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Fast Tracked City-County Merger Plan is Now a Train Wreck

Prospects for merging the governments of Pittsburgh and Allegheny County in the foreseeable future were dealt a crippling, possibly fatal, blow last week. After meeting to discuss the issue, members of the County's state legislative delegation, mostly Democrats, reported they aren't ready to support the legislation needed to pave the way for a referendum question to be placed on the ballot. In effect, they were saying what the Allegheny Institute has been trying to get across since the release of the much ballyhooed Nordenberg Report—the latest task force to call for a government merger. The Nordenberg plan is extremely sketchy, leaves far too many important questions unanswered and has failed to gather the level of public support needed to have any chance of voter approval, even if some of the more serious unanswered questions are addressed.

The stepping away from the merger proposal by so many legislators has to be viewed as a major setback for Chief Executive Onorato and Pittsburgh Mayor Ravenstahl who have been pushing extremely hard to get a merger question on the ballot as soon as November 2009. Moreover, the bi-partisan criticisms leveled by the legislators who attended the merger meeting suggest there is little or no appetite among Allegheny County representatives to take on this hyper-contentious issue.

Clearly, any merger attempt will find the going very tough given the realities existing in the City and County, no matter how well the plan has been thought through. And certainly, the Nordenberg Report did not help the cause. The report was deficient in details about how the merger would work, chose not to address in a meaningful way several really hard questions, and relied too heavily on the Louisville-Jefferson County Kentucky merger as a model for Allegheny County and Pittsburgh, citing post merger economic growth numbers that are simply not accurate, to put it in the most courteous terms. Further, the study did not ask many questions that should have been at the top of everyone's list.

The very first and most obvious question should have been: How will the City be treated in the newly merged government? Neither the County Executive nor the Mayor have answered this question other than to say an urban services district, much like the one created for the City of Louisville, would be created. Louisville's urban services district (the geographic area formerly within Louisville's city limits) levies its own fees and taxes

to cover the higher level of services required by the more densely populated area. Such a district is not permitted under Pennsylvania's Constitution. The uniformity clause requires that tax rates be "uniform among the same class of subjects within the territorial limits of the authority levying the tax". Nor can a merged jurisdiction segregate debt, pension, workers compensation or other costs geographically. All such liabilities must be borne by the new consolidated government. In short, the city's financial problems and high costs would become a burden for residents in the County's other 129 municipalities, which would be left fully intact by the merger.

Amending the Constitution to allow a separate district within the County to have taxing and spending powers that are not in force in the rest of the consolidated jurisdiction is unlikely to have many supporters in the legislature or among the state's voters. And, in the best case scenario for passage of an amendment, the process could take several years.

One of the representatives, who spoke to the media after the meeting, mentioned aspects of the Louisville merger that have received little or no attention by merger advocates. Two prime examples: the consolidation of many city/county services years in advance of a merger vote and the fact that a large share of the county's population lived in unincorporated areas. Jefferson County and the City of Louisville had long since consolidated school districts, water and sewer authorities, and parks among other functions.

And while Mayor Ravenstahl and Executive Onorato have adamantly averred they will eliminate duplication of services, to date only the 911 call centers (underway before either came into office), electricity purchasing, as well as bulk purchasing and fingerprinting have been consolidated. Obviously, a lot of work remains to be done. Unfortunately, progress will undoubtedly continue to be very slow as unions and department heads fight to keep their jobs and power.

Voters in the unincorporated areas were important contributors to passing the Louisville-Jefferson County merger as they looked forward to having access to municipal services previously not available to them. Allegheny County has no unincorporated areas, so the overwhelming majority of County voters will not be enticed to support a merger on the promise of receiving heretofore unavailable municipal services.

The Allegheny Institute has analyzed and written about the possibility of a City/ County merger for a number of years and has raised very serious and difficult to answer objections. They remain unanswered. We dissected the Louisville merger three years ago and demonstrated the inapplicability of that experience to Pittsburgh and Allegheny County. We have pointed out in detail the failings of the Nordenberg Report which led to the inescapable conclusion that a consolidation of governments must be preceded at a minimum by good faith, successful efforts on the part of the City and County to eliminate duplication of services.

Another precondition to any serious merger talk must be the development of an appropriate and workable combined-government model that takes into account

constitutional constraints and spells out in detail what happens to functions, employees, pensions, etc. Finally, a great deal of effort will be needed to sell the model to residents in advance rather than jumping the gun and asking the legislature to rubber stamp a poorly thought out, inadequate plan.

No doubt this setback has been received with some degree of consternation and unhappiness by the Chief Executive and the Mayor. However, instead of trying to resuscitate this flawed idea and having to expend even more political capital and good will, the two gentlemen ought to focus their efforts on carrying out the first and very sensible recommendation of the Nordenberg Report. That is to say, get busy eliminating duplication in the delivery of services.

The City has many very difficult problems to grapple with—a heavy debt load and severely under-funded pensions, along with enormous worker compensation and retiree health care legacy costs. All the merger talk and controversy has been a distraction and has diverted too much time and attention away from dealing forcefully with the City's serious and ongoing problems.

Clearly, a financially healthy, vibrant, growing City would render merger talk pointless. Why not move in that direction by adopting measures to right the City's financial ship?

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