ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

BEFORE:

Patrick Catena President District 4 Paul Zavarella - Vice President De Bethany Hallam - Council-At-Large David B. Fawcett, Jr. - Council-At-Large Thomas Baker - District 1 Vice President District 8 - District 2 Cindy Kirk Anita Prizio District 3 District 5 John F. Palmiere Tom Duerr - District 6
- District 7
- District 9
- District 10 Nicholas Futules Robert J. Macey District 10 DeWitt Walton Paul Klein - District 11 Robert Palmosina - District 12 Oliva "Liv" Bennett - District 13

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

April 13, 2021 - 5:00 p.m.

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

IN ATTENDANCE:

James Flynn - County Manager
Michael Wojcik - County Solicitor
Joseph Catanese - Chief of Staff
John Mascio - Clerk of Council
John H. Rushford, Jr. - Counsel for County Council
Jared Barker - Director, Legislative Services
Jennifer Liptak - Budget Officer
Jack Cambest - Solicitor

PRESIDENT CATENA: Good evening, I'd like to call the staff meeting of Allegheny County Council to order. Please rise for the pledge of allegiance. Please remain standing for a moment of silence.

(Pledge of Allegiance.)

(Silent prayer and reflection.)

PRESIDENT CATENA: Thank you. Please be seated.

Jared, please take roll.

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: Here.

MR. BARKER: Mr. Macey?

MR. MACEY: Here.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Here.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: Here.

MR. BARKER: Thank you. Ms. Prizio?

MS. PRIZIO: Here.

MR. BARKER: Mr. Walton? MR. WALTON: Present.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: Here.

MR. BARKER: President Catena?

PRESIDENT CATENA: Here.

MR. BARKER: All 15 members are present.

PRESIDENT CATENA: Thank you. These

proclamations will all be read into the record from 11827-21.

MR. BARKER: A proclamation declaring that April 30th, 2021 to be National Therapy Animal Day in Allegheny

County sponsored by Council members Baker, Catena, Duerr, Prizio, and Bennett.

PRESIDENT CATENA: 11828-21?

MR. BARKER: A proclamation declaring Monday, April 12th, 2021 to be "412Thrive Day" in Allegheny County sponsored by Council Member Baker.

PRESIDENT CATENA: 11829-21?

MR. BARKER: A proclamation declaring Sunday, April 11th, 2021 to be "Caileigh Lynn McDowell Day" in Allegheny County sponsored by Council Member Baker.

PRESIDENT CATENA: 11830-21?

MR. BARKER: A proclamation commending the Local Government Academy for being recognized as an Annual Governor's Awardee for Local Government Excellence sponsored by Council members Duerr, Baker, Bennett, Catena, DeMarco, Futules, Hallam, Kirk, Klein, Macey, Palmiere, Palmosina, Prizio, and Zavarella.

PRESIDENT CATENA: 11831-21?

MR. BARKER: A proclamation commending the Town of McCandless for being recognized as an Annual Governor's Awardee for Local Government Excellence sponsored by Council Member Kirk.

PRESIDENT CATENA: 11832-21?

MR. BARKER: A proclamation commending the City of Clairton for being recognized as an Annual; Governor's Awardee for Local Government Excellence sponsored by Council Member Palmiere.

PRESIDENT CATENA: Is there any public comment on any agenda items?

MR. BARKER: Not on agenda items, no.

PRESIDENT CATENA: Thank you.

We're now on approval of minutes, 11838-21.

MR. BARKER: A motion to approve the minutes of the March 9th, 2021 regular meeting of Council.

MR. DEMARCO: Make a motion to approve.

MR. FUTULES: Second.

PRESIDENT CATENA: A motion has been made and a second. Is there any discussion? Hearing none, all those in favor signify by saying aye.

(Ayes respond.)

PRESIDENT CATENA: All those opposed? Motion carried. We're now on presentation of appointments. All for them, we're going to do presentation --- newly presented appointments. We're going to refer to the

committee on appointment reviews. Jared, please read at this time.

MR. BARKER: 11823-21, approving the reappointment of Dr. Mona N. Generett to the Community College of Allegheny County Board of Trustees for a term to expire on April 23rd, 2027 sponsored by the Chief Executive, 11824-21, approving the reappointment of Martha W. Isler to the Community College of Allegheny County Board of Trustees for a term to expire on April 23rd, 2027 sponsored by the Chief Executive, 11825-21, approving the reappointment of John Palmiere to the Community College of Allegheny County Board of Trustees for a term to expire on April 23rd, 2027 sponsored by the Chief Executive, and 11833-21, approving the appointment of Alberto Benzaquen to the MBE Advisory Board for a term to expire on December 31st, 2024 sponsored by the Chief Executive.

PRESIDENT CATENA: Thank you. We'll now move to unfinished business for the committee on appointment review. And if there are no objections, I'd like to have one motion to approve all of the appointments appearing on the --- appearing under the unfinished business at this time.

COUNCILMAN: So move. COUNCILMAN: Second.

PRESIDENT CATENA: Okay. We'll now proceed. Go ahead, Jared.

MR. BARKER: Bill 11771-21 is the reappointment of Lisa Story to the Area Agency on Aging Advisory Council through December 31st, 2024. 11772-21 is the reappointment of Roxanne Sewell to the MBE Advisory Board to expire December 31st, 2023. 11773-21 is the reappointment of James Overton to the MBE Advisory Board through December 31st of 2023. 11774-21 is the reappointment of Tim Stevens to the MBE Advisory Board through December 31st, 2022. 11775-21 is the reappointment of Kathi R. Boyle to the Area Agency on Aging Advisory Council through December 31st, 2024. 11776-21 is the reappointment of Anthony J. Ross to the Regional Asset District board through December 31st, 2023. 11777 is the reappointment of Daniel J. Griffin to the Regional Asset District Board through December 31st of 11778-21 is the reappointment of Dusty Elias Kirk to the Regional Asset District Board through December 31st of 2023. 11779-21 is the reappointment of Jackie Dixon to the Regional Asset District Board through December 31st of 2023. And all of those are sponsored by the Chief Executive.

PRESIDENT CATENA: Thank you. And they've all been affirmatively recommended.

Correct, Councilwoman Hallam?

 $\ensuremath{\mathsf{MS}}\xspace$. HALLAM: Yes, they have, President Catena. Thank you.

PRESIDENT CATENA: Thank you. Does anyone object to doing a voice vote on all of these?

COUNCILMAN: Do it.

PRESIDENT CATENA: Okay. All those in favor signify by saying aye.

(Ayes respond.)

PRESIDENT CATENA: All those opposed? Motion carries. We will now move onto committee on budget and finance for the second reading, 11812-21.

MR. BARKER: A resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2021, submission number 03-21, sponsored by the Chief Executive.

PRESIDENT CATENA: Mr. Palmosina?

MR. PALMOSINA: Yes, thank you, Mr. President the budget and finance committee met on April 6th of 2021, it affirmatively recommended as a resolution that would amend the 2021 Grants and Special Accounts Budget to accept \$2,000,000 in funding from the City of Pittsburgh for the use for the Department of Human services to assist local childcare agencies with program upgrades curriculum materials, professional development, and facilities improvements needed to improve early learning resource centers. I'd move for approval.

COUNCILMAN: Second.

PRESIDENT CATENA: The motion has been made and seconded. Any discussion? Hearing no discussion, Jared, would you please take a rollcall vote?

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?

MR. 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.

PRESIDENT CATENA: Committee on economic development and housing for the second reading of 11811-21, Councilman DeMarco?

MR. DEMARCO: Yes, thank you, President Catena. The committee on economic development and housing met on Tuesday, April 6th and affirmatively recommended 11811-21, would the full Council give a positive recommendation?

COUNCILMAN: Motion.

PRESIDENT CATENA: Is there a second?

COUNCILMAN: Second.

PRESIDENT CATENA: Motion has been made and seconded. Is there any discussion? Hearing no discussion, Jared, will you please take a rollcall vote?

MR. BARKER: I believe the solicitor's in the midst of considering something.

SOLICITOR: He needs to read it.

PRESIDENT CATENA: Oh, briefly, I might add.

MR. BARKER: 11811-21, it's a Resolution approving a project for the benefit of Presbyterian SeniorCare and Logwood at Oakmont, Incorporated to be financed by the Authority for the Improvements in Municipalities by the issuance of the Authority's

tax-exempt or federally taxable as applicable revenue bonds in one or more series to be designated as may be determined by the Authority, the Borrowers, and the underwriter of the Bonds in a maximum aggregate principal amount not to exceed \$90,000,000 provided that the taxing power of the County of Allegheny, Pennsylvania shall not be obligated in any way with respect to the Bonds and declaring the financing of such project as desirable for the health, safety, and welfare of the people in the County and in the area served by the project, sponsored by the Chief Executive.

MR. MACEY: I make a motion to approve.

CATENA: Now you take the roll.

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

Baker?

MR. BAKER: Yes.

MR. BARKER: Ms. Bennett? I apologize, Ms.

Bennett. What was that?

MS. BENNETT: Yes.

MR. BARKER: Thank you. Mr. DeMarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: Yes.

MR. BARKER: Mr. Futules?

MR. 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: Zavarella?

MR. ZAVARELLA: Yes.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes of 15, nos zero. the bill passes.

PRESIDENT CATENA: The committee on public works for the second reading, 11807-21.

MR. BARKER: An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation certain permanent rights-of-way and easements including but not limited to property in fee for permanent rights-of-way slope easements, channel easements, utility easements, drainage easements, and temporary construction easements from 33 parcels required to reconstruct and widen Campbell's Run Road between McMichael Road and Keiner's Lane in Colliers Township and Robinson Township and to take such further action as may be necessary under applicable law including but not limited to the Eminent Domain Code, sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman Macey?

MR. MACEY: Thank you, President Catena. The public works committee met on April 6th. And it was well amended. And this information was sent to the full Council for an affirmative recommendation. I make a motion to approve.

MR. PALMIERE: Second.

PRESIDENT CATENA: Okay. A motion has been made and seconded. Any discussion? The only thing that I would like to say --- obviously, this is in my district. And Campbell's Run Road, I can tell you if you get on Campbell's Run Road at all during rush hour, you know how badly this is needed. So thank you for getting this done. This will alleviate so much congestion for morning and afternoon rush hours and just will free up a lot of traffic in general on that road. So thank you. Motion has been made and seconded. All those in favor, say --- oh, we'll do a rollcall. I'm sorry.

MR. BARKER: All those who approve it,

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?

MR. FUTULES: Yeah.

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: Out of 15, there was zero. The bill passes.

PRESIDENT CATENA: 11808-21?

MR. BARKER: An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation certain permanent rights-of-way and easements including but not limited to property in fee for permanent rights-of-way and temporary construction easements from three parcels required to replace the superstructure of Pucketa Creek Bridge No. 5 at Booker Street, Plum Borough, Allegheny County, Upper Burrell Township, Westmoreland County and take such further action as may be necessary under applicable law including, but not limited to the Eminent domain Code sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman Macey?

MR. MACEY: Thank you, Mr. President. The public works committee met on April 6th. And this particular Ordinance was sent to the full Council with affirmative recommendation. I make a motion to approve.

COUNCILMAN: Second. COUNCILMAN: Second.

PRESIDENT CATENA: A motion has been made and seconded. Is there any discussion? Hearing no discussion, rollcall Jared, on a motion to approve.

MR. BARKER: 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?

MR. 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.

PRESIDENT CATENA: 11809-21?

MR. BARKER: An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation certain permanent rights-of-way and easements including but not limited to property in fee for permanent right-of-ways and temporary construction easements from one parcel required to replace Robinson Run Bridge No. 3 over the south Branch of Robinson Run located in North Fayette Township and South Fayette Township and to take

such further action as may be necessary under applicable law including but not limited to the Eminent Domain Code, sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman Macey?

MR. MACEY: Thank you, President Catena. This particular Ordinance was vetted on 4/6/21. And it was sent to the full Council with affirmative recommendation. I make a motion to approve.

COUNCILMAN: Second.

PRESIDENT CATENA: The motion has been made and seconded. Any discussion? Hearing no discussion, Jared, please take roll.

MR. BARKER: On a 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?

MR. 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.

PRESIDENT CATENA: 11810-21?

MR. BARKER: An Ordinance authorizing the County of Allegheny in conjunction with the Department of Public Works and the Law Department to acquire by condemnation certain permanent right-of-ways and easements including but not limited to property in fee for permanent right-of-ways and temporary construction easements from one parcel required to facilitate the preservation of Stillhouse Run Structure No. 1 located in Hampton Township and to take such further action as may be necessary under applicable law including but not limited to the Eminent Domain Code, sponsored by the Chief Executive.

PRESIDENT CATENA: Councilman Macey?

MR. MACEY: Thank you, President Catena. The committee on public works met on April 6th. And this particular ordinance was sent to the full Council with affirmative recommendation. I would move for approval.

COUNCILMAN: Second. COUNCILMAN: Second. COUNCILMAN: Second.

PRESIDENT CATENA: Motion has been made and seconded. Is there any discussion? Hearing no discussion, Jared, please take roll.

MR. BARKER: 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?

MR. FUTULES: Yeah.

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.

PRESIDENT CATENA: Okay. We'll now have liaison

reports. I believe you have one.

Right, President Macey?

VICE PRESIDENT MACEY: Thank you, President Catena. You've heard in the last four ordinances that we have done, you know, an amazing job as far as what we plan to do. But I want to tell our councilpersons and anybody who has the opportunity to go online to take a look at the PowerPoint presentation and/or the booklets that you received as councilpersons. Our work was done in 2020. It was amazing, the work we've had done. And it's all done primarily in house. Yes, we have to farm some work out because that's just the nature of public works planning and things that we have to do. But I just want to thank public works for all their work. And I also want to commend them on getting the equipment, in-house equipment to get the work done. So if you get a chance especially County Council persons who weren't at my last meeting to take a look at the book that we've provided you, it's just amazing the work that was done. Thank you so much.

PRESIDENT CATENA: Anyone else this evening?
MR. DUERR: President Catena, this is Councilman
Duerr. I have one quick one if I may?
PRESIDENT CATENA: Go ahead.

MR. DUERR: Thank you. So actually two quick things, first, I just wanted to give a shout out to all of the volunteers and workers at the Castle Shannon vaccination site today that the Allegheny County Health Department was hosting. I got my first shot today. I was in and out in less than a half an hour. It was fantastic. So I just wanted to give a shout out to them, and all the workers down there in Allegheny County that are helping get shots in arms as fast as we can. And secondly, I

wanted to also give a shout out to Representative Danny Miller and everyone involved with the disability and mental health summit over the past two days. I was able to attend in person last year. Representative Miller has put together this event now for the past eight years. It's a fantastic event that brings together resources from all across the Commonwealth. It was all virtual this year because of the pandemic. But if any of my colleagues have had the chance to go the past couple of years, I highly encourage you all to go next year. Hopefully, it will be back in person. It's a tremendous event that Representative Miller has put on. And I think there will be some very interesting resources there for everyone in regards to those subjects. So that's all I've got. Thank President Catena.

PRESIDENT CATENA: Thank you.

Councilman Futules?

MR. FUTULES: Yeah, I wasn't sure what he said about getting shots. And I understand that in the news media that anybody over the age of 16 can now apply to get the vaccines. And I think that's great. Moving along, I guess —— so I urge people over the age of 16 to go get those shots. Get yourself online with the County, and get in line for it. Actually, my wife did it last week. And it took her one week before they contacted her. And she's going this Thursday. Thank you.

MR. BARKER: Anyone else with a statement?

PRESIDENT CATENA: Hearing none, we'll move onto new business, ordinances and resolutions.

11834-21?

MR. BARKER: An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing White Oak Animal Safe Haven, Incorporated to use County-owned real property on Lincoln Way in the County's White Oak Park as an animal rescue and adoption center, sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to parks. 11835-21?

MR. BARKER: A Resolution of the County council of Allegheny County dissolving the Potato Garden Run Tax Increment Financing District and authorizing related actions, sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to economic development and housing. We'll now have new business, motions.

11836-21?

MR. BARKER: A motion of the Council of Allegheny County denouncing the attempts of state and federal legislators to prohibit transgender athletes from participating in sports on the youth and collegiate level and urging sports programs both youth and collegiate within the Commonwealth to adopt and support transgender inclusive policies for their teams, sponsored by Council Member Hallam.

PRESIDENT CATENA: Councilman Hallam, did you want to make a comment on this?

MS. HALLAM: Sure, again, I think this motion is pretty self-explanatory. I think it is very important that we as a council take a stand against all of the discrimination attempts that are happening in state and federal government and states all throughout the country, and to stand in solidarity with our transgender neighbors and transgender students, and make sure that they are protected and able to participate in sports programming without discrimination. So I would like to motion to approve this motion.

Councilwoman: Second.

PRESIDENT CATENA: The motion has been made and seconded.

Is there any discussion?

MR. DEMARCO: Yes. President Catena, in regard to this particular motion, I'm going to give an example here. A woman named Allyson Felix. Allyson Felix is an American icon because she has outrun nearly every other woman that she has ever raced. She's the most decorated woman in American track and field history. superstar at the 100-meter, 200-meter, and 400-meter sprints and the four-by-100 and four-by-400 relays. And she's the only woman in history to win six Olympic gold medals and the only person, man or woman, to win 18 medals and 13 golds at the world athletic championships. living legend, one of America's all-time greatest athletes, and one of the fastest women to have ever lived. Her personal best in the 400 was 49.26 seconds. Now, that personal best was beaten by nearly 300 high school boys in 2018 alone. This bill to try to protect women's and girls' sports are not out of discrimination, but out of fairness. It's not fair to girls and young women to ask them to compete against people who are biologically different and superior. Young men have greater muscle

They have greater V02 max. I am all for providing sports opportunities for transgender youths. But I think it should be done in a sort of separate category. you run --- if we ran the Pittsburgh marathon, they have an overall. They have a masters' category. They have different age groups. When I competed in powerlifting, they have masters' categories. They have weight classes because they recognize that everyone is different there. It's not all the same. I think that a separate category provided them the opportunity to participate in sports is the way to go here and not to discriminate against young girls who will lose the opportunity to perhaps win if they're forced to compete against men. Where Allyson Felix forced to compete against men whose natural biological advantages would make a fair race impossible, she could've never achieved the greatness that she did. She might not have ever made it farther than her high school or college track team. Again, Mr. President, this isn't about discrimination. This is about science. Anyone denying that there's a biological difference whether it be in body mass, whether it be in muscle mass, whether it be in V02 max abilities to process is denying science. And that's why I'll be a no on this motion. Thank you, Mr. President.

PRESIDENT CATENA: Thank you.
MS. HALLAM: President Catena?
PRESIDENT CATENA: Go ahead.

MS. HALLAM: I would just like to say for the record that transgender women and girls are women and girls. And transgender men and boys are men and boys. So to say that --- that this doesn't align those comments that sound some sort of men are superior, I --- I think that is just so disrespectful and discriminatory in itself. And I remember only a few decades when the argument was that different races were different biologically. And different races were not allowed to be in the same room, or in the same restaurant, or drink from the same water fountain. And if those are the facts, they'd want to argue that this is something that should not be protected when these are these folks' identities --- it's who they are, it is just completely disgusting to And I think that it's important that Council takes a stand to protect transgender women because they are women and transgender men because they are men that are nonbinary in communities members as well.

MR. DEMARCO: Mr. President?
PRESIDENT CATENA: Thank you. Go ahead.
Somebody responded.

MR. DEMARCO: Regardless of how someone wants to take --- refer to this or whatever they want to say, science is science. Females on average have just 52 percent of the upper body strength and 66 percent of the lower body strength of a man. Women have 45 percent less muscle tissue in the biceps, 41 percent less muscle in their elbow flexors, 30 percent less in their thighs, 25 percent less in their knees. Males also have the most advantage in the amount of oxygen their bodies can absorb and use during exercise, a measurement known as V02 max. On average, women's V02 max is about 20 percent lower than This isn't bigotry, it's science. And it's beyond settled. Women and men cannot and should not compete against one another in sports in which men carry out a biological advantage. Claiming otherwise is simply foolish. It is very much in voque. Mr. President, when men compete in the male category, they take and suspend men who take and use steroids or what they call performance enhancing drugs. So it's here we're asking girls to compete against somebody who because of their muscle mass and because of the biological makeup in regard to how much oxygen they can process have an advantage. just don't think it's fair. And I know that I don't want my daughter if she would compete in girls' sports to have to compete against somebody that had a decided advantage and that she had no chance at which to win. I don't think it's fair to girls and women today, it has nothing to do with how someone wants identifies --- has nothing to do with whatever a colleague believes that people are men, or boys, or women, or girls. This purely has to do with science and the fundamental right of fairness to young Thank you, Mr. President. women competing today.

 $$\operatorname{\mathtt{PRESIDENT}}$ CATENA: Thank you, Councilman Walton. Move to cease debate.

MR. MACEY: Second.

PRESIDENT CATENA: Did you second to that, Paul? MR. KLEIN: Yes.

PRESIDENT CATENA: All those in favor of ceasing debates, formal rollcall, we'll take a rollcall just to be safe.

MR. BARKER: Motion end debate, Mr. Baker? MR. BAKER: No.

MR. BARKER: Ms. Bennett?

MS. BENNETT: Yes.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: I'm okay with ending debate, yes.

End the debate.

MR. BARKER: Mr. Duerr?

MR. DUERR: Okay. So your turn. No, I want to speak. Hold on.

MR. FUTULE: That we can end debate.

MR. DUERR: I would vote to end debate.

MR. BARKER: We're voting to end --- we're ---

we're actually voting to end debate at this point.

MR. DUERR: Well, where did that come from?

MR. BARKER: Pay attention.

MR. DUERR: Okav.

MR. BARKER: So your vote is yes or no?

MR. DUERR: Oh --- oh, no, I --- I don't want to debate.

MR. BARKER: Okay. Just for the record, I want to make sure I have Mr. DeMarco's vote for, I guess, no at this point.

Correct?

MR. DEMARCO: No --- yes, no, it's a no.

MR. BARKER: No. Okay. Thank you.

MR. DEMARCO: No, yes. MR. BARKER: Mr. Duerr?

MR. DUERR: I would go with no, I think.

MR. BARKER: Okay.

Mr. Futules?

MR. FUTULES: I already said no.

MR. BARKER: All right.

Ms. Hallam?

MS. HALLAM: Yes.

MR. BARKER: Ms. Kirk?

MS. HALLAM: I don't think there needs to

be any debate about the right to ---

PRESIDENT CATENA: We're simply voting at this point.

Ms. Kirk?

MS. KIRK: Thank you. For transpirity,

I think no.

MR. BARKER: Mr. Klein?

MR. KLEIN: Yes, this is --- this is a

freaking motion, yes, end the debate.

MR. BARKER: Mr. Macey?

MR. MACEY: Yes.

MR. BARKER: Mr. Palmiere?

MR. PALMIERE: Yes.

MR. BARKER: Mr. Palmosina --- Mr.

Palmosina?

MR. PALMOSINA: I'm sorry, yes, I was muted.

MR. BARKER: You had it muted.

Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: Yes.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: No.

MR. BARKER: That was a no, Mr.

Zavarella?

MR. ZAVARELLA: It was a no. MR. BARKER: Thank you.

President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes, nine, nos, six. I'm going to check with the solicitor. I believe that's the two-thirds majority for motion to end debate. Correct, Mr. Cambest? Thank you. The motion passes.

PRESIDENT CATENA: So the motion --- so debate continues.

Is there anyone else wishing to speak?

MR. MACEY: Sure.

PRESIDENT CATENA: Council Macey?

VICE PRESIDENT MACEY: So this is a little bit cheek in tongue. But --- tongue in cheek, I mean, okay, thank you very much. So if this motion passes, that means that Kris Jenner should be able to compete against women. That's it.

PRESIDENT CATENA: Is there anyone else wishing to speak? Hearing no one else wishing to speak, please take a rollcall vote.

MR. BARKER: A motion to approve, Mr.

Baker?

Mr. Baker?

MR. BAKER: I'm going to abstention,

because I don't think we know enough.

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?

MR. 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: Yes.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: No.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: Yes.

MR. BARKER: Mr. Walton?

MR. WALTON: Yes.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: No.

MR. BARKER: President Catena?

PRESIDENT CATENA: I'm going to abstain too

because I don't feel we know enough.

MR. BARKER: We have seven ayes, six no's with two abstentions. As the motion did not gain the required eight votes, the motion fails.

PRESIDENT CATENA: 11837-21?

MR. BARKER: It's a motion of the Council of Allegheny County expressing the sense of Council regarding returning to regular attendance practices for regular meetings of Allegheny County Council, sponsored by Council Member Futules.

PRESIDENT CATENA: Councilman Futules? MR. FUTULES: Thank you.

I'll make it very clear that this motion tonight is not making it mandatory for members to come back in the month of May for regular meetings. So this is specifically an invitation. But 95 --- 98 percent of us have jobs where we interact with other people. We go shopping. Some of us are campaigning for our elections. Some campaign for other people's elections. People are out getting signatures. Some of us have gone to restaurants. Some of us do take-out. Some of us have

been on vacation. The vaccines are now available for everyone. And I feel that, our staff I had the discussion with them, there are six of us here tonight. And they are fully prepared to follow the CDC guidelines by keeping us separate, two different levels of staff members and Council members here. It's pretty simple. We come in 15 minutes before the meeting for those of you who are uncomfortable. You don't come near anyone. Wear your mask. Have the meeting, and go home. Tonight is a perfect example how chaos can happen over the phone because we either A, don't hear someone properly. Messages get mixed. Some people aren't clear on things. I think that this government is necessary for Allegheny County to be running. None of us were drafted into this position. We ran for this office. I think it's time for us to show up, most of us have. I have personally been coming back since when? June, when we reopened the world, many of us did and we're all here this evening. just think that some of us have become complacent. it's like the first day of school, who wants to go back. I feel that it's time for some members to reconsider themselves individuals, and consider coming back to Council, and being safe. And that's about all I have for now. Thank you. And with that, I would make a motion to pass this. Unfortunately, there will be discussion, I'm But I make a motion to pass this. sure.

MR. MACEY: Second.

PRESIDENT CATENA: Motion has been made and seconded.

Is there any discussion? MR. WALTON: Yes.

PRESIDENT CATENA: Councilman Walton.

MR. WALTON: With all due respect to my fellow Council members, I think this is a perfect example of some of the ludacris things we engage in. As long as I've been a member of Council, there have been provisions for members to call in to a meeting, to have this become a motion and have this discussion at this meeting does a disservice to what I believe were about, legislation, policy discussion, and constituent services because irrespective of what the outcome of this vote will be. People have the freedom to choose how they want to participate whether in person or by phone because some of us have taken the opportunity to go on vacation and call

in. And so this is not ineffective utilization of our time. Thank you.

PRESIDENT CATENA: Thank you, Councilman Walton.
MR. KLEIN: And thank you, Councilman. Council
--- this is Council Member Klein.

PRESIDENT CATENA: Go ahead.

MR. KLEIN: With all due respect to my college Mr. Futules, I don't think that not being physically present is not showing up. I think that what we're finding is that the new normal, the new reality in the american workplace will largely reflect workplaces where specific numbers of individuals working in organizations will continue to work remotely. I think that will be the new normal. And all the evaluations, assessment and productivity indicates that people have been as or more productive working remotely than showing up at the office. I think that is, you know, a reality that we should come to terms with. And I miss you too Nick, I would like to be there right next to you right now. But I think that maybe this is a matter that we can decide as Council as a matter of policy as opposed to putting it to a vote on the floor, so just my five cents.

PRESIDENT CATENA: Thank you, Councilman Klein. Can you please mute your phones if you're not speaking obviously? Is there anyone else that's going make a comment?

MR. DEMARCO: President Catena?
PRESIDENT CATENA: Councilman Demarco?

MR. DEMARCO: I think that --- and I can't speak for my colleague Councilman Futules, but what I think he was alluding to was since an emergency was declared last year in regard to the pandemic, the decision was made for Council to go on and just to meet virtually. And then as things had improved some folks started to be coming back. I think that he's just asking or motioning that he believes that it's time that we get back to as regular and normal process as we had prior to if we can. And it doesn't preclude anybody from anyone who can't make it because of vacation or any other type of event to be able to take and, you know, participate via phone or via online. That's something that we've always had and hopefully we'll always continue to have. So in that respect, I think that's something. But I do think we differ here in regards to Councilman Klein's comment where he was talking about workplaces and productivity levels

for people that work remote --- and I have seen that. And that's absolutely true based upon what I read of people that work from home. And some people are productive. But the people that are in the offices they had prior because you had transit time, things like that. However, here in this body and like my colleague, Councilman Walton, mentioned before is we're about passing legislation and having policy discussion. So we're making decisions. And we're passing legislations. It has an effect on people's lives. And I believe that coming here and giving people the ability to come in here, and have their voices heard, and make their statement is the least we can do when we're able to safely do it. So I don't take offense in particular to this legislation. Thank you, Mr. President.

PRESIDENT CATENA: Councilman Palmosina, were you out there, I think wanting to say something?

MR. PALMOSINA: Yes, I am.

Can you hear me?

MR. BARKER: Yes.

MR. PALMOSINA: In all due respect for all of my I was down there for several months and when colleagues. this pandemic heated up and we decided to go virtual. thought we made the best decision for ourselves and I believe for our staff. Unfortunately, I was one of the Council members to contract COVID. Luckily, I'm doing pretty well, and so is my wife. My energy level is low. But I can tell you this. I have not skipped a beat. have not missed any meetings on Zoom. I have continued to answer my emails. And I am concerned about coming back down there right now to be honest with you. I still watch the news, the CDC. And they tell me that I cannot give it nobody. I still wear a mask every day when I can. And I believe this Council has done a great job through our Zoom calls, our phone calls on the side and what we all do in our community. So until we get a hold on this, in my opinion, and I think our best interest to continue to do what we do now and make it optional to each individual colleague. Thank you.

PRESIDENT CATENA: Thank you.

Anyone else wishing to make a comment? Councilman Futules?

MR. FUTULES: I just want to repeat the fact that I had conversation with other members privately. And they said that's a great idea. And Nick, you know, maybe we need some incentive to get involved and back to

Council, so that was part of my motivation really. It's not necessarily are you mandatory to come back. But sometimes people like that invitation, so, you know, things have seemed to have gotten better, we know how to handle this pandemic. And so I like the fact that you're inviting us back to come to meet in person, so that was no harmful intentions or malice toward any members. That's for sure. Because everybody has their issues with their own family members at home or just in general, and I am concerned because we have our staff here. So all our staff's in the building. And the administration's been here. And everybody has been. But we're telling them we can't come in. But we're telling them to. So this is a double-edged sword here. Maybe something should be done. And I don't necessarily think I need a vote tonight either to emphasize with who is for it, who isn't. But I think it was just a great time to have a little discussion about should we consider it. And maybe we can reevaluate soon based on what's going on in the world. So I don't necessarily feel we should have to take a vote.

PRESIDENT CATENA: The motion has been made and seconded and we're into discussion piece, so there will be a vote.

 $$\operatorname{MR.}$$ BAKER: Could I move to table it, Mr. President, or ---?

PRESIDENT CATENA: Yeah, we can table it or send it to committee for discussion if the primary sponser wouldn't mind ---.

PRESIDENT CATENA: With all due respect, what was the point of this then, Mr. Councilman?

MR. FUTULES: Well, because I'm getting some backlash from some of the people ---

PRESIDENT CATENA: Mr. Councilman, what did you expect when you asked people to return to a council meeting when they don't feel safe? I'm sorry. In the interest of public safety ---

MS. HALLAM: Can we please vote on this now? PRESIDENT CATENA: I'm sorry. Go ahead.

MS. HALLAM: Is there a way that I can motion to vote on this now?

MR. WALTON: Move to cease debate.

PRESIDENT CATENA: You can cease debate. But I'm still commenting. So give me a minute to finish my comments.

MS. HALLAM: Thank you.

MR. PRESIDENT: I heard everything that you have to say. But in the interest of public safety, I believe it's between the constituents and the person that represents them if they feel that they're not doing something or something's being missed. I mean, that's their opportunity to vote them out of office if there's something they're not happy with. I think it's a stretch to force people and imply that people should come back. And as far as our staff being here, our staff hasn't been here because of the COVID. I just think I'm just a little bit frustrated by the fact that I mean we still have a high case count in Allegheny County. And I mean, there's light at the end of tunnel. And I think that I don't want to rush things to make it worse because we don't want to see an increase. And we don't want to see another wave generated. That's the last thing that we want to see.

MR. WALTON: Well, I'm sorry. This is opening up a whole other can of worms

PRESIDENT CATENA: It's all right.

MR. FUTULES: Well, I made the motion to vote, let's vote. I don't need to talk about this anymore

MR. BARKER: You made a motion to cease debate,
Councilman Hallam?

MS. HALLAM: I will pull that motion if there's a motion on the floor for a vote.

PRESIDENT CATENA: Well, there's a motion on the floor for the vote. That's already been established.

PRESIDENT CATENA: There is. So if there's no more comment, then we'll move for a vote. Rollcall vote please, Jared?

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

MR. BAKER: Yes.

MR. BARKER: Ms. Bennett?

MS. BENNETT: No.

MR. BARKER: Mr. DeMarco?

MR. DEMARCO: Yes.

MR. BARKER: Mr. Duerr?

MR. DUERR: No.

MR. BARKER: Mr. Futules?

MR. FUTULES: Yes.

MR. BARKER: Ms. Hallam?

MS. HALLAM: No.

MR. BARKER: Ms. Kirk?

MS. KIRK: Yes.

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

Macey?

MR. KLEIN: No.

MR. BARKER: I apologize. Mr. Klein is a

no.

MR. MACEY: No.

MR. BARKER: Mr. Macey is a no.

Mr. Palmiere?

MR. PALMIERE: No.

MR. BARKER: Mr. Palmosina?

MR. PALMOSINA: No.

MR. BARKER: Ms. Prizio?

MS. PRIZIO: No.

MR. BARKER: Mr. Walton?

MR. WALTON: No.

MR. BARKER: Mr. Zavarella?

MR. ZAVARELLA: No.

MR. BARKER: President Catena?

PRESIDENT CATENA: No.

MR. BARKER: Ayes, four, nos, 11, the motion

fails.

PRESIDENT CATENA: Move onto notification of contracts.

11839-21?

MR. BARKER: A communication summarizing approved Executive actions for March 2021.

MR. MACEY: Receive and file, please. PRESIDENT CATENA: Is there a second?

MR. PALMIERE: Second.

PRESIDENT CATENA: Motion has been made and seconded. All those in favor signify by saying aye. All Council Members: Aye.

PRESIDENT CATENA: All those opposed? Motion carries. Public comment on general items, we have some supposedly.

SOLICITOR: We have Cavan Bonner. I am writing in support of the creation of the Sustainability Commission. As a young resident of Pittsburgh, it is essential that the county Council take bold, decisive action on the climate crisis to ensure that our city remains livable for all for generations to come. A Sustainability Commission tasked with finding a realistic route to carbon neutrality for the County is a worthwhile step in that direction.

Leila Richards, she was scheduled to speak on

John Detwiler from Pittsburgh, this public comment is submitted on behalf of "Protect Our Parks" and signed by 55 individual County residents. We are a grassroots group of volunteers dating back to 2013 as some of you serving here tonight will remember. In 2014, we presented a petition of over 3,800 notarized signatures to County Council accomplishing the very first and so far the only successful --successful exercise of the Home Rule Charter provision on citizen-sponsored legislation. issue which prompted those nearly 4,000 signatures was natural gas extraction, i.e. "fracking" of the County parks. Now, we commend Council members Hallam, Bennett, and Prizio for cosponsoring Ordinance 11804. If we were able to present in person, we would have brought our petition which completely encircled the Gold Room when we unrolled it here in 2014. We are attending remotely instead and encourage Councilmembers to join in

co-sponsorship with this bill, call on Parks Committee Chairman, on Committee members timely --- hold --- to hold timely meetings and hearings on the merits of this Ordinance and to invite public testimony with the goal of reporting back a favorable recommendation. And we call on Council as a body to enact this Ordinance. In the years since our citizen-sponsored legislative initiative another 5,000 frack wells have been drilled across Pennsylvania, contributing to ill health, lower property values, a worsened quality of life, and climate degradation across the Commonwealth and indeed around the world. There is no possible justification for abusing County park land to contribute to this malaise. Public opinion has continued to turn against fracking year after year since the last time this body considered the matter. Municipalities across the County are struggling to control irresponsible drilling to protect their children and to determine the character of their own communities. Council can help these local officials. Patricia DeMarco, Forest Hills, 15221. On behalf of the 6,200 citizens of the Borough of Forest Hills, I strongly endorse this proposed Ordinance to prohibit industrial or commercial operations with County Parks. County Parks stand as a major asset to the communities within the county for recreation for their contribution to preserving wildlife habitat, storm-water

management, and carbon capture in living systems. Protecting the Parks for industrial and heavy commercial development contributes to the value of property. the last ten years, the Pennsylvania State Parks have been --- have seen significant deterioration from hydraulic fracturing operations and pipelines related to Marcellus Shale development. The Commonwealth of PA has allowed about 700,000 of the 2.1 million acres of state forests to be developed for oil and gas drilling. For example, the state has leased 673,000 acres in state forests and parks for fracking activities. Pennsylvania Game Commission ---Commission which is an independent agency has leased approximately 150,000 acres of game lands for fracking. Currently, 15 gas wells are in operation on, or under, or adjacent to state game lands. And 930 acres of surface There are already 63 hydraulic land have been altered. fracking wells in Allegheny County mostly in the northwest communities of Frazier, Findley, and the nine Allegheny County Parks spanning 12,000 acres serving thousands of visitors annually. As you have taken the Oath of Office to abide by the Constitution of Pennsylvania, I note in particular Article 1, Section 27 which sates natural resources and the public estate, the people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people. Kelsey Krepps, air quality, the last few weeks of spring have brought debilitating air quality days for the Mon Valley and the surrounding Pittsburgh region. The multiple areas that the County and Allegheny County Health Department are working on to address the region's air quality, the coke oven regulations, episodic regulations, and air permit fees, all are in the right direction but don't address one of the real problems, U.S. Steel. People are sick, dying, and need relief from the constant pollution they're inhaling to the U.S. Steel facilities in the region namely Clairton Coke Works. If these facilities cannot be addressed in full including following the law and properly cleaned up they need to be shut down. And the last seven, Mr. President, we're all supporting the increased Air Quality Permit Fees that are being recommended by the Allegheny County Health Department. These are all the public comments, Mr. President.

PRESIDENT CATENA: Thank you.

Do I have a motion to adjourn?

MR FUTULES: Second.
MR. MACEY: Second.

PRESIDENT CATENA: A motion has been made and

seconded. All those in favor signify by saying aye.

ALL COUNCIL MEMBERS: Aye.

PRESIDENT CATENA: All those opposed? Motion

carries

MEETING CONCLUDED AT 5:55 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 7th day of June, 2021

Court Reporter

Diana L. Inquartano