building, the Family Law Center. I believe we are doing some testing at some of the other facilities in the county and I just think we should be consistent for the benefit

of our employees who are coming to work on behalf of the county and the citizenry of the county.

Thank you, Mr. Macey.

MR. MACEY: Thank you, Councilman Zavarella.
Councilman Dewitt Walton.

MR. WALTON: I'll defer to Councilman Palmosina, because he --- he was ---.

MR. PALMOSINA: I don't say too much. Thank you.

MR. MACEY: Councilman Palmosina.

MR. PALMOSINA: I agree with Councilman Zavarella. Just a point of privilege, I want to make sure this vote --- next vote is --- we're voting on testing the jail and the Kanes. Am I correct with that?

MR. ZAVARELLA: Yeah.

MR. PALMOSINA: This next vote?

MR. ZAVARELLA: That's it. There's no ---?

MR. PALMOSINA: Is that correct? I am correct. Okay. So the problem that I have is if you're watching the news and you're watching the TV, and like Councilman Futules says, the numbers are going number up, but we don't want the testing, no. And it's going to ramp up. If you see what's going on right now in the courthouse and the DA's office, it's obviously becoming a bigger problem. And I think the first amendment we had was the way to go in the right direction.

And I think the first amendment we had was the way to go in the right direction. We have first responders in the back over there, we have a guy that's coming in the county office, the city office, we have our own staff. I believe everybody right now should be tested. I believe there's money out there being released, and I think it's our fault and our mistake, and if we don't follow through and do these testing --- when this was first introduced I agree with testing at the Kanes, I agree with testing at the jail and all the staff. The other folks out there need to be tested.

It's going on --- you see what's going on, on TV, I just want to go on record saying that I believe all county employees should have the ability to be tested, but also have the ability to say no if they're feeling okay. So that being said, the vote is to the jail and to the Kanes.

Correct?

MR. FUTULES: That's it.

MR. PALMOSINA: Okay. I just want to say on record that I think that all county employees, our staff, people coming in this office should be tested with a thermometer. I do it at work every day with my employees. We have first responders out there --- down here every day. These guys, these women, they're out there fighting the fight every day. They need to be tested. There's money there and they should be tested.

Thank you, Mr. Chairman.

MR. MACEY: Councilman Dewitt Walton, please.

MR. WALTON: Thank you, Mr. Chair. I believe that we're confronted with a host of issues. I believe there are clear disparities in testing and there has been disparities in testing. That's why, as a member of the Pittsburgh Black Elected Officials Coalition, we advocated and had conversations with the county, Allegheny Health Network, UPMC and the state. And we found a solution to ramp up testing in underserved and underrepresented and disparate communities.

But we rely on the advice of experts, and while I am a general skeptic, in this particular instance --- in the absence of compelling information, I want to rely on the experts. And I also know that all testing is just a point in time. So unless we create a vehicle that all these employees can get tested on a repeated basis, we're only --- we're only looking at a place in time, and someone can get exposed to the virus the very next day, and the test would --- the previous test would have gone for naught.

So as a result, I think, in my opinion, that I'm not going to support this proposal.

MR. MACEY: Okay. Thank you very much, Councilman Walton. Councilman Futules?

MS. FUTULES: I repeat. We're not talking about county employees at this moment, as far as the bill itself. We're --- we're speaking about the jail, and it talks about the Kanes, but the Kanes have been already tested. And quite frankly, they may be tested again if the need be.

But I want to remind us here on Council that county employees have the best healthcare plan that anyone could have. If they feel the need to be tested as an individual, they're certainly welcome to do so through their physician or physicians in this county that are offering free testing. Nobody's telling them they can't

test for the COVID-19. Certainly we would encourage it, and I'm sure the administration, the Health Board, would encourage that for any employee that feels a safety issue for themselves. I want to make that very clear, that if somebody doesn't, they don't have to. All of us individuals, we've been tested, yes or no? I haven't. I don't feel the need yet. If I get sick, I certainly will have that choice, and I think the same thing for anyone else.

But we're talking about this ordinance right here. I just want to put the county employees in there, let you know that we do care about them. We understand there's issues, but we're talking about this bill right here with the jail and the Kanes and that's it, period.

MR. MACEY: Are there any other council persons who would like to make a comment?

MR. PALMOSINA: I have one last comment.

MS. HALLAM: I would. This is Bethany.

MR. MACEY: Okay. Councilman Palmiere. I mean, Palmosina.

MR. PALMOSINA: I agree with that. I'm not going to debate this, but there is a lot of folks right now working from home. Down in this county office, next door in the city offices, these folks are coming in here every day. The attorneys, the staff, they're seeing multiple people from all over this county. And I understand that they have the ability --- Mr. Futules, I'm not going to debate you on that. I understand what you're saying.

But there was money released for the testing. You see Dr. Fauci. He imperatively says testing is a priority. I don't know how many county employees there are. There's 6,000?

MR. MACEY: 7,000.

MR. PALMOSINA: Of those 7,000 employees, I believe it's our job to show them that we care. There is money out there and not all 7,000 employees are going to say that I want to be tested. But our first responders, these people coming through the buildings, the secretaries, the janitors, I believe that they should have the ability to be tested. And I'll leave it at that.

Thank you very much, Chairman.

MR. MACEY: Thank you, Mr. Palmosina.

MR. DEMARCO: Excuse me, Mr. Macey.

MR. MACEY: I think I heard Councilwoman Hallam and Councilwoman Bennett. Councilwoman Bennett, would you like to make a statement?

MS. BENNETT: Thank you, Chairman Macey. I just want to echo --- or probably what Councilwoman Hallam's going to say, is that though Kane has been tested, we see that the numbers are going up, so a retesting. Many folks are having difficulties being tested at this moment from personal stories that I've been told.

So testing is not as available as folks would like to make it seem to be. And that we are talking about a population who does not have the ability to go out and get a test on their own, which is the jail. So just being mindful of that in our voting.

And as Councilman Palmosina already stated, there has been resources allocated for exactly this, so why shouldn't we test folks to make sure that the increase that we're seeing in the county is not also being experienced, or if it is being experienced, that we're knowledgeable of that in the jail and the nursing facilities as well.

Thank you.

MR. MACEY: Thank you very much, Councilwoman Bennett. As far as testing is concerned, our Chief of Staff, Ken Varhola, has been sending out at the beginning of the week, all of the various places where you can be tested, and it's free. You may have to make an appointment, but it's free. And I think that's important to note.

MR. DEMARCO: President Macey?

MR. MACEY: One second, sir. Councilwoman Hallam, I understand you wanted to speak?

MS. HALLAM: Yes. Thank you.

MR. MACEY: You're welcome.

MS. HALLAM: So first of all, I just want to say, you know --- and many of my colleagues have said it prior to me, but the fact that what I hear a lot of radio silence about from a lot of people who were speaking tonight is about the people who are currently incarcerated in the jail, who cannot pick up a phone and call to make an appointment for testing, who cannot hop in their car or hop on a bus and go and receive testing to see if they are, indeed, in danger. Because we've all seen so much evidence at facilities such as congregate care facilities

like the Kane Hospital and the Allegheny County Jail are literal cesspools for a disease such COVID-19.

And while I agree that we did test the residents of Kane Hospitals after waiting for a mandate from the Governor to come down, that was over a month ago, and we have seen huge spikes in Allegheny County since.

And as for testing in the jail, less than a hundred tests have been conducted out of a population of over 2,000. So I'm completely disgusted about the amendment failing to protect our county employees, especially considering how so many of the folks who voted against it, when they're out campaigning for area seats, proposed that they are fighters for our working class and proponents of the people, but yet they voted against our workers ---.

So it is disgusting to me that we are not voting on an amendment right now, but the fact still stands that our vulnerable population deserve to be protected or have the opportunity to be protected by receiving COVID-19 tests. And we see too many symptomatic tests, at least folks who have tested positive against the widespread positive results in both jail and courts, the District Attorney's office and the Public Defender's office, so many places where people from the jail ---.

So it's --- so yes, I am --- I encourage you all to put yourself in the shoes of the people in Kane Hospital, of the folks who are incarcerated at the Allegheny County Jail and wonder what it would feel like if an elect --- such as ourself was refusing to protect you. Imagine what that would feel like and think about that when you take your vote.

MR. MACEY: Thank you. Councilman Demarco?

MR. DEMARCO: Thank you, President Macey --- or Vice President Macey. I'd like to remind folks of a few things. One first of all, we were testing in the Kanes. It wasn't universal until the Governor's order, but we were doing testing in the Kanes. To date every single person in the Kanes, including the employees have been tested, some of them more than once.

So to do this --- I'll get back to that in a second. In regard to the jail, Chris Potter from WESA today reported that three people had tested positive at the jail, but over 50 had not. So the positivity rate of the tests at the jail is less than what it is for the people that are outside of the jail today.

And the fact that you have all these tests going, and our colleague Councilman Hallam told us in the last meeting about 79 tests that she said were pending, is an indicator that they are tested in the jail, it's just not every single person as she demands.

Secondly, she talks about and says we're not trying to protect our employees. Bring me a county employee who says that they're sick and wants to be tested and the tests are being refused. I mean, again, when we talk about one test, it's only a point in time, we all agree on that, that you can be tested and be negative today, and be positive tomorrow, because you were exposed.

This ordinance only orders that everybody be tested once, it does nothing. Not a single thing to protect anybody. All it does is mandate --- but she gives the out there to mandates that everybody be given a test. It doesn't say anything about what to do moving forward. Today in Allegheny County we had 300 --- I think 311 or 331 people tested positive, but that was reported that was from a three week-plus period. The percentage of positivity there was 7.3 percent. Again, that's higher than what's taken place in the jail.

You know, when we talk about protecting people, it goes beyond just ordering a test. You know, I agree with what, you know, Councilman Zavarella said. Let's take a look at the people that are working and make sure they have the adequate PPE and protection. But we're listening to the expert. We're listen to what the Health Department is telling us, what AHN is telling us and what the CDC is telling us. And they're telling us to test people when they're sick. And just because we have a pot of money set aside for testing people, why would we waste it on testing people that have no symptoms whatsoever just so we can say that we tested them today and then not have that money necessarily to test somebody that's sick tomorrow?

So I'm done, President Macey --- or Vice President Macey. Thank you.

MR. MACEY: Thank you, Mr. Demarco.

PRESIDENT CATENA: President --- Mr. Vice President, can I have a comment.

MR. MACEY: Now, is --- did Councilman Duerr ask for ---?

MR. DUERR: No.

MR. MACEY: You didn't? Okay. So this is President Catena. Go ahead, President Catena.

PRESIDENT CATENA: Thank you, Mr. Vice President. I would just like to say that I understand what bill we're debating very clearly. We're debating whether it --- whether we're testing in Kane and the jail. But regardless, the county courthouse is a trainwreck at this point in time, let's be honest. They have huge fans blowing down the hallways, so if someone with COVID-19 does go into the county courthouse, how easily do you think COVID-19 is going to spread when you have a huge fan because it's warm weather, pointed down the hallway?

I mean, I think we need to take --- start taking this very seriously, because we have far too many people that are coming down with COVID-19 in that county courthouse. And one of the reasons I'm not there tonight is because I'm caring for a sick family member, and I'm afraid of bringing it back home. I mean, that is a serious concern. And I think we have a responsibility to start to look at that and considering --- so I'm challenging the administration to come up with a plan to deal with this, because something needs to be done. Obviously we have a DA --- we have an Assistant DA in St. Clair at this point in time that's dying. Possibly --- I mean, he's in very serious and grave condition, and he picked it up at the county courthouse.

So in my eyes that's a serious problem that I think that we do need to address, and I would hope the courts and the administration and everyone can get together and come up with a plan to basically alleviate this problem that I think exists at the county courthouse. So thank you, Mr. Vice President.

MR. MACEY: Thank you.

MR. DUERR: Vice President Macey?

MS. KIRK: Vice President Macey?

MR. MACEY: Excuse me. Excuse me.

MS. KIRK: Call for the vote.

MR. DUERR: Councilwoman Kirk, I didn't have a chance to make my ---.

MS. KIRK: We're way off ---.

MR. MACEY: Wait hold on. I don't like to holler, but if I have to, I will. Now --- and there could be a census here of certain people if they don't stop it. It's not a threat, it's a promise.

Okay. Councilman Duerr, please go ahead.

MR. DUERR: Thank you very much, Vice President Macey. So I want to make this quick statement. So the discussion around this bill has been very personal to me, as my Council colleagues, my aunt was one of the residents that at our Glen Hazel facility who passed away due to COVID-19 at the onset of this crisis.

During that time while she was sick, I was looking for ways to take the lead on this issue and help those impacted most get through this crisis. It was incredibly hard to sit back and let our experts take charge. I felt that I had to do something, and I felt that I, at the time, was failing her and failing my family. At this moment, I have struggled with --- at this current moment, I have struggled with wanting to act with emotion instead of the pragmatic approach I've looked to bring since I got onto council.

But at the end of the day I knew I had to set my motions aside. I knew that listening to the experts and the department heads that we have surrounded ourselves with, both at the Health Department, the Kane facilities, at the county jail is our best course of action if we're going to get through this crisis with as little loss of life as possible.

Plainly put, we need to listen to our experts we have surrounded ourself with to advise us on these matters. If the department heads would have come before the Public Safety Committee and said this is something that would have a substantial impact, I would have voted in favor of this without question, but they didn't. And A the process has gone on, I've heard again and again that the testing is just a small part of a much larger COVID-19 mitigation strategy that our Kane centers and our county jail are implementing under direction from the CDC, state and county health departments.

We need to follow their advice and lead here. Even if our emotions run high and we demand --- demand we act urgently, we must follow our experts' suggestions. I also cannot criticize, which I've done so already, those on the federal level for not following their healthcare professionals if we go ahead and do the same.

Listening to healthcare experts should not be a political issue at any time, but especially during a pandemic. And I'm disappointed that this ordinance is being painted in such a light that you're either for protecting our residents at the Kane centers and the jail

or you're against protecting them. I care about all the residents in my district and all the residents of this county and I want them to be safe and healthy, but I truly believe that the best way to do that is to listen to the advice and guidance from Dr. Fauci, Dr. Levine, Dr. Bogen and implement their suggestions to the best of our ability. And for that, I will be voting against this measure.

That is my statement. Thank you very much, Vice President Macey.

MR. MACEY: Thank you, Councilman Duerr. Councilwoman Kirk, please.

MS. KIRK: I totally agree with everything Councilman Duerr said. I just think we keep getting off topic. We're talking about a one-time test at the jail and at the Kanes. And I would like to move for the motion to move for the vote.

MR. MACEY: Okay. You've heard there's been a move for the motion. May I have a motion, please?

MR. WALTON: There's a motion on the floor.

MS. FUTULES: We're ending debate.

MR. MACEY: Okay. We're going to end debate. And we're going to vote on the motion. Jared, please?

MR. BARKER: On the motion to approve Bill Number 11507-20. Mr. Baker?

MR. BAKER: No.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Demarco?

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: No.

MR. BARKER: Mr. Futules?

MS. FUTULES: No.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Ms. Kirk?

MS. KIRK: No.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: No.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: No.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: No.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: No.
MR. BARKER: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes five, nos ten. The bill

fails.

MR. MACEY: Okay. Liaison reports, please.
No? New business, ordinances and resolutions,
11562-20.

MR. BARKER: An ordinance amending the
Administrative Code of Allegheny County, Section 5-801.05,
entitled Public Hearings, in order to establish a uniform
mechanism for fostering transparency regarding county
salary budgeting, sponsored by Council Members Catena,
Hallam, Prizio and Bennett.

MR. MACEY: Councilman Catena?

PRESIDENT CATENA: Yes?

MR. MACEY: I'd like to have a comment on your
ordinance, 11562.

PRESIDENT CATENA: Yes. Thank you, Mr. Vice
President. Do you just want to refer it to committee or
do you want me to talk about it?

MR. WALTON: We should send it to commission.

MR. MACEY: I know what to do. I'm just asking
for a comment.

PRESIDENT CATENA: I'll defer and let you send
it to Committee, Mr. Vice President, since the meeting is
running a bit long.

MR. MACEY: Okay. Well, thank you very much.
With that, it'll go to Committee on budget and finance.
Ordinance 11563-20.

MR. BARKER: An ordinance of the County of
Allegheny, Commonwealth of Pennsylvania, establishing
workplace protections in relation to certain emergency
health orders and regulations, providing protections for
employees against retaliatory actions for the disclosure
of information related to employer non-compliance with
such orders, and/or for refusal to work under unsafe
conditions caused by non-compliance with such orders.
Sponsored by Council Members Hallam, Prizio and Bennett.

MR. MACEY: Okay. That will go to health and human services.

Let's see. Ordinance 11564-20.

MR. BARKER: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2020, Submission Number 06-20. Sponsored by the Chief Executive.

MR. MACEY: That will be referred to Committee on Budget and Finance.

11563, did we send that to Health and Human Services?

MR. BARKER: Correct.

MR. MACEY: Okay. Just want to be sure.

All right. New business, motions. 11565-20.

MR. BARKER: A motion of the council of Allegheny County urging the Congress of the United States to create a new national infrastructure Bank to directly aid in fostering an economic recovery and build fundamental infrastructure projects, sponsored by Council Members Prizio, Hallam and Bennett.

MR. MACEY: That's a motion; however, I don't think that there is enough information to be gleaned from what we have. And I personally would like to see it go to committee. But I would like to hear from my council persons and see what their thoughts are.

MS. FUTULES: Can we hear from Ms. Prizio? She's the sponsor.

MR. MACEY: I understand. Ms. Prizio?

MS. PRIZIO: Thank you, Vice President Macey. I would recommend that we vote on this. This motion that you have in front of you would urge Congress to pass HR622 for a new National Infrastructure Bank. With the economic impact of COVID-19, and with 30 million unemployment claims the county --- the country needs a massive jobs program.

This National Infrastructure Bank will create 25 million new high paying manufacturing jobs and repair and update our crumbling infrastructure. By investing only in infrastructure and marrying and leveraging limited federal funding with private sector capital, it would function in a similar way as Hamilton's 1791 Bank, First Bank of U.S. and subsequent banks of Lincoln and FDR, and there was some information in the motion itself.

MR. WALTON: And I second that motion and ask if I could be a co-sponsor of that legislation. And I'd like

to make a comment that this legislation is supported by the Economic Policy Institute, by the AFL/CIO and specifically the United Steelworkers and ask that you support this motion.

MR. MACEY: Nick Futules?

MS. FUTULES: I, too, would like to be added as a co-sponsor, and I do support this motion as well. And I'd like to vote on it actually.

PRESIDENT CATENA: I would like to be added as a co-sponsor, too, Mr. Vice President.

MR. KLEIN: Mr. Vice President, this is Councilman Klein. I'd also like to join as a co-sponsor.

MR. ZAVARELLA: This is Councilman Zavarella

MR. MACEY: Is there anybody on Council that doesn't want to be included as a co-signer?

MR. DEMARCO: Yes. Councilman Demarco doesn't want to be included, because I actually researched it and went to the website of the National Infrastructure Bank that this is based upon. There's not a single person there that's on their advisory board that I believe would be able to tell you how many jobs something would be created by something of this magnitude.

Also, their top project is high speed rail. And a couple of the other things that they're talking and pushing are already covered by other federal programs. But to me, it doesn't make any sense to take and sign this. They're talking about trying to capitalize it with \$500 billion in bonds, but then lending out \$4 trillion. I mean, the idea --- this sounds great. Hey, wouldn't we all like to take and create 25 million jobs? I would. But when you look into the --- if you go to the website of the actual organization, there's a lot of problems here. This is one of those things that's big on promises and, you know, short on details.

Thank you.

MR. MACEY: Any other comments?

MS. KIRK: Councilwoman Kirk would not like to sponsor either.

MR. MACEY: Okay. All right.

MR. WALTON: On the motion.

MR. MACEY: Okay. On the motion. All those in favor, please say aye.

(Ayes respond.)

MR. MACEY: Those opposed?

(Nos respond.)

MR. BARKER: Do we need roll call?

MR. MACEY: We don't need a ---.

MR. BARKER: Because the vote is not unanimous, a roll call would probably be a good idea.

MR. MACEY: Okay. Roll call, please.

MR. BARKER: On the motion to approve, 11565-20.
Mr. Baker?

MR. BAKER: No.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. Demarco.

MR. DEMARCO: No.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MS. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: I apologize, that was a no,
Ms. Hallam?

MS. HALLAM: That was a yes.

MR. BARKER: I'm sorry. That's why I
asked. Ms. Kirk?

MS. KIRK: No.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes.

MR. BARKER: Mr. Macey?

MR. MACEY: No.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Yes.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: Yes.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: Yes.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 11, nos 4. The motion passes.

MR. MACEY: Okay. Notification of contracts.

MR. BARKER: I apologize. Bill 11566-20?

MR. MACEY: I see. It's hidden in there.

MR. BARKER: It is.

MR. MACEY: Yeah, Bill 11566.

MR. BARKER: Motion of the Council of Allegheny County establishing Council policy with regard to budgeting for the County's salary expenses. Sponsored by Council Members Catena, Hallam, Prizio and Bennett.

MR. MACEY: We have a motion. Do we have anybody that would like to comment on this, because I'm a little bit confused? I'd just like to send it to the Committee on Budget and Finance ---

PRESIDENT CATENA: Mr. Vice President ---.

MR. MACEY: --- because it's part of the other issue regarding salaries and expenses in the budget.

MR. ZAVARELLA: Correct. It's on the budget.

MR. VARHOLA: Budget and finance.

MR. ZAVARELLA: It's on the budget.

PRESIDENT CATENA: If you can refer to Budget and Finance, I'd appreciate it, Mr. Vice President.

MR. MACEY: That's exactly what I said. I want to refer to the Committee on Budget and Finance and that's why I made a comment.

PRESIDENT CATENA: Thank you.

MR. MACEY: You're welcome. Notification of contracts.

MR. BARKER: We have none.

MR. MACEY: Public comment on general items. I believe we have one.

MR. VARHOLA: That is correct. Dixie Timmetts, Pittsburgh, 15213. We are experiencing the worst pandemic in 102 years, a highly contagious disease that makes the act of going to the polls a personal hazard, a life-threatening hazard for many. We need fair and accurate voting systems that we can trust beyond a shadow of a doubt.

The most discussed solution is voting ballots by mail, i.e. absentee ballots. In Iowa, this was a complete success, and Michigan also saw a record turnout for local elections after a similar move. Would there be problems, of course, but fixable. Ballots by mail would also help, because ---.

(Brief Interruption.)

MR. MACEY: Please mute your phones.

MR. VARHOLA: Ballots by mail would also help because there was and will forever be fewer poll workers. Would you want to work 10 to 12 hours where anyone could

come in and vote, possibly infecting you. People are struggling, stressed. They work 10 to 12 hours. They dearly want their opinions to matter, but they don't believe their voices count. Voting can matter, it can. Please help us. Help all of us fight the good fight. Be our heroes and show us the heroes, too.

MR. MACEY: Okay. Well, thank you --- thank you for putting up with the confusion tonight. I appreciate everybody's response and also their active participation in being a good County Councilperson.

MR. WALTON: Motion to adjourn.

MR. MACEY: Motion to adjourn by Councilman Walton.

MR. PALMOSINA: Second.

MR. MACEY: Second by Councilman Palmosina.

MEETING CONCLUDED AT 6:59 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.

Dated the 21st day of July, 2020

 _____

Jeremy Harris,

Court Reporter