

Bill No. 8443-14

No. 30-14-OR

## ORDINANCE

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, providing, as a result of the County Manager's recent performance of a mandated sunset review and the submission of a report on the sunset review, for the elimination of the County's Department of Real Estate as a separate County department, the transfer of the duties, functions and obligations of the Department of Real Estate to the Department of Administrative Services and the amendment of Chapter OC of the County Code of Ordinances entitled "Organizational Chart" to reflect the elimination of the Department of Real Estate and the transfer of its duties, functions and obligations to the Department of Administrative Services.

**WHEREAS**, Article VII of the County's Home Rule Charter mandates that the County Manager conduct a "sunset review," that is, a review and evaluation of the need for and the function of each County department; and

**WHEREAS**, the County Manager recently completed the mandated sunset review in accordance with the standards set forth in Article 1201 of the County's Administrative Code entitled "Sunset Review Procedures;" and

**WHEREAS**, the recently completed sunset review recommends that the structure of County Government can be made more efficient and thereby produce savings to the County taxpayers by eliminating the County's Department of Real Estate as a separate County department and transferring the duties, functions and obligations of the Department of Real Estate to the Department of Administrative Services; and

**WHEREAS**, Article 4, Section 2, subsection (m) of the County's Home Rule Charter provides that County Council may adopt an ordinance or resolution modifying or eliminating any department, agency or function that no longer meets the needs of the taxpayers; and

**WHEREAS**, Section 5-1201.05 of the County's Administrative Code provides that County Council, upon receipt of the County Manager's recommendations pertaining to sunset review of County departments, agencies or functions, can adopt an ordinance or resolution on or before October 15<sup>th</sup> to abolish a County department; and

**WHEREAS**, County Council is of the considered opinion that the elimination of the Department of Real Estate as a separate department within the structure of Allegheny County Government and the transfer of the duties, functions and obligations of the Department of Real Estate to the Department of Administrative Services will inure to the benefit of the citizens of Allegheny County by streamlining the provision of various real services; and

**WHEREAS**, County Council finds that all of the conditions precedent for the elimination of a County department as set forth in Section 5-1201.05 (C) and (D) of the

Administrative Code have been satisfied by the County Manager's performance of the sunset review and a submission of his recommendations to the Chief Executive and County Council.

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

***SECTION 1. Elimination of Separate County Department of Real Estate.***

The County Department of Real Estate is hereby abolished as a separate department within the structure of Allegheny County Government.

***SECTION 2. Transfer of Duties, Obligations and Functions of the Former Department of Real Estate to the County Department of Administrative Services.***

All duties, obligations and functions performed by the Department of Real Estate shall be transferred to and performed by the Department of Administrative Services.

***SECTION 3. Amendment of Chapter OC of the County Code of Ordinances.***

Chapter OC of the County Code of Ordinances is hereby amended in part to provide that organizational chart of County Government shall reflect the abolition of the Department of Real Estate as a separate County department.

***SECTION 4. Other Actions.***

The County Manager is hereby authorized and directed to take such other action as may be necessary or appropriate to effect the provisions of this Ordinance.

***SECTION 5. Effective Date.***

This Ordinance shall enter into effect as of 12:01 A.M. on January 1, 2015.

***SECTION 6. 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 7. 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 Resolution.***

## Summary of Legislation

As a result of the County Manager's recent performance of a mandated sunset review and the submission of a report on the sunset review, this ordinance provides for the elimination of the County's Department of Real Estate as a separate County department, the transfer of the duties, functions and obligations of the Department of Real Estate to the Department of Administrative Services. In addition, this ordinance amends Chapter OC of the County Code of Ordinances entitled "Organizational Chart" to reflect the elimination of the Department of Real Estate and the transfer of its duties, functions and obligations to the Department of Administrative Services.

**MEMORANDUM**

**OFFICE OF THE COUNTY MANAGER**

TO: Jared E. Barker  
Allegheny County Council

FROM: William D. McKain CPA  
County Manager

DATE: August 21, 2014

RE: Proposed Ordinance

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Attached is an Ordinance providing, as a result of the County Manager's recent performance of a mandated sunset review and the submission of a report on the sunset review, for the elimination of the County's Department of Real Estate as a separate County department, the transfer of the duties, functions and obligations of the Department of Real Estate to the Department of Administrative Services and the amendment of Chapter OC of the County Code of Ordinances entitled "Organizational Chart" to reflect the elimination of the Department of Real Estate and the transfer of its duties, functions and obligations to the Department of Administrative Services.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.

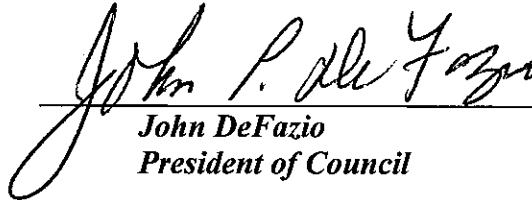
COUNCIL

ALLEGHENY COUNTY

AUG 21 14 11:32 AM

Enacted in Council, this 23<sup>rd</sup> day of September, 2014

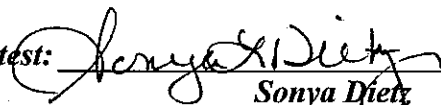
Council Agenda No. 8443-14

  
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John DeFazio  
President of Council

Attest:   
\_\_\_\_\_  
Jared Barker  
Chief Clerk of Council

Chief Executive Office October 6, 2014.

Approved:   
\_\_\_\_\_  
Kim Fitzgerald  
County Executive

Attest:   
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Sonya Dietz  
Executive's Secretary