City of Pittsburgh
Operating Policies

Policy: OMB Review of Proposed Legislation	Original Date: January 1, 2016

PURPOSE: To establish guidelines for the submission and approval of legislation.

POLICY STATEMENT: All requests for the introduction of legislation must follow the procedures established by the Office of Management and Budget (OMB).

POLICY: All legislation including resolutions and proposed changes to City of Pittsburgh ordinances must be provided to OMB for review and approval prior to being submitted to City Council. The policy and financial impact analysis performed by OMB and the Mayor's Office is intended to accomplish the following objectives:

- Provide the City Clerk and members of City Council with a summary of the proposed legislation and its intended purpose;
- Ensure that all proposed legislation is consistent with the Mayor's policy goals and objectives;
- Identify the funding source for all resolutions that will require an expenditure of City funds (e.g., contracts) If the bill calls for the deposit or receipt of funds from another source, the bill must identify the appropriate account for deposit. If the bill calls for both the deposit of funds and the expenditure of funds, these will almost always be two different accounts; and
- Require a financial impact analysis of all proposed changes to city ordinances.

PROCEDURES:

1. Departments submit legislation to OMB by **12:00 p.m.** on the **Tuesday before** the week the legislation will be introduced, i.e. 7 days prior. All electronic copies and forms should be sent to OMB by 12:00 p.m. that Tuesday, and hard copies may follow on Wednesday and must be received by 12:00 p.m.

   Legislation packets (including all of the necessary documentation) not submitted on time will need to wait an additional week for the legislation to be processed.

2. Legislation packets must include the following
   <u>Hard Copy Submission</u>
   - 2 original copies of the legislation on resolution or ordinance paper
   - 1 copy of the legislation
   - 1 original letter printed on departmental letterhead and addressed to the President and Members of City Council. The letter must be signed by the department head.
   - 2 copies of the letter
   - A department requesting a waiver of Rule 8 must include the request in the cover letter accompanying the legislation with a brief explanation describing the reason the waiver is needed. A waiver of Rule 8 should be requested only when an urgent reason exists and immediate legislative action is deemed necessary by a Director. Additional information pertaining to the waiver of Rule 8 is noted below in the Legislative Process section.

- Completed *Summary of Proposed Legislation Form*
- Other necessary backup information

Electronic Submission-Below are the only items that should be forwarded electrically to OMB:

- The legislation
- Completed *Summary of Proposed Legislation Form*
- Attachments including information such as maps, pictures, studies, spreadsheets or other supporting documents for this legislation.

In addition, if a vendor has already been selected for the services described in the legislation, the department must include one or both of the following:

- Signed *Professional Services Competitive Process Validation Form*
- Signed *Request for Waiver of Competitive Process* (signed by both the Director and the Solicitor who has granted the waiver)

3. The *Summary of Proposed Legislation Form* must be used to describe the purpose of the proposed legislation and its budgetary impact. The analysis of budgetary impact should identify the following information:
   - Whether the legislation will have an associated one-time (current year) or recurring financial impact.
   - If the legislation is related to a contract, the analysis should identify the term of the proposed contract with the relevant vendor, organization, or individual.
   - Any legislation that will have more than a one-time financial impact must include a five-year financial impact analysis so OMB can evaluate whether the legislation is consistent with the City's five-year financial plan.
   - The budgetary impact analysis must identify the funding source(s), including Organizational Unit/Job Code, subclass, and account number.
   - Any proposed change to city ordinances must include a thorough analysis of the financial and operating impact of the proposed legislation, including, but not limited to the following: staffing implications and costs, non-personnel operating costs, capital budget requirements, and impact on city revenues.
   - All grant-related legislation must clearly indicate the impact on the City's General Fund, including any matching requirements and whether the grant involves adding personnel-related costs that could potentially require a General Fund subsidy once the funding ends. Personnel-related costs should include health benefits. Please contact the Grants Office for additional information.

4. OMB will review each piece of legislation and approve/disapprove all requests. The review process includes, but is not limited to, verification of the content of the legislation, verification of appropriation balances, and verification that the wording reflects the intent of the legislation. ***Note: OMB analysts and the Mayor's Office only have a few days to review legislation; any proposed legislation that involves a revision to the City Code, represents a major policy initiative, involves a potentially controversial issue and/or requires a significant investment should be discussed with the Mayor's Office and OMB prior to submission. Failure to do so may result in the legislation being held.***

5. OMB will provide a recommendation to either place the legislation on the Mayor's Agenda or hold the legislation due to a problem identified in the review process.

6. All legislation will be reviewed in parallel by the Mayor's Office, who will authorize the final disposition of the legislation by either approving or holding the bill. OMB will retain all copies of legislation that is being held and will work with the department and Mayor's Office to determine next steps.

7. OMB will collate all pieces of approved legislation and prepare the Mayor's Agenda.

8. OMB will forward the Mayor's Agenda and the approved legislation (hard copy and electronically), to City Council on Friday by 12:00 p.m. for introduction at the next Regular Meeting of Council. The packet includes the agenda, original letters and legislation.

OVERVIEW OF THE LEGISLATIVE PROCESS

Prior to the introduction of legislation, departments should notify the appropriate member of City Council whose committee has jurisdiction over the subject matter and be prepared to discuss or clarify the bill if the Councilmember should request a meeting.

- The Department prepares their Legislation and submits to OMB for review by **12:00 p.m.** on the **Tuesday before** the week the legislation will be introduced.
- OMB forwards approved Legislation to the City Clerk's Office by 12:00 p.m. on Friday for introduction at the next Regular Meeting of Council
- Legislation is introduced on Tuesday at the Regular Meeting of Council.
- The Bill is discussed the following Wednesday at the Committee Meeting. The Department Director or an appropriate representative should attend the Standing Committee Meeting to answer questions that City Council may have regarding the legislation.
    - Waiver of Rule 8 suspends the discussion requirement and allows legislation to be introduced at the Regular Meeting of City Council on Tuesday and receive a preliminary vote the following Wednesday, one day after it is Introduced. A Waiver of Rule 8 is requested when an urgent reason exists and immediate legislative action is deemed necessary by a Director. The Waiver of Rule 8 must be requested in the cover letter accompanying the legislation with a brief explanation describing the reason the waiver is needed. If City Council grants the request and moves to suspend Rule 8, the Bill will be discussed one day after it is introduced. Council takes Action on the Bill by affirmative preliminary vote or the bill may be held or tabled.
- The Bill is voted on finally on the Tuesday following the Wednesday discussion. If the bill passes finally, the Council President and City Clerk forward the bill to the Mayor's Office for approval.
- The Mayor has the authority to approve the legislation by signature, veto City Council's action, or take no action.
- The Mayor's Office will return the legislation to the City Clerk within 10 days.
- City Council books the Resolution/Ordinance, issues a Resolution/Ordinance Number and forwards a certified copy to the City Controller, OMB and the department director.

Notes

- The City Clerk's Office maintains Legistar, a database that tracks legislative files. Legistar and the Legislative Information Center (LIC) are located on the City Clerk's website. The information that is available in the legislative files includes Introduced and Final Action Dates, File Status, Legislative Text and History, Attachments, Sponsors and Votes and Resolution and Ordinance Numbers.
- City Council's calendar is available on the City Clerk's website and a weekly meeting notice is distributed via email. City Council's calendar can fluctuate due to holidays, televised budget hearings and other special events.

- City Council Recess is typically in August. City Council's Summer Schedule is posted on the City Clerk's website and is distributed via email.
- At the end of odd years, any legislation not passed by the end of the year will expire due to Council reorganization.

Attachment – Summary of Proposed Legislation Form

Summary of Proposed Legislation

Bill # / Title	
Department:	Insert Department Name
Contact Person:	Insert name and phone number for Departmental Contact

Ordinance	***Contract Authorization***	***Capital Budget Amendment***	***Capital Encumbrance***	***Proclamation***	***Other***

DESCRIPTION/PURPOSE:

Provide detailed description of the proposed legislation including the scope of request, key issues and impacts of the program, the description of the current policy, related history, and reference to City Code where applicable.

Capital related legislation should indicate whether the project is new or recurring, include a list of specific deliverables and their locations, include the work to be completed at each location, the status of previous work or funding remaining on the project, and the estimated timeframe for the completion of the project.

BUDGETARY IMPACT:

The analysis of budgetary impact should identify the following information:

- *Whether the legislation will have an associated one-time or recurring financial impact.*
- *If the legislation is related to a contract, the analysis should identify the term of the proposed contract with the relevant vendor, organization, or individual.*
- *Any legislation that will have more than a one-time financial impact must include a five-year financial impact analysis so OMB can evaluate whether the legislation is consistent with the City's five-year financial plan.*
- *The budgetary impact analysis must identify the funding source(s), including organizational unit, subclass, and account number.*
- *Any proposed change to city ordinances must include a thorough analysis of the financial and operating impact of the proposed legislation, including, but not limited to the following: staffing implications and costs, non-personnel operating costs, capital budget requirements, and impact on city revenues.*
- *All grant-related legislation must clearly indicate the impact on the City's General Fund, including any matching requirements and whether the grant involves adding personnel-related costs that could potentially require a General Fund subsidy once the funding ends. Personnel-related costs should include health benefits. Please contact the Grants office for additional information.*

ATTACHMENTS AND/OR EXHIBITS:

Attach additional information such as maps, pictures, spreadsheets, studies, correspondence or any other supporting documents for this legislation.