



Allegheny County Council

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Legislation Details (With Text)

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Title: An Ordinance amending the Administrative Code of Allegheny County, §5-801.05, entitled "Public Hearings," in order to establish a uniform mechanism for fostering transparency regarding County salary budgeting.
Sponsors: Patrick Catena, Bethany Hallam, Anita Prizio, Olivia Bennett
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12/31/2021	1	Chief Clerk	Expired by Rule	
7/14/2020	1	County Council	Referred by Chair	

An Ordinance amending the Administrative Code of Allegheny County, §5-801.05, entitled "Public Hearings," in order to establish a uniform mechanism for fostering transparency regarding County salary budgeting.

WHEREAS, pursuant to the Home Rule Charter of Allegheny County, Article IV, §2(c), Allegheny County Council is specifically vested with the power and duty to "[a]dopt balanced annual operating and capital budgets as provided in Article VII"; and

WHEREAS, pursuant to Article VII of the Charter, Council is required to, *inter alia*, conduct at least two public hearings on the operating and capital budgets no less than two weeks before they are adopted, and Council is expressly forbidden from adopting the operating and capital budgets until after these public hearings are conducted; and

WHEREAS, the provisions of the Charter regarding the budget hearings are re-stated and expanded upon in §5-801.05 of the Administrative Code; and

WHEREAS, in addition to the Charter's provisions, §5-801.05 expressly requires that copies of the proposed operating and capital budgets be made available to the public at least one week prior to the budget public hearings, and that summaries of the proposed and adopted budgets and the budget message be made available to the public, as well; and

WHEREAS, it is the judgment of Council that it is clear that the intent of both the Charter and Code is for the budget process to be both transparent and accessible to the public; and

WHEREAS, in 2019, salaries and pay for County personnel were planned to amount to \$329,979,190, or just over 41% of the County's total planned expenditures of \$802,896,368 (2019 Allegheny County Comprehensive Fiscal Plan, p. 6); and

WHEREAS, in 2020, salaries and pay for County personnel were planned to amount to \$343,237,280, or just over 41.3% of the County's total planned expenditures of \$830,421,505 (2020 Allegheny County Comprehensive Fiscal Plan, p.6); and

WHEREAS, from 2019 to 2020 alone, the County's expected salary and pay expenditures increased by over \$13.25 million; and

WHEREAS, according to the 2019 and 2020 Comprehensive Fiscal Plans, salaries were expected to be the largest category of County expenditures in both years; and

WHEREAS, it is the judgment of Council that the public that aids in funding the County's operations through the real estate and other taxes and fees that the County levies and that the County serves and has every right to be fully informed regarding how the County proposes to conduct operations with its employees; and

WHEREAS, it is further the judgment of Council that the significant amount spent by the County on employee salaries inherently requires a thorough and transparent explanation of those expenditures to the public; and

WHEREAS, it is accordingly the desire of Council to establish a mechanism for fostering transparency regarding staff compensation during the annual budget proceedings.

The Council of the County of Allegheny hereby enacts as follows:

SECTION 1.

The preamble to this Ordinance are hereby incorporated in their entirety herein.

SECTION 2. *Amendment of the Administrative Code*

The Administrative Code of Allegheny County, §5-801.05, entitled "Public hearings," is hereby amended as follows:

§5-801.05. Public hearings.

A. County Council shall hold a minimum of two public hearings on the proposed operating and capital budgets at least two weeks before their adoption. Copies of the budgets shall be made available to the public in the Office of the County Executive, County Manager and County Council at least one week before the hearings and after adoption. Summaries of the proposed budgets, the budget message and adopted budgets shall be made available by the County Manager for public distribution.

B. No later than fourteen (14) days prior to the first budget public hearing scheduled pursuant to the terms of Subsection A, the County Manager and each independently elected County official delineated in §5-201.03.A. of this Administrative Code shall submit to the President of Council and Chair of the Council's Committee on Budget and Finance a written report containing the following information:

1. A delineation of all new positions proposed within the department or office and to be funded under the County's budget for the following year, together with a salary range for the new positions and a copy of the job descriptions or other comprehensive delineation of the duties for

such positions; and

2. A delineation of all anticipated promotions within the department of office, a description of any salary increases anticipated in connection with such promotions, and a delineation of the funding source(s) for such increases; and
 3. A delineation of all department-wide or office-wide salary increases to be funded under the County's budget for the following year, together with a description of the position titles to be effected by the proposed increase(s), the percentage and aggregate total dollar amount of the proposed increase(s), and a delineation of whether they proposed increase(s) are to be based on cost of living increases or merit. If based on merit, the report shall also include a description of the standards applied to the employees affected and the criteria used to establish the amount of the proposed salary increase(s); and
 4. A delineation of all salary increases for any position(s) not delineated under Subsection B.3. and which are to be funded under the County's budget for the following year, together with a description of the position titles to be effected by the proposed increase(s), the percentage and dollar amount of the proposed increase(s) by position, and a delineation of whether they proposed increase(s) are to be based on cost of living increases or merit. If based on merit, the report shall also include a description of the standards applied to the employees affected and the criteria used to establish the amount of the proposed salary increase(s); and
 5. A delineation of all positions within the department or office for which any portion of an employee's salary is paid through revenues secured through a grant to the County. In addition, this delineation shall also include the total salary of each grant-funded position, the amount of the total salary that is paid by the grant(s), a description of whether the grant funding for the position will increase or decrease over time, the date on which the grant(s) will expire and a notation indicating whether the position(s) will be continued after the grant(s) which fund them expire; and
 6. A summary of the relevant provisions of any collective bargaining or similar agreement that will govern increases in salaries or pay within the department or office for the following year, together with a notation of the positions that are covered by such agreement and the aggregate total dollar amount of the anticipated increase(s).
- C. The Office of County Council shall compile a report complying with the provisions of Subsection B in each budget year.
- D. In the event that a new department, office, or division is to be created or any County function is to be transferred from one department, office, or division to another in any budget year, the County Manager or independently elected County official with supervisory authority over the new or transferred entity shall submit a proposed organizational chart, description of the function of the new or transferred entity, proposed list of all positions, and proposed list of salary ranges for each position in lieu of the reports required pursuant to the terms of Subsection B.
- E. In the event that any required written report is not submitted in accordance with the provisions of Subsections B, C or D, County Council shall not appropriate any revenue for the payment of salaries in the submitting department or office in excess of the appropriation for such department or office from the prior year's budgets, except to the extent that such increase may be required under the terms of a

collective bargaining or other similar agreement that shall be in force at any time during the year for which a given budget is approved.

F. All reports submitted pursuant to the terms of Subsection B shall be made available to the public by the Office of County Council, and shall be retained for at least five years from the date of submission.

SECTION 2. Severability. If any provision of this Ordinance shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance which shall be in full force and effect.

SECTION 3. Repealer. Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.