



# Allegheny County Council

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## Legislation Details (With Text)

**File #:** 9331-15      **Version:** 1      **Name:**

**Type:** Motion      **Status:** Draft

**File created:** 12/21/2015      **In control:** Chief Clerk

**On agenda:** 12/15/2015      **Final action:**

**Title:** Motion to add to the agenda an ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing Article 401 of Division 1 of the Code of Allegheny County entitled "Administrative Code," through the creation of a new Section 5-401.13, entitled "Reporting and Disclosure" in order to establish a disclosure requirement for potential conflicts of interests related to County contracts.

**Sponsors:** Heather Heidelbaugh

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/15/2015	1	County Council	Defeated	Fail

An ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing Article 401 of Division 1 of the Code of Allegheny County entitled "Administrative Code," through the creation of a new Section 5-401.13, entitled "Reporting and Disclosure" in order to establish a disclosure requirement for potential conflicts of interests related to County contracts.

Whereas, the Accountability, Conduct and Ethics Code of Allegheny County, contained within Article 1013 of the Administrative Code, sets forth guidelines for the accountability, conduct and ethics of Allegheny County; and

Whereas, Article V, Section 2(i) of the Home Rule Charter of Allegheny County specifically empowers the Chief Executive to "[n]egotiate, award and sign, or cause to be negotiated, awarded and signed on behalf of the County, all contracts, agreements and other instruments, except as provided in Article IV, Section 2(j) and (k); and

Whereas, nothing contained within the Home Rule Charter of Allegheny County, Administrative Code of Allegheny County, or Allegheny County Code of Ordinances prohibits the Chief Executive from having ownership or other interests in various businesses or other entities that may ultimately have the ability to propose or enter contractual relationships with the County; and

Whereas, such business interests are not always disclosed or fully known; indeed, at the March 24, 2015 regular meeting of Allegheny County Council, the current Chief Executive indicated that he did not know what entities his own company sells products to when questioned about how he ensures that conflicts do not arise as a result of his business interests; and

Whereas, it is the judgment of Council that the existing language of the Administrative Code should be strengthened in order to require the Chief Executive to maintain an awareness of his or her business interests that will allow them to determine whether they may have a conflict of interest relating to a

particular County contract, and to disclose such conflicts publicly; and

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

Section 1.

Article 401 of the Administrative Code of Allegheny County is hereby amended as follows:

Section 5-401.13. Reporting and Disclosure

A. The Chief Executive shall, to the extent permissible by applicable federal, state and local law and regulations, disclose revenue received in excess of \$10,000 in any quarter of any of the 3 calendar years prior to assuming the office of the Chief Executive by any business in which the Executive has a 50% or greater ownership interest from any individual, corporate, or other entity that receives County Funding as defined in Subsection B. Such disclosure shall be made via posting to the County website within 30 days of any individual's initial swearing in as Chief Executive, and shall be updated within 30 days of the receipt of revenue subject to the reporting requirement contained within this Section by any seated Chief Executive. Such disclosure shall, at a minimum, include a delineation of the revenue received by the Chief Executive, the date upon which it was received, the entity from which it was received, and a description of the nature of the transaction involving the receipt.

B. For the purposes of Subsection A, "County funding" shall be defined as a receipt of any revenue pursuant to any appropriation in a County operating, capital or grants and special accounts budget, participation in a TIF or LERTA authorized by legislative action of the County, or receipt of any tax abatement or exemption valued at \$250,000 or more in the current or any of the past 2 calendar years.