

No. 44-16-OR

**ORDINANCE**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the County's Administrative Code to increase the annual salary of the Allegheny County Chief Executive effective January 1, 2020, and to provide for an annual revision of the Chief Executive's salary in succeeding years based upon certain criteria, as authorized by Article III, §7(d) of the Home Rule Charter of Allegheny County.

**WHEREAS**, the final Report of the Allegheny County Government Review Commission to the People of Allegheny County was released on March 29, 2016; and

**WHEREAS**, the Government Review Commission recommended, among other things, that County Council should amend the Administrative Code: a) to adjust the Chief Executive's salary beginning on January 1, 2020 so that the salary would be 68% of the Governor's salary for 2020, the same percentage that the Chief Executive's salary was when the Home Rule Charter went into effect in 2000; and b) to include procedures for automatically adjusting the compensation of the Chief Executive as permitted under the Home Rule Charter; and

**WHEREAS**, the Government Review Commission referenced that if this procedure were adopted in 2016, the Chief Executive's salary would be \$129,760.00; and

**WHEREAS**, because no adjustments have ever been made to the Chief Executive's salary, it is currently 47% of the Governor's salary; and

**WHEREAS**, Article III, §7(d) of the Allegheny County Home Rule Charter states, "[t]he Chief Executive's annual salary shall be \$90,000 which may be adjusted annually as provided in the Administrative Code;" and

**WHEREAS**, Paragraph A of §5-401.08 of the County's Administrative Code currently states in part:

Salary. The Chief Executive's initial annual salary shall be \$90,000. The Chief Executive's salary may be adjusted by ordinance adopted by County Council in accordance with the Pennsylvania Constitution and the provision governing adoption of ordinances set forth in Article 311 of this Administrative Code; provided, however, that they adjustment shall not exceed the cumulative average of annual salary increases provided in all collective bargaining agreements of County employees.

**WHEREAS**, County Council has not enacted any ordinances since the adoption of the Administrative Code in 2000 to provide for an annual adjustment of the Chief Executive's salary as authorized under the Home Rule Charter and Administrative Code; and

**WHEREAS**, it is the judgment of County Council that an increase in the Chief Executive's salary effective January 1, 2020 as well as providing for an annual adjustment of the Chief Executive's salary as authorized by the Administrative Code is equitable and desirable in order to account for inflation since 2000 and to ensure that the Chief Executive's salary is sufficient to attract qualified candidates to seek the office in the future.

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

***Section 1. Incorporation of the Preamble.***

The provisions set forth in the preamble to this Ordinance are incorporated by reference as set forth in their entirety herein.

***Section 2. Amendment of Chapter 5 of the County Code of Ordinances.***

Pursuant to the authority granted by Article III, §7(d) of the Home Rule Charter of Allegheny County, §5-401.08.A of the Administrative Code of Allegheny County is hereby amended as follows:

**§5-401.08. Salary of Chief Executive; expenses.**

- A. ~~Salary. The Chief Executive's initial annual salary shall be \$90,000. The Chief Executive's salary may be adjusted by ordinance adopted by County Council in accordance with the Pennsylvania Constitution and the provisions governing adoption of ordinances set forth in Article 311 of this Administrative Code; provided, however, that the adjustment shall not exceed the cumulative average of annual salary increases provided in all collective bargaining agreements of County employees. Beginning with calendar year 2020, the salary of the Chief Executive shall be increased to an amount equal to sixty-eight percent (68%) of the salary of the Governor of the Commonwealth of Pennsylvania for calendar year 2020. The salary of the Chief Executive shall be adjusted annually thereafter effective as of January 1<sup>st</sup> in each succeeding year by the annual percentage change, if any, in the Consumer Price Index (CPI) for urban consumers applicable to Pittsburgh, PA, for the most recent twelve month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date that the annual percentage adjustment is due to take effect; provided however, that the annual percentage adjustment based upon the CPI shall not exceed the cumulative average of annual salary increases provided in all collective bargaining agreements of County employees in the year of the annual percentage adjustment. The Chief Executive's annual salary shall not decrease during the any Chief Executive's term of office.~~

***Section 3. Effective Date***

This Ordinance shall enter into effect on January 1, 2020.

***Section 4.***

***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 5.***

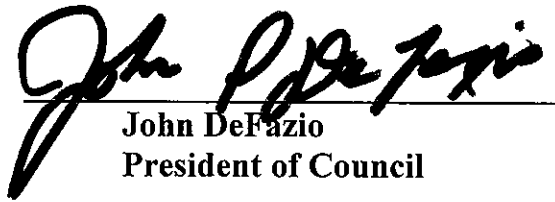
***Any Resolution or Ordinance or part thereof conflicting with the provisions of this Ordinance is hereby repealed so far as the same affects this Ordinance.***

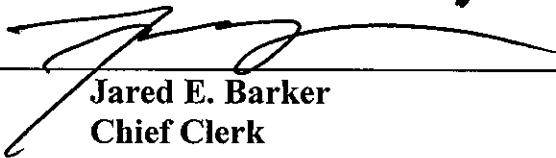
***PRIMARY SPONSOR: COUNCIL MEMBER FINNERTY***

***CO-SPONSORS:***

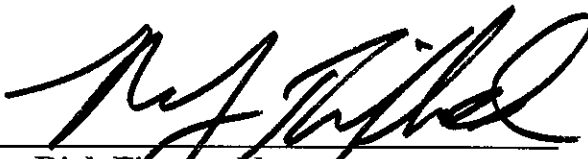
Enacted in Council, this 22<sup>nd</sup> day of November, 2016

Council Agenda No. 9898-1c

  
John DeFazio  
President of Council

Attest:   
Jared E. Barker  
Chief Clerk

County Executive Office November 30, 2016

Approved:   
Rich Fitzgerald  
County Executive

Attest:   
Sonya Dietz  
Executive Secretary