

RESOLUTION NO. 311a

REQUIRING PROGRAMMATIC INFORMATION IN REQUESTS FOR LEGISLATIVE ACTION AND CODIFYING EXISTING PRACTICES

Introduced: 5/13/24

By : Conway, Burgdorf, Collins, Drake, Grimm, Lockart, Mauriello, Perlee, Whalen

WHEREAS, The Albany County Legislature is responsible for the approval of Albany County's contracting and procurement above a \$100,000 threshold; and

WHEREAS, In the course of its business, the Legislature considers many different contracts which relate to the direct provision of services to individuals, with services covering a wide range of areas including provision of warm shelter to the homeless, rehabilitation, workforce training, and many other types of programs; and

WHEREAS, In order to fully consider the impact of aforementioned programming, as well as the fitness of existing contractors to continue to provide those programs, County Legislators must often ask many additional questions in committee meetings in order to establish a basic framework for the operation and scope of the programs; and

WHEREAS, The aforementioned programmatic legislative items are submitted to the Legislature as "Requests for Legislative Action" from the executive branch of Albany County's government; and

WHEREAS, Requests for Legislative Action are not presently codified within the Legislature's Rules of Order or in the Albany County Charter, instead existing as convention reliant on the directive of the sitting County Executive; and

WHEREAS, Best practices suggest a basic codification of the form of Requests for Legislative Action would ensure the efficient consideration and passage of these items beyond the terms of existing officials; and

WHEREAS, Requests for Legislative Action should include additional detail regarding the efficacy and scope of direct service programs in order to allow legislators to consider the whole effect of a proposal prior to committee meetings, now, therefore be it

RESOLVED, By the Albany County Legislature, that Rule 11 of the Legislative Rules of Order shall be amended to read as follows:

RULE 11 - LEGISLATION PROCEDURE

Each resolution shall be consecutively numbered and the title shall state concisely the subject matter thereof. All resolutions and local laws which are to be presented to the Legislature for its consideration shall be delivered to the office of the Clerk of the Legislature, County Attorney and Majority and Minority Counsels, by 12:00 noon on the second Wednesday preceding the date of the organizational meeting, annual meeting or each regular monthly meeting of the Legislature, and by 12:00 noon two (2) business days prior to any special meeting that may be called. Any proposal submitted by the County Executive or any department, agency, office, or any other part of the executive branch, or by any other countywide elected official, shall include a cover letter and form detailing the following information, if applicable:

1. Purpose of request and/or type of contract;
2. Budgetary impact, including the amount increased or decreased in a specific budget line, any applicable bond resolutions, as well as a description of the source of funding divided by Federal, State, County, and Local shares;
3. Whether the requested action is required by mandate, and, if so, by what authority;
4. Previous legislative history, including similar items;
5. Term of contract;
6. Potential impact on pending litigation;
7. Where applicable and practicable, for programs, including contracted programs, providing direct services, products or other benefits to county residents: the number of persons to be served; the number of persons served in prior years; and any other relevant statistics related to program delivery; and
8. Justification in support of the requested action.

These proposals shall be known as a Request for Legislative Action ("RLA"). The Clerk shall include all such resolutions and proposed local laws in the agenda to be distributed as herein set forth and make available to each legislator such agenda by 4:00 p.m. on the Tuesday preceding such meetings, exclusive of special meetings. The Clerk shall make the agenda for special meetings available one business day prior to the special meeting. Resolutions and local laws not contained in the printed agenda, but which require immediate attention, may be introduced with the consent of the majority of the Legislature with copies provided to members of the Legislature, the County Attorney, Majority and Minority Counsels and the Clerk of the Legislature prior to the start of the Legislative meeting at which the proposed Rule 11 is being offered. Legislation offered under Rule 11 should be of the type where timely passage is of the essence, and legislation offered under lesser circumstances may not be allowed.

Each resolution shall be numbered in consecutive order beginning with number one each year. A resolution shall retain its number throughout the legislative process. However, if a resolution is amended, the letter A for the first time amended, the letter B for the second time amended, and so on shall be added to the resolution number to signify each amendment(s).

Each local law shall be assigned a letter for introduction purposes in consecutive order beginning with the letter A each year. Once duly adopted, a local law shall be assigned a number and numbered in consecutive order starting with the number one beginning with the first local law adopted each year.

Each resolution or local law shall have a title which shall concisely state the subject matter thereof.

Resolutions and local laws not contained in the printed agenda may only be introduced after all other printed agenda items have been addressed, and only with the consent of the majority of the Legislature, and only if complete copies thereof are provided to each member, the County Attorney, Majority and Minority Counsels and the Legislative Clerk prior to the introduction of said proposed Legislation.

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Referred to Law and Rules Review and Legislative Modernization Committees
– 5/13/24*

Negative Recommendation Law Committee – 2/26/25

*Negative Recommendation Rules Review and Legislative Modernization
Committee – 3/26/25*