

Failed

**Recommendation to Amend the Erie County Charter
Erie County Charter Revision Commission of 2016**

**Amendment to Recommendation Intro. No. 111
Recommendation No. _____**

The text of Recommendation Intro. No. 111 is stricken and replaced with the following:

Introduced on the Report of the Special Committee on Consolidation and Conformity.

Sponsored by Commission Member Aldinger

The Erie County Charter Revision Commission of 2016 does hereby recommend that article 3 be amended in its entirety as follows:

Section 305. Division of budget and management.

1. Establishment There shall be in the office of the county executive a division of budget and management headed by a director of budget and management who shall be appointed by and will serve at the pleasure of the county executive.

2. Powers and Duties: The director of budget and management shall have the following powers, duties, and oversight responsibilities:

a) To assist the county executive in the preparation and administration of the operating and capital budgets, in the study of administrative efficiency, in monitoring the productivity of the various administrative units of county government and in the review of the management and performance audits issued by the comptroller. The director of budget and management shall report to the county executive on the implementation of such audit recommendations and his or her actions pertaining to efficiency and productivity monitoring.

b) To determine and analyze the soundness of departmental budget estimates and requests for appropriations, revenues, borrowings and such other fiscal concerns throughout the year.

c) To determine and analyze annually the soundness, sustainability, and prudence of the proposed county budget or any midyear budget amendment, including, but not limited to, borrowings,

taxes, personnel levels, and capital expenditures. In making such a determination, the director of budget and management shall consider whether the budget furthers the goal of efficient, sustainable, and stable county spending, including, but not limited to, whether the spending or savings of reserve funds are being made in a countercyclical manner; whether the rate of capital investment is adequate to ensure that the cost to maintain county infrastructure is at the lowest net present value using a discount rate between 4-10%; and whether changes in the size or scope of the county budget can be maintained over the course of a business cycle. If the director of budget and management finds the county budget deficient in meeting these standards the director of budget and management shall offer amendments to the county budget. Notwithstanding any provisions in this charter to the contrary, the county legislature may adopt such amendments proposed by the director of budget and management by a majority vote.

d) To determine whether the county has adequate plans, facilities, organizational arrangements, and management control systems to adequately and effectively accomplish departmental and legislative policies.

e) To produce a formal cost estimate of every local law that is approved by a committee of the County Legislature and to produce a formal cost estimate of any local law introduced by a county legislator upon the introducer's request.

f) To recommend an appropriate level of unassigned fund balance in the General Fund, provided that the recommended level shall not be less than five percent of the amount contained in the adopted budget of the General Fund of the County's last audited financial statements; and further provided that any change in the recommended appropriate fund balance shall be limited to one percent of the amount contained in the adopted budget of the General Fund of the County's last audited financial statements during the course of one calendar year. For purposes of this section, the total General Fund calculation shall not include sales and compensating use tax revenues shared with local governments and school districts. The county may only approve an unassigned fund balance in the General Fund below the level recommended by the director of budget and management upon a majority vote of the county legislature. A budget that is approved without a vote of the county legislature shall not appropriate any fund balance revenue that would bring the fund balance in the General Fund below the amount recommended by the director of budget and

management. The county executive's tentative budget shall indicate equivalent deletions in the tentative budget that shall be executed if the use of fund balance revenue is not approved by the county legislature.

g.) Such other duties and responsibilities as the County Legislature may assign by local law or as the County Executive may direct.

3. County departments and cooperation. County offices, departments, agencies, boards, commissions, and other entities are required to provide timely access to the to county legislators and the staff of the county legislature of their personnel and records and to assist in the collection and analysis of factual objective data. Such access shall be construed to include direct access to the county's mainframe and departmental computer systems insofar as the information sought is not otherwise precluded by federal, state, or local laws or a collective bargaining agreement between the county and any of its employees.

**Introducer's Memorandum to
Recommendation Intro. No. 111A**

Sponsored by Commission Member Aldinger

The intent and purpose of this recommendation is to add elements of strategic budgeting to the portfolio of the budget director. This includes: having the budget director assess whether adequate capital spending is being made and whether the County fund balance should be higher than five percent. In addition, like the congressional budget office, this budget department is tasked with estimating the costs of local laws, so that legislators know the impact that their votes will have on county budgets going forward. Part 3 ensures that the County Legislature have adequate access to county data to accurately understand and assess the County Budget.

**Recommendation to Amend the Erie County Charter
Erie County Charter Revision Commission of 2016**

Recommendation Intro. No. 111A

Failed

Recommendation No. _____

| | YES | NO | NOT PRESENT | ABSTAIN |
|-------------------------|-----|----|-------------|---------|
| Todd J. Aldinger | ✓ | | | |
| Joseph T. Burns | ✓ | | | |
| Tara Cadmus | ✓ | | | |
| Diana K. Cihak | | ✓ | | |
| Keith E. Dash | | | ✓ | |
| Kenneth J. Farrell | ✓ | | | |
| Peter J. Galie | ✓ | | | |
| Christina G. Holdsworth | ✓ | | | |
| Timothy M. Hudson | ✓ | | | |
| Matthew J. Kibler | | ✓ | | |
| Peter M. Kooshoian | | ✓ | | |
| Rashied McDuffie | | ✓ | | |
| Cheryl Meyers-Buth | | ✓ | | |
| Sibu S. Nair | | ✓ | | |
| Tiffany R. Perry | | ✓ | | |
| David Pollack | ✓ | | | |
| Myra E. Robinson-Moses | | ✓ | | |
| Mary A. Stang-Cooke | ✓ | | | |
| Jeanne M. Vinal | | ✓ | | |

AYES 9

NOES 9