



## Legislation Details (With Text)

<b>File #:</b>	2021-1846	<b>Version:</b>	3
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed Finally
<b>File created:</b>	9/10/2021	<b>In control:</b>	Committee on Finance and Law
<b>On agenda:</b>	10/20/2021	<b>Final action:</b>	12/20/2021
<b>Enactment date:</b>	12/20/2021	<b>Enactment #:</b>	56
<b>Effective date:</b>	12/27/2021		
<b>Title:</b>	Ordinance amending and supplementing the City Code to require the confirmation of City Council for Deputy Directors and/or Chiefs, Assistant Directors and/or Chiefs, and other enumerated positions in the City Code.		
<b>Sponsors:</b>	Reverend Ricky V. Burgess		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Mayor Peduto Letter (Bill 2021-1846), 2. Summary 2021-1846		

Date	Ver.	Action By	Action	Result
12/27/2021	3	Mayor	Signed by the Mayor	
12/20/2021	3	City Council	AMENDED BY SUBSTITUTE	Pass
12/20/2021	3	City Council	Passed Finally, As Amended	Pass
12/15/2021	2	Standing Committee	AMENDED	Pass
12/15/2021	2	Standing Committee	Affirmatively Recommended as Amended	Pass
9/14/2021	1	City Council	Referred for Report and Recommendation	

Ordinance amending and supplementing the City Code to require the confirmation of City Council for Deputy Directors and/or Chiefs, Assistant Directors and/or Chiefs, and other enumerated positions in the City Code.

### The Council of the City of Pittsburgh hereby enacts as follows:

**Section 1.** The City Code is hereby amended at Title One: Administrative, Article III: Organization, Chapter 111: Departments Generally, as follows:

#### § 111.01 - ESTABLISHMENT; RULES AND REGULATIONS; ORGANIZATION AND CONTROL.

(a) *Establishment.* The following executive departments and major administrative units are hereby established:

- (1) Office of the Mayor
- (2) Office of Equity
- (3) Office of Management and Budget
- (4) Office of Community Health and Safety
- (5) Department of Innovation and Performance
- (6) Office of City Controller
- (7) Department of Finance
- (8) Department of Law
- (9) Office of Municipal Investigations

- (10) Department of Human Resources and Civil Service
- (11) Department of City Planning
- (12) Department of Permits, Licenses, and Inspections
- (13) Department of Public Safety
- (14) Bureau of Emergency Medical Services
- (15) Bureau of Police
- (16) Bureau of Fire
- (17) Bureau of Animal Care and Control
- (18) Department of Public Works
- (19) Department of Parks and Recreation
- (20) Department of Mobility and Infrastructure

(b) *Rules and regulations.*

- (1) Each department and/or major administrative unit shall have power to prescribe policies, rules and regulations, not inconsistent with any law or ordinance:
  - A. For its own government;
  - B. Regulating the conduct of its officers, clerks and employees;
  - C. Concerning the distribution and performance of its business;
  - D. Concerning the custody, use and preservation of the books, records, papers and property under its control; and
  - E. To implement any code provision applicable to such department.
- (2) All departmental policies, rules, and regulations that impact the delivery of services to the public must be filed with the City Clerk and Office of the Mayor. Except as otherwise provided by any law or ordinance or in the Code, uniform rules and regulations established become effective the day they are filed with the City Clerk.
- (3) All departmental policies, rules, and regulations, unless otherwise prohibited by law or public safety concerns, must be posted to the City's website.

(d) *Internal organization.* Any executive departments of the City which have been or may in future be created shall be major administrative units as defined in the Pittsburgh Home Rule Charter and shall consist of such persons at such compensation as may be fixed by the annual resolution of the City fixing the number of officers and employees of all departments of the City and the rate of compensation thereof, or as may be provided for in appropriate federal, state, or privately funded grant programs; and the expense of the departments shall be provided for in the annual resolution making appropriations to pay the expenses of conducting the public business of the City or as may be provided for in appropriate federal, state, or privately funded grant programs.

- (1) Any and all changes to the rate of compensation of employees as defined numerically in the official budget document, known as the annual resolution, during its effective period shall be prohibited, except as provided for in Article V of the Pittsburgh Charter.
  - A. Step and Grade classifications listed in the annual resolution shall match the corresponding numeric representation as published in the annual resolution.
- (2) City Council shall approve of any and all changes to the annual resolution fixing the number of officers and employees and their wages and salaries that may occur during the year.

(e) *Supervision.* The Mayor, Controller and each director of a department shall have charge of the supervision of all subordinate officers and employees deemed proper for the carrying out of the duties and powers of each department.

(f) No person shall serve as an acting director of a department or acting chief of a bureau of public safety for more than ninety (90) days unless confirmed by Council as provided for in § 209 of the Home Rule Charter.

(g) As provided for in § 209 of the Home Rule Charter, each head of an executive department or administrative unit, other than the Offices of Mayor and City Controller, shall be subject to the approval of Council, unless the Charter states otherwise.

(h) Notwithstanding any contrary provision of the Pittsburgh Code of Ordinances, any Deputy Director, Deputy Chief, Assistant Director, or Assistant Chief, hired to serve an executive department or major administrative unit listed in subsection 111.01(j) shall, as a condition of their continued service in that role, attend the first regular meeting of City Council following their hire wherein the Council may call forward said individual to ascertain their fitness to serve through interrogatory. The Mayor shall provide notice to the City Clerk of the attendance of any such individuals prior to the applicable regular meeting of City Council.

(i) No person shall serve as an Acting or Interim Assistant Director or Deputy Director of an executive department or major administrative unit for more than ninety (90) days without having attended one regular meeting of City Council following their appointment wherein the Council may call forward said individual to ascertain their fitness to serve through interrogatory. The Mayor shall provide notice to the City Clerk of the attendance of any such individuals prior to the applicable regular meeting of City Council.

(j) Subsections 111.01(h) and 111.01(i) shall apply to the following executive departments or major administrative units as follows:

- (1) Office of Management and Budget
- (2) Department of Innovation and Performance
- (3) Department of Finance
- (4) Department of Human Resources and Civil Service
- (5) Department of City Planning
- (6) Department of Permits, Licenses, and Inspections
- (7) Department of Public Safety
- (8) Bureau of Emergency Medical Services
- (9) Bureau of Police
- (10) Department of Public Works
- (11) Department of Parks and Recreation
- (12) Department of Mobility and Infrastructure

#### § 111.02 - DEPUTY DIRECTORS; DESIGNATION; POWERS AND DUTIES; REVOCATION.

In case of death, resignation, sickness, absence or inability of the head of any City executive departments, other than the Office of City Controller, the Mayor or the head of the affected department shall designate in writing, filed with the City Clerk and Controller, a deputy to act for the department head, and to exercise the powers and discharge all duties of the department head during the absence or disability or until a new director is appointed, except the powers of appointment and dismissal of employees. The named deputy shall be an existing City employee with knowledge of the workings of the department they are named to oversee. The Mayor or the head of the affected department may revoke any designation at any time without cause by a revocation in writing, filed with the City Clerk and Controller. The deputies shall serve without additional compensation and may be required by resolution to give bond in the amount as the Treasurer may fix.

**Section 2.** The City Code is hereby amended at Title One: Administrative, Article III: Organization, Chapter 146: Sustainability Coordinator, Section 146.01: Sustainability Coordinator, as follows:

#### § 146.01 - SUSTAINABILITY COORDINATOR.

The Mayor shall appoint a full-time Sustainability Coordinator in the manner provided for in § 111.01(h).

**Section 3.** The City Code is hereby amended at Title Two: Fiscal, Article I: Administration, Chapter 218: Capital Budget and Capital Improvement Plan, Section 218.03: Establishment of the Capital Program Facilitation Committee, subsection (2): CIP Manager, as follows:

§ 218.03 - ESTABLISHMENT OF THE CAPITAL PROGRAM FACILITATION COMMITTEE.

(a) CIP Manager. The Mayor shall designate a citywide CIP Manager to oversee implementation of the Capital Improvement Plan (“CIP”) and Capital Budget and to work in the Office of Management and Budget, with the Controller, with the Council and the individual departments. Said CIP Manager shall be appointed or hired by the Mayor in the manner provided for in § 111.01(h).

**Section 4.** The City Code is hereby amended at Title One: Administrative, Article III: Organization, Chapter 113: Mayor, Section 113.06: Office of Community Health and Safety, as follows:

§ 113.06 - OFFICE OF COMMUNITY HEALTH AND SAFETY.

The Office of Community Health and Safety shall be located within the Office of the Mayor. The Office of Community Health and Safety is charged with increasing public safety capacity by coordinating public health practices. This office will provide the City with the capacity to implement solutions and address long-standing challenges. The Office of Community Health and Safety shall be under the charge of a Director or Manager, who shall be the head thereof, and appointed or hired by the Mayor in the manner provided for in § 111.01(h). The Office of Community Health and Safety shall:

- (a) Coordinate public health-informed practices;
- (b) Implement continuum of support;
- (c) Participate in community engagement and establish transparency and sustainability.

This office will aspire to build Public Safety excellence.

Section 5. For interpretative purposes, the amendments of this Ordinance are intended to apply to hires and appointments made after the effective date of this Ordinance and are not otherwise intended to impose new requirements upon lawfully hired or appointed City personnel seated prior to the effective date of this Ordinance.