



Text File

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Committee: Committee on Finance and Law

Status: Passed Finally

Ordinance amending and updating the City Code at a number of locations to repeal Boards, Commissions, Committees, Councils, Special Meetings, and Task Forces that functionally no longer exist, and to remove references to Boards, Commissions, Councils, Special Meetings, and Task Forces that have previously been repealed.

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

Section 1. The City Code is hereby amended at Title One: Administrative, Article V: Legislative, Chapter 152: Regular and Special Meetings by repealing the chapter in its entirety:

SEE ATTACHMENT

[CHAPTER 152: - REGULAR AND SPECIAL MEETINGS

§ 152.01 - SPECIAL MEETINGS WITH THE ACT 47 COORDINATOR AND OVERSIGHT COMMITTEE BOARD-FINANCIAL STATUS REPORT.

(a) Legislative intent. The purpose of these meetings is to establish a clear picture of the city's financial position; promoting strong lines of communication between all parties responsible for the financial well being of the City of Pittsburgh and, to give the public as much access as possible to the response to the management of the city's financial crisis.

(1) Financial status report meetings. During the time that the City of Pittsburgh is either declared financially distressed pursuant to the act of July 10, 1987 (P.L. 246, No. 47), known as the Municipalities Financial Recovery Act, (Act 47) and/or during the term that an Intergovernmental Cooperation Authority For Cities of the Second Class (ICA) is established pursuant to the act of February 12, 2004 (P.L. 53, No. 11) known as the Intergovernmental Cooperation Authority Act for Cities of the Second Class (Act 11) there shall be a publicly televised meeting held in City Council Chambers between the following parties:

- A. Members of Council of the City of Pittsburgh ("Council")
- B. Mayor, and/or the Mayor's Executive Secretary for Policy & Development ("Mayor")
- C. City Controller
- D. Intergovernmental Cooperation Authority Governing Board representative ("ICA")
- E. 47 Coordinator representative ("Coordinator")

The Members of Council, the Controller and the Mayor, under the City of Pittsburgh Home Rule Charter,

Article 3, Section 310 (f), are compelled to attend these meetings. While the City lacks direct legislative authority over the ICA and the 47 Coordinator, their participation is considered to be voluntary but in the best interest of the people of Pittsburgh.

The President of the Council of the City of Pittsburgh shall determine the time and date of the meetings. The President of Council shall chair the meeting.

There shall be at least one (1) meeting every five (5) weeks. However, the president of council is empowered to convene such meeting more frequently if it is determined by the president that additional meetings are warranted.

No legislation shall be introduced nor shall there be any deliberations of any legislation pending in council.

Agenda

The agenda for the meeting shall include but not be limited to the following subjects:

Finance report - General

Actual Revenue	Projected	+/- from budget target
Actual Expenditures	Projected	+/- from budget target
Cash Position	Projected	+/- from budget target
Departmental		
Revenues	Projected	+/- from budget target
Expenditure	Projected	+/- from budget target
Employees		
Budgeted		
Full Time	Part Time	
Actual		
Full Time	Part Time	+/- from budget target

Act 47 Requirements

Mayors Budget Office Report on Non-Discretionary Spending

Discretionary Spending Freeze

Director Approvals for + \$1,000.00

Finance Director Approvals for + \$5,000.00

List of non-discretionary items

Spending Plan for each department
2004 Budget
Alternative crisis spending plan
Department on target
Department exceeding target
Personnel Director's Report
Hiring Freeze Requirement
Hiring and Termination Report (by Department)
Employee head count by Department
F/T (seasonal and year round)
P/T (seasonal and year round)
Approvals for overtime (by Department/position/reason)
Major Unforeseen Events Report (description of the event and cost)
Employee Benefits
Workers Compensation costs
Pension Status - funding status
Self Insured Health Insurance Status - UPMC/Select Blue
Disability Insurance
Capital Budget
Inventory of each General Obligation and Pension Bond describing term, callable/non-callable feature, par value, principal and interest value. Refinance options.
Total Capital Debt Analysis - i.e., debt payment percent of operating cost, weighted average maturity and weighted average interest cost.
2004 Capital Projects
2004 Terminated Capital Projects
Authorities
Financial accounting position of the authorities
Employee report
Bonded Indebtedness
Intergovernmental Cooperation Authority Update
Findings to date
Current areas of examination
Contracts approved
Interim Recommendations

The agenda may include other items related to the financial condition of the city as determined by the President and/or the majority of the members of Council.]

Section 2. The City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 172: Private Sector Commission on Cost Control, as follows so as to repeal the

chapter in its entirety:

§ 172.01 - CREATION, APPOINTMENTS AND ORGANIZATION.

- (a) The Private Sector Commission on Cost Control shall now be known as the Budget, Revenue and Regional Asset Advisory Commission.
- (b) The Budget, Revenue and Regional Asset Advisory Commission shall consist of five (5) members appointed by the Mayor; three (3) members appointed by a majority vote of Council; and one (1) member to be appointed by the City Controller. In any case where a vacancy occurs, the vacancies will be filled by the anointing authority who nominated the departed member.
- (c) The Director of the Department of Finance and the Administration's and Council's Budget Officers shall be members ex-officio of the Commission.
- (d) All appointed members shall be appointed with the consent of a majority of Council.
- (e) All appointed members shall serve without compensation.
- (f) Members shall hold office for a period of two (2) years or until their successors are respectively appointed and qualified.
- (g) The Commission shall elect officers, including, but not limited to a Chairman and Secretary.
- (h) The Commission shall receive the full cooperation, assistance and participation of all City officials and employees in the exercise of its powers and duties.

§ 172.02 - POWERS AND DUTIES.

- (a) The powers and duties of the Budget, Revenue and Regional Asset Advisory Commission are as follows:
 - (1) To suggest managerial, operating and organizational improvements for immediate and long-term consideration;
 - (2) To investigate the efficiency of increased cooperation with other public agencies, including the County of Allegheny, concerning purchasing, public asset management, taxation, public safety and other matters of regional concern; to assist the development of the county's explanation of joint county/city operations and service;
 - (3) To advise the Mayor and Council concerning the efficiency, cost effectiveness and true value of specific City expenditures; to assist in developing public awareness of City services and costs;
 - (4) To create a data base and organization of material for the transition of Administrations; and
 - (5) To formally report its finding to the Mayor and Council on the first Monday in January, April, July and October of each year.]

Section 3. The City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 174: Vacant Property Review Committee, as follows so as to repeal the chapter in its entirety.

[CHAPTER 174: - VACANT PROPERTY REVIEW COMMITTEE

§ 174.01 - CREATION AND POWERS.

Pursuant to the provisions of the Urban Redevelopment Law, Act of May 24, 1945, P.L. 991, as amended, (35 P.S. Sec. 1701 et seq.), there is hereby created a Vacant Property Review Committee to function within the City

and which shall exercise all powers and be subject to all limitations as provided in the Act.

§ 174.02 - COMPOSITION.

The membership of the Vacant Property Review Committee shall consist of the following:

- (a) Chairman of the Council Committee on Planning, Housing and Development.
- (b) Executive Director of the Urban Redevelopment Authority of Pittsburgh.
- (c) Director of the Department of City Planning.
- (d) Director of the Department of Housing of the Urban Redevelopment Authority of Pittsburgh.
- (e) Director of the Department of Finance.
- (f) Two (2) residents of the city, one (1) to be appointed by the Mayor and one (1) to be appointed by Council.

The Chairman of the Council Committee on Planning, Housing and Development, the Executive Director of the Urban Redevelopment Authority of Pittsburgh, the Director of the Department of City Planning, the Director of the Department of Housing of the Urban Redevelopment Authority of Pittsburgh and the Director of the Department of Finance may designate a representative to attend meetings and vote on their behalf.

§ 174.03 - ORGANIZATION.

The Chairman of the Vacant Property Review Committee shall be appointed by the Mayor from those persons identified in § 174.02. The members of the Committee shall select from among themselves, a Vice Chairman, a Secretary and other officers as the Committee may determine.]

Section 4. The City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 177: Economic Development Commission, as follows so as to repeal the chapter in its entirety.

[CHAPTER 177: - ECONOMIC DEVELOPMENT COMMISSION

§ 177.01 - MEMBERS; APPOINTMENT.

The Economic Development Commission shall consist of 11 members, who are residents of the city, and shall be appointed by the Mayor subject to the approval of Council.

§ 177.02 - TERMS; VACANCY.

The term of each member shall be for five (5) years, and no term or any member shall be concurrent with the term of any other member of the Commission. Their successors shall be appointed on the expiration of their respective terms, to serve five (5) years. The appointment to fill a vacancy shall be only for the unexpired portion of the term.

§ 177.03 - QUORUM; REGULATIONS.

- (a) Seven (7) members of the Economic Development Commission shall constitute a quorum.
- (b) The Commission shall make regulations for its own organization and procedure, consistent with the laws of the Commonwealth and this Code. Members shall serve without compensation.

§ 177.04 - POWERS AND DUTIES.

The Commission shall have the responsibility and the power to develop and review economic development activities in the City and to develop a comprehensive economic development program for the city. The Commission shall report in writing quarterly to the Mayor and Council on its recommendations and suggestions.

§ 177.05 - EMPLOYEES; EXPENSES.

The Commission shall employ persons and employees as may be necessary, whose salary, together with the necessary expenses of the Commission, shall be provided for, at the discretion of Council and the Mayor, by the proper appropriations and ordinances.]

Section 5. The City Code is hereby amended at Title One: Administrative, Article IX: Boards Commissions and Authorities, Chapter 177B: Neighborhood Empowerment Commission, as follows so as to repeal the Chapter in its entirety:

[§ 177B.01 - AUTHORITY AND PURPOSE.

There is hereby established a Commission to be known as the Neighborhood Empowerment Commission.

The purpose of this Commission is to:

1. Support and advise the Chief of Urban Affairs in the implementation of all programs and activities related to the Bureau of Neighborhood Empowerment;
2. To create an ongoing working group that prioritizes and effectively implements all of the Bureau of Neighborhood Empowerment's initiatives across City departments, community organizations and residents;
3. Produce an annual report to the Mayor and City Council on accomplishments as well as an annual community meeting to update the community.

§ 177B.02 - MEMBERSHIP.

The membership of the Neighborhood Empowerment Commission shall consist as follows:

1. The Mayor or his/her designee;
2. Two (2) members of City Council;
3. A representative of the Urban Redevelopment Authority;
4. A representative of Housing Authority of the City of Pittsburgh;
5. A representative of the Department of City Planning;
6. A representative of the Department of Public Safety;
7. A representative of the School District of Pittsburgh;
8. Three (3) representatives of community-based organizations, appointed by the Mayor.

§ 177B.03 - TERMS AND FILLING OF VACANCIES.

The representatives of community-based organizations appointed by the Mayor shall serve for a term of four (4) years. Any vacancies created by the resignation, death or removal of an appointed member shall be filled in

the manner of their appointment.

§ 177B.04 - COMPENSATION.

Members of the Neighborhood Empowerment Commission shall serve without compensation.

§ 177B.05 - POWERS AND DUTIES.

The Neighborhood Empowerment Commission shall have the following duties:

1. The Commission shall meet at regular intervals as determined by the body and shall:
 - a. Support and advise the Chief of Urban Affairs Officer in the implementation and evaluation of the outcomes of the Bureau of Neighborhood Empowerment;
 - b. Facilitate an interdepartmental and collaborative agency approach to planning, and the delivery of services to Priority Communities;
 - c. Act as the clearinghouse for activities, programs and investments that will improve the quality of life for residents in City neighborhoods;
2. The community representation of the Commission may update the Commission on:
 - a. Community needs relative to community and neighborhood improvement;
 - b. Progress on community development and economic development projects;
 - c. Ongoing community needs.
3. The City Clerk, or his/her designee, shall keep the minutes and the records of this Commission. All departmental reports shall be transmitted to the Clerk no later than three (3) days prior to the scheduled meetings.
4. The Commission's meetings are public, with the exception that from time to time, at the Commission's discretion, they may schedule non-public meetings with the written consent of Council and the Mayor. These discretionary meetings shall not substitute for the Commission's required regular meetings.]

Section 6. The City Code is hereby amended at Title One: Administrative, Article IX: Boards Commissions and Authorities, Chapter 178: Community Advisory Boards, as follows so as to repeal the Chapter in its entirety:

[CHAPTER 178: - COMMUNITY ADVISORY BOARDS

§ 178.01 - DEFINITIONS.

As used in this Chapter, certain terms are defined as follows:

- (a) *DISTRICT BOUNDARY ORDINANCE.* The ordinance codified as Chapter 105 and required by § 601 of the Pittsburgh City Charter to divide the City into community advisory board districts.
- (b) *IMPLEMENTATION ORDINANCE.* This Chapter as required by § 602 of the Pittsburgh City Charter to establish a Community Advisory Board in a particular district.
- (c) *DISTRICT (except in the term ELECTION DISTRICT).* A district established by the district boundary ordinance for the purpose of electing members of a Community Advisory Board.
- (d) *SECTION.* A political subdivision of a district whose voters elect a member or members of a Community Advisory Board.
- (e) *MAJOR ADMINISTRATIVE UNIT.* Any subdivision of City government, whose head reports directly to

the Mayor, excluding boards, commission and magistrate courts.

§ 178.02 - INITIATIVE AND PETITION PROCESSES.

- (a) *Implementation ordinance initiative requirements.*
- (1) Council shall enact an implementation ordinance to establish a Community Advisory Board for a particular district upon receipt of a valid initiative petition from that district.
 - (2) Council may amend the implementation ordinance for a district, upon receipt of a valid initiative petition from that district, upon request by two-thirds (2/3) vote of that Community Advisory Board, or as necessary for electoral reapportionment.
 - (3) Council may dissolve a particular Community Advisory Board, and repeal its implementation ordinance, upon receipt of a valid initiative petition from that district.
 - (4) Council may, by ordinance, dissolve all Community Advisory Boards as of the end of any fiscal year.
- (b) Requirements for a valid initiative petition from a district are:
- (1) The petitions shall be signed by qualified and enrolled electors equal in number to at least ten (10) percent of those district residents who voted in the last preceding municipal election;
 - (2) Each signer shall declare that he or she is a qualified and enrolled elector of that district, shall add his or her residence, giving street and number, and shall add the date of signing;
 - (3) The petition shall include the affidavit of the circulator of the petition, setting forth:
 - A. That he or she is a qualified and enrolled elector of the district;
 - B. His or her residence, giving street and number;
 - C. That the signers signed with full knowledge of the contents of the petition;
 - D. That their residences are correctly stated;
 - E. That, to the best of the circulator's knowledge and belief, the signers are qualified and enrolled electors of that district; and
 - F. That each signed on the date set opposite his or her name; and
 - (4) The petition shall specify the initiative sought and the district for which it is sought. A petition for amendment of an implementation ordinance shall specify how the petitioners wish the implementation ordinance to be amended;
- (c) Petitions from a district may be compiled to cumulate the number of signators, provided that:
- (1) The petitions have been circulated within the same calendar year; or within a 12-month period;
 - (2) The petitions are identical in purpose; and
 - (3) The circulators each consent in writing to the compilation.
- (d) Petitions shall be filed with the City Clerk.
- (1) The City Clerk shall give timely public notice of the filing of any petition. This shall include establishing a procedure to notify concerned organizations of the filing of any petition from their district.
 - (2) The City Clerk shall rule on the validity of a petition on its face within one (1) week of its filing date.
 - (3) Objections to a petition and appeals from a ruling of the City Clerk may be filed within twenty-one (21) days of the filing date of that petition. Objections and appeals shall be filed with the City Clerk for adjudication by Council. The City Clerk shall immediately notify the circulator(s) of any objections or

appeals.

§ 178.03 - ELECTORAL STRUCTURE.

- (a) The elected members of each community advisory board shall number one (1) for every two thousand five hundred (2,500) persons residing in that district and one additional member if the remained of that district's population exceeds one thousand two hundred fifty (1,250) after being divided by two thousand five hundred (2,500).
- (b) The implementation ordinance for a district shall apportion that district into sections, and each section shall elect one (1) member of that Community Advisory Board.
- (c) Sections shall consist of contiguous undivided election districts. Apportionment shall additionally be governed by the following criteria:
 - (1) Sections should be as equal in population, as is possible;
 - (2) Sections should be compact; and
 - (3) Section boundaries should make use of natural or generally recognized boundaries, providing representation of neighborhoods or neighborhoods within a community advisory board district.
- (d) Council shall amend implementation ordinances to reapportion within districts as necessitated by the decennial census or the above criteria.
- (e) Candidates shall be nominated and elected under provisions of the Pennsylvania Election Code (25 P.S. § 2600 et seq.) Nomination petitions are to be filed with the Allegheny County Department of Elections and Voter Registration.

§ 178.04 - DELEGATED BOARD MEMBERS OF COMMUNITY ORGANIZATIONS.

- (a) A community organization shall be entitled to select a delegated member of a Community Advisory Board if and only if it meets the following requirements:
 - (1) It has held, within the previous twelve (12) months, four (4) meetings of the membership, meeting as a deliberative body, each of which was attended by at least twenty-five (25) members of the organization residing in that district;
 - (2) It is concerned with a defined community, and concerned with that defined community's problems in general;
 - (3) At least eighty (80) percent of its members shall reside in a particular Community Advisory Board district or a defined contiguous geographic area with a population under fifty thousand (50,000); and no organization may receive entitlement in more than two (2) Community Advisory Board Districts.
 - (4) The organization has no restrictions on or qualifications for membership and voting rights, except that the organization may establish but is not required to establish:
 - A. Dues provided those dues do not exceed five dollars (\$5.00) per year;
 - B. A minimum age, but not to exceed eighteen (18);
 - C. A requirement of residence in a defined area; and
 - D. A requirement of enrollment up to thirty (30) days in advance of assumption of full voting rights.
 - (5) The organization shall maintain by-laws, a membership list, and attendance rosters for its

meetings, which shall be made available to Council, the Mayor and the public within a reasonable amount of time;

- (6) The organization is capable of establishing its own autonomous policy on community issues within the scope of its by-laws.
 - (7) The delegated member of the Community Advisory Board from the organization is, or is to be selected annually.
 - (8) The organization has been in existence at least one (1) year.
 - (9) All officers, board members, and the delegate to the Community Advisory Board of the organization are selected by open democratic processes.
- (b) Entitlement of a community organization to seat its delegated Board member shall expire at the time coinciding with the expiration of the elected board members' terms of office.
 - (c) A request for entitlement shall be accompanied by verification that the organization meets the requirements listed in subsection (a) hereof.
 - (d) Requests for entitlement shall be filed with the City Clerk.
 - (1) The City Clerk shall give timely public notice of such filing, including notice to the appropriate community advisory board.
 - (2) The City Clerk shall rule on the validity of the request with its accompanying documentation on its face within one (1) week of its filing date otherwise that request shall be deemed to be approved.
 - (3) Objections to a request and appeals from a ruling of the City Clerk may be filed within three (3) weeks of the filing date of that petition. Objections and appeals shall be filed with the City Clerk for adjudication by Council. The City Clerk shall give an organization timely notice of any objection or appeal concerning its request for entitlement.
 - (e) Requirements for entitlements shall be periodically reviewed by Council to insure that delegated board members do not constitute more than forty (40) percent of any Community Advisory Board. No delegated Board members may take office in a district until the initial seating of elected Board members in that district:
 - (1) If, at the beginning of a term of office, the number of community organizations entitled to a delegated Board member in a district exceeds the forty (40) percent maximum, these organizations have two (2) weeks to decide unanimously among themselves how to divide the representation. If the agreement is not reached by that date, the organizations to be entitled to select delegated Board members during that term of office shall be chosen by lot, up to the above maximum.

§ 178.05 - BOARD MEMBERS ELIGIBILITY AND VACANCY.

- (a) Members of a Community Advisory Board, elected or delegated, shall reside in that district. Any member who moves out of his or her district shall cease to be a member of that Community Advisory Board, and the seat shall be vacant.
- (b) A candidate for election to a Community Advisory Board from a section shall reside in that section at the time his or her nomination petition is filed.
- (c) A candidate for election to a Community Advisory Board may not be simultaneously a candidate for any salaried elective public office.
- (d) A Community Advisory Board may fill the vacancy of an elected member by selecting a qualified resident of that section for the unexpired term, the selection to be made by the entire Community Advisory

Board.

§ 178.06 - POWERS, DUTIES AND PROCEDURES OF BOARD.

- (a) The powers and duties of a Community Advisory Board are as follows:
- (1) To review and advise Council and the Mayor on proposed zoning changes in the district;
 - (2) To review and advise Council and the Mayor on the social and physical plans for the district;
 - (3) To review and advise Council and the Mayor on the distribution of City services to the district;
 - (4) To meet annually with the Mayor and Council to discuss problems, needs and public affairs of the district;
 - (5) To mandate, by a majority vote of all its members, a meeting within two (2) weeks with the appropriate head of a major administrative unit of the City to discuss a specific district problem.
 - (6) To receive and accept funds other than grants from City tax funds, and disburse and use the funds, provided that the Board maintains financial records, maintains financial, accounting and administrative systems appropriate to the amount of funds involved, and obtains an annual audit.
 - A. A Board may disburse funds received by it but may not contract for or undertake the social or physical plan within its district.
 - B. Nothing herein shall be deemed to prohibit a Board from conducting surveys or studies to assist it in reviewing and advising Council and the Mayor on the social or physical plans for the district pursuant to § 605 b. of the Charter. A Board may also use the funds to employ staff, but no employee of a Board shall be deemed an employee, servant or agent of the city. The City shall not be liable for any activity of a Board or its employees, officers, servants or agents.
- (b) Community Advisory Board procedures are as follows:
- (1) Each Board shall adopt by-laws, including procedures for electing a chairperson and other officers.
 - (2) All Board decisions which are not unanimous shall be by roll call vote.
 - (3) Each Board shall adopt a regular meeting schedule. Members shall receive written notice of meetings and agenda. Provisions for special meetings may be included in the Board's by-laws.
 - (4) Each Board shall maintain the following records which shall be made available to Council within a reasonable amount of time upon Council's request:
 - A. All minutes;
 - B. Attendance at all meetings;
 - C. All roll call votes; and
 - D. Complete financial records.
 - (5) No member of a Board shall participate in a debate or vote on any matter in which he or she has a personal financial interest.
 - (6) Each Board will endeavor to obtain the participation of all residents of the district in its activities.
 - A. All meetings shall be open to the public, and held at a place and time convenient for the public to attend, and no private vote may be taken.
 - B. Each Board shall permit timely participation by the public in its meetings. The chairperson may limit, when necessary, the number and duration of nonmembers' remarks.
 - C. Each Board shall hold a public meeting at least four (4) times a year for residents to make

known their views and needs.

D. Each Board shall provide public notice of its meetings and agenda.]

Section 2. The City Code is hereby amended at Title One: Administrative, Article I: General Provisions, Chapter 105: Wards and Districts, as follows so as to repeal Section 105.02: Community Advisory Boards in its entirety:

CHAPTER 105: - WARDS [AND DISTRICTS]

§ 105.01 - DIVISION INTO 32 WARDS.

The territory comprising the City is hereby divided into thirty-two (32) wards. The boundaries of each ward shall be the actual boundaries at the time the Pittsburgh Home Rule Charter took **[affect] effect**, and as they may be lawfully changed in the future.

[§ 105.02 - COMMUNITY ADVISORY BOARD DISTRICTS.

The 24 Community Advisory Board Districts are as follows:

District	Ward
1	1 and 2
2	3 and 5
3	4
4	6 and 9
5	Voting districts 1 through 13 of Ward 7
6	8
7	10
8	11
9	12
10	13
11	Voting districts 1, 2, 15 through 18 and 21 through 31 of Ward 14
12	Voting districts 3 through 14, 19, 20 and 32 of Ward 14
13	15 and 31
14	16 and 17
15	Voting districts 1 through 11 of Ward 18 and 1 through 6 of Ward 30
16	Voting districts 2 through 14 and 28 of Ward 19
17	Voting district 15 through 27 and 29 through 31 of Ward 19

18	20
19	21 and 25
20	22 through 24
21	26
22	27
23	28
24	29 and 32

]

Section 7. The City Code is hereby amended at Title One: Administrative, Article IX: Boards Commissions and Authorities, Chapter 178A: Youth Commission and Youth Council, as follows so as to repeal the Chapter in its entirety:

~~[CHAPTER 178A: YOUTH COMMISSION AND YOUTH COUNCIL~~

~~§ 178A.01 – YOUTH COMMISSION.~~

~~The Youth Commission shall consist of fifteen (15) members who are residents of the City of Pittsburgh and experts in fields related to youth needs, activities and interests, and shall be appointed by the Mayor subject to the approval of Council. Said members shall include, but not be limited to, three (3) representatives from the Youth Council established pursuant to section 178A.05 of this Code, at least one (1) representative from the administration of the Pittsburgh Public Schools, who shall be selected by the Superintendent of the Pittsburgh Public Schools, at least one (1) representative from the business community, at least one (1) representative from a non-profit, youth-serving organization, two (2) University or College representatives, at least one (1) law enforcement representative and at least one (1) representative from a community-based organization. The Mayor shall serve as Chair of the Youth Commission. The Youth Commission shall meet at least four (4) times a year. The Youth Commission may establish committees as it shall deem necessary to advise the Youth Commission on such issues as determined by the Youth Commission. The membership of each committee shall include no less than one (1) member of the Youth Commission with the membership and the chair of each committee to be appointed by the Chair of the Youth Commission. Committees established by the Youth Commission shall meet as often as necessary as determined by the respective chair of each committee.~~

~~§ 178A.02 – YOUTH COMMISSION TERMS, VACANCY.~~

~~The term of each member shall be four (4) years. A successor shall be appointed upon the expiration of the term of a member, which successor shall have a term of four (4) years. The appointment to fill a vacancy shall be only for the unexpired portion of the term.~~

~~§ 178A.03 – YOUTH COMMISSION QUORUM; REGULATIONS.~~

- ~~(a) Nine (9) members of the Youth Commission shall constitute a quorum.~~
- ~~(b) The Youth Commission shall make regulation for its own organization and procedure, consistent with the laws of the Commonwealth and of this Code. Members shall serve without compensation.~~

~~§ 178A.04 – YOUTH COMMISSION POWERS AND DUTIES.~~

~~The Youth Commission shall have the responsibility to address the needs of Pittsburgh's children, youth and families, to identify or propose the creation of programmatic opportunities to address those needs and to inform elected and appointed officials representing the children, youth and families of the City of Pittsburgh about opportunities to help them to achieve their fullest potential in terms of mind, body and spirit, and to have a meaningful voice in the direction of the City of Pittsburgh. The Youth Commission shall report in writing quarterly to the Mayor and Council on its recommendations and suggestions.~~

~~§ 178A.05 – YOUTH COUNCIL.~~

~~The Youth Council shall consist of two (2) representative student leaders from each public high school located in the City of Pittsburgh, one (1) representative student leader from each religious, parochial and private high school located in the City of Pittsburgh, five (5) young people between the ages of fourteen (14) and eighteen (18) to be selected from the community at large and nine (9) young people between the ages of fourteen (14) and eighteen (18), one (1) from each city council district to be nominated by the Member of Council representing that district. All members of the Youth Council shall be residents of the City of Pittsburgh, and shall be appointed by the Mayor subject to the approval of City Council. All Youth Council Members will be selected through an open application process and selection criteria shall be based upon proven leadership, community involvement and recommendations from school principals and instructors. The Youth Council shall meet no fewer than four (4) times in each calendar year.~~

~~§ 178A.06 – YOUTH COUNCIL TERMS; VACANCY.~~

~~The term of each Member of the Youth Council shall be for one (1) year. Their successors shall be appointed on the expiration of their respective terms. The appointment to fill a vacancy shall be only for the unexpired portion of the term.~~

~~§ 178A.07 – YOUTH COUNCIL QUORUM; REGULATIONS.~~

- ~~(a) A simple majority of the Members of the Youth Council shall constitute a quorum.~~
- ~~(b) The Youth Council shall elect from its Membership a Chairperson, Vice Chairperson, Secretary, and Treasurer for one year terms of office.~~
- ~~(c) The Youth Council shall meet at least monthly at times and places it may designate.~~
- ~~(d) In all other respects, the Youth Council shall make regulations for its own organization and procedure consistent with the laws of the Commonwealth and of this Code.~~
- ~~(e) Members shall serve without compensation.~~

~~§ 178A.08 – YOUTH COUNCIL POWERS AND DUTIES.~~

Committee: Committee on Finance and Law

Status: Passed Finally

~~The Youth Council shall serve as a liaison between the City of Pittsburgh youth and the Youth Commission on issues affecting youth and to encourage the positive growth and development of youth by involving them in social, cultural, recreational and other drug and alcohol free activities. Upon request of the Mayor or Council, the Youth Council shall provide advice and assistance on matters concerning the needs of youth from the perspective of youth. In the performance of its function, the Youth Council is authorized to make recommendations to the Mayor and Council on:~~

- ~~(a) Policy matters affecting Pittsburgh youth;~~
- ~~(b) Planning, organizing, coordinating and carrying out drug and alcohol free social, cultural, recreational, and other activities for Pittsburgh youth;~~
- ~~(c) Establishing guidelines, rules and procedures for participation in such activities; and~~
- ~~(d) Entering into agreements with entertainers, concessionaires and other third parties as may be desirable by the Commission within available funds and in accordance with all applicable laws and procedures.~~

~~The Youth Council shall report in writing annually to the Mayor and Council on its recommendations and suggestions, describing its activities in the previous year and an annual work plan for the ensuing year.~~

~~§ 178A.09 – EMPLOYEES; EXPENSES.~~

~~The Youth Commission and the Youth Council shall employ persons and employees as may be necessary, whose salary, with necessary expenses, may be provided for at the discretion of Council and the Mayor by the proper appropriations and ordinances.]~~

Section 8. The City Code is hereby amended at Title One: Administrative, Article IX: Boards Commissions and Authorities, Chapter 178B: Young Pittsburgh Advisory Commission (“YPAC”), as follows so as to repeal the Chapter in its entirety:

[CHAPTER 178B: - YOUNG PITTSBURGH ADVISORY COMMISSION ("YPAC")

§ 178B.01 - YOUNG PITTSBURGH ADVISORY COMMISSION.

Young Pittsburgh Advisory Commission shall consist of a diverse group of fifteen (15) City of Pittsburgh residents who are between the ages of twenty-three (23)-thirty-four (34) at the beginning [of] their term, selected from the community at large. If past members have moved out of the City, they will be allowed to serve in an advisory role at the discretion of the Executive Committee. The composition shall be established to allow representatives of City Council to nominate one (1) representative from their respective council district. Members of the Commission may also make recommendations for new appointees to the Mayor and City Council. All commissioners will be ultimately appointed by the Mayor and confirmed by City Council. Members from the former Propel Pittsburgh Commission who have already been confirmed on the Commission, as formerly appointed by Council, shall advance to serve on the Young Pittsburgh Advisory Commission. Vacancies in the initial composition of the Young Pittsburgh Advisory Commission shall be filled according to the bylaws of the Young Pittsburgh Advisory Commission with strong deference given to nominations by the Mayor and City Council.

Appointments shall be representative of those listed above, with consideration given to City geography and

diversity. Appointments shall be made without regard to color, race, religion, income, gender, sexual orientation, gender expression and identity, national origin, parental or marital status, ancestry and/or disability.

§ 178B.02 - YOUNG PITTSBURGH ADVISORY COMMISSION; MEETINGS AND CHAIR.

The Young Pittsburgh Advisory Commission shall elect a chair by majority vote of its members at its first meeting each calendar year according to its bylaws. The Young Pittsburgh Advisory Commission shall meet at least every other month and may establish committees as deemed necessary. The membership of each committee shall include no less than one (1) member of the Young Pittsburgh Advisory Commission.

§ 178B.03 - YOUNG PITTSBURGH ADVISORY COMMISSION; VACANCY.

The term of each member shall be for three (3) years. Their successors shall be nominated on the expiration of their respective terms in accordance with the bylaws. The appointment to fill a vacancy shall be only for the unexpired portion of the term.

§ 178B.04 - YOUNG PITTSBURGH ADVISORY COMMISSION; REGULATIONS.

- (a) A simple majority of the then-standing commission members shall constitute a quorum.
- (b) The Young Pittsburgh Advisory Commission shall establish regulations for its own organization and procedure consistent with the laws of the commonwealth and of this code.
- (c) Members shall serve without compensation.

§ 178B.05 - YOUNG PITTSBURGH ADVISORY COMMISSION; POWERS AND DUTIES.

The Young Pittsburgh Advisory Commission shall have the responsibility, duty and power to address the needs of young adults and young professionals; to identify or propose the creation of policies and programmatic opportunities; to address those needs and to inform the necessary elected and appointed officials of those needs. As well, the Young Pittsburgh Advisory Commission shall serve as the meaningful voice to ensure that young adults and young professionals are being engaged with the City of Pittsburgh. All City Council Members and the Mayor shall work with the Young Pittsburgh Advisory Commission to develop, facilitate, and advocate for a legislative agenda including policies and programs designed to attract, retain, and engage young Pittsburghers.

§ 178B.06 - EFFECTIVE DATE.

The chapter shall become effective upon the date the Mayor's signature.]

Section 9. The City Code is hereby amended at Title One: Administrative, Article IX: Boards Commissions and Authorities, Chapter 178C: Sustainability Commissions, as follows so as to repeal the Chapter in its entirety:

[CHAPTER 178C - SUSTAINABILITY COMMISSIONS

§ 178C.01 - SUSTAINABILITY COMMISSION.

The Sustainability Commission shall be created to carry on the duties of the Municipal Working Group of the Green Government Task Force, including overseeing and advancing the strategies outlined in the Pittsburgh Climate Action Plan, as unanimously adopted by Council for implementation by Resolution 0545 of 2008, and

signed by the Mayor on August 14, 2008.

§ 178C.02 - RESPONSIBILITIES.

The responsibilities of the Sustainability Commission shall be to:

- (a) Ensure the adoption of the Pittsburgh Climate Action Plan and any subsequent revisions.
- (b) Serve as a steering commission for the implementation of municipal climate action recommendations.
- (c) Guide the process of revising the plan as needed.
- (d) Make amendments to the plan as needed.
- (e) Propose ordinances to Council relating to sustainability.

§ 178C.03 - MEMBERSHIP.

The Commission shall consist of twelve (12) members. The positions shall be filled as follows:

- (a) One (1) member shall be the Sustainability Coordinator.
- (b) One (1) member shall be the Energy and Utilities Manager.
- (c) One (1) member shall be the Recycling Supervisor.
- (d) One (1) member shall be the Urban Forester.
- (e) One (1) member shall be a member of the Council appointed by the Council President.
- (f) One (1) member shall be a member of the Department of Finance.
- (g) One (1) member shall be a member of the Department of Public Works.
- (h) One (1) member shall be a member of the Bureau of Building Inspection.
- (i) One (1) member shall be from the Department of City Planning.
- (j) One (1) member shall be from the Mayor's Office.
- (k) One (1) member shall be from the Department of Human Resources and Civil Service.
- (l) One (1) member shall be from the Department of Mobility and Infrastructure

§ 178C.04 - TERMS.

- (a) The Sustainability Coordinator, Energy and Utilities Manager, Recycling Supervisor, and Urban Forester shall be Commission members for as long as they hold those positions.
- (b) All other members shall serve a term of five (5) years.

§ 178C.05 - VACANCIES.

If a vacancy should arise, a replacement will be found according to the membership requirements. A replacement will serve out the remainder of the predecessor's term.

§ 178C.06 - OFFICERS.

- (a) The Chairperson of the Commission shall be the Sustainability Coordinator.
 - (1) The Chairperson shall be responsible for calling meetings to order and scheduling the meetings.
- (b) The Vice Chairperson of the Commission shall be the Energy and Utilities Manager.
 - (1) In the event that the Chairperson is unavailable, the Vice Chairperson will be responsible for calling meetings to order.
- (c) Any other officers of the Sustainability Commission shall be elected by the Commission.

§ 178C.07 - MEETINGS.

An official meeting of the Sustainability Commission cannot be called to order without the establishment of a quorum of six (6) members.

- (a) There shall be at least one (1) meeting of the Commission every quarter of the year.
- (b) Additional Meetings.
 - (1) The Chairperson shall decide if an additional meeting is necessary.
 - (2) Twenty-four-hour notice must be given before an additional meeting takes place.]

Section 10. The City Code is hereby amended at Title One: Administrative, Article IX: Boards Commissions and Authorities, Chapter 178D: Pittsburgh Education Commission as follows so as to repeal the Chapter in its entirety:

[CHAPTER 178D: - PITTSBURGH EDUCATION COMMISSION

§ 178D.01 - PITTSBURGH EDUCATION COMMISSION.

The Pittsburgh Education Commission shall be created to carry on the duties of Mayor William Peduto's Education Task Force, including overseeing the implementation of recommendations published by the Task Force in its report in five (5) key areas relevant to education in the City of Pittsburgh - public safety, out-of-school time programming, community schools, school funding, and marketing the City schools - and the formation and implementation of new recommendations made by the Commission in the five (5) specified areas and others as determined by a majority of the Commission.

§ 178D.02 - RESPONSIBILITIES AND POWERS.

The responsibilities and powers of the Pittsburgh Education Commission shall be to:

- (1) Oversee the implementation of policy recommendations made by the Education Task Force.
- (2) Continue to find areas of collaboration between the City of Pittsburgh, the Pittsburgh School District, and other relevant organizations and institutions on the five (5) areas identified by the Task Force and others decided upon by a majority of the Commission.
- (3) Create subcommittees based off of the five (5) areas identified by the Education Task Force - public safety, out-of-school time programming, community schools, school funding, and the marketing of the City schools - and others at the suggestion of the Mayor, City Council, or the Board of Education and are agreed upon by a majority of the Commission.
- (4) Inform the Mayor, City Council, the Board of Education, and other relevant organizations and institutions on recommendations formed by the Commission in an annual report.

§ 178D.03 - MEMBERSHIP.

The Commission shall consist of twenty-two (22) members appointed by the Mayor. The positions shall be filled as follows:

- (1) Three (3) members from the Pittsburgh School Board: one (1) member being the Government Relations Subcommittee Chairperson, and at least one (1) member shall be a minority.
- (2) Three (3) members from the Pittsburgh Federation of Teachers: one (1) shall be a current teacher, and one (1) shall be a current guidance counselor or social worker, both being from

geographically diverse schools and are employed by the Pittsburgh Board of Education.

- (3) One (1) member from the Pittsburgh School District.
- (4) One (1) member representing charter schools in the City.
- (5) One (1) member representing private schools in the City.
- (6) One (1) member from the Mayor's Office.
- (7) Four (4) members from City Council: at least one (1) member shall be a minority.
- (8) Three (3) members from public education advocacy groups: one (1) member shall be from a special education advocacy group, and at least one (1) member shall be a minority.
- (9) Four (4) members from the community-at-large: at least one (1) member shall be from a minority community, one (1) member shall be a current parent, and at least one (1) member shall be from the faith-based community.
- (10) One (1) student of Pittsburgh Public Schools and shall be from a geographically diverse school.

§ 178D.04 - TERMS.

All members shall serve a term of four (4) years and are eligible for reappointment.

§ 178D.05 - VACANCIES.

If a vacancy should arise, a replacement will be found according to the membership requirements and will be appointed by the Mayor to serve out the remainder of the predecessor's term.

§ 178D.06 - OFFICERS.

- (a) Within thirty (30) days of the appointments of all members of the Commission, the Commission shall convene to elect a chairperson by a roll call vote of the majority of the members of the Commission in attendance.
 - (1) The Chairperson shall be responsible for calling meetings to order, according to Robert's Rules of Order, the facilitation of the meeting, and the scheduling of the meetings.
- (b) The Commission may also elect a vice-chairperson and other board officers as needed by a roll call vote of the majority of the members of the Commission in attendance.
 - (1) In the event that the Chairperson is unavailable, the Vice-Chairperson or the highest ranked officer in attendance will be responsible for calling the meeting to order and facilitating the meeting.
- (c) Subcommittees may elect a chairperson, vice-chairperson, and other officers as needed by a roll call vote of the majority of the members of the respective subcommittee.
- (d) The Chairperson and other elected officers shall serve in their elected positions for the remainder of their appointed terms.
 - (1) A vacancy in the position of chairperson or any officer shall be filled by a roll call vote of the majority of members of the Commission in attendance of the first meeting after the vacancy occurs.

§ 178D.07 - MEETINGS.

An official meeting of the Pittsburgh Education Commission cannot be called to order without the establishment of a quorum of twelve (12) members.

- (1) There shall be at least one (1) meeting of the Commission every quarter of the year.
- (2) Subcommittees will meet on a basis decided upon by a majority of members on each respective Subcommittee.

- (3) Additional Meetings:
 - a. The Chairperson shall decide if an additional meeting is necessary.
 - b. Forty-eight (48) hours' notice must be given before an additional meeting takes place.]

~~Section 11.~~ The Pittsburgh City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 179B: Fair Representation in Appointments to Boards, Authorities, and Commissions, as follows so as to repeal the Chapter in its entirety:

~~[CHAPTER 179B: FAIR REPRESENTATION IN APPOINTMENTS TO BOARDS, AUTHORITIES, AND COMMISSIONS~~

~~§ 179B.01 – INTENT.~~

~~It is the intent of the Council to:~~

- ~~(1) Establish standard procedures for appointing members to City related boards, authorities, and commissions to encourage fair representation that is reflective of the diversity of City residents.~~
- ~~(2) Create a means that is readily available to the public, primarily on the City's website, to centrally house and disseminate all public information regarding City related authorities, boards, and commissions.~~
- ~~(3) Provide for a comprehensive listing of all City related boards, authorities, and commissions, listing:
 - a. All governing documents including, but not limited to, enabling legislation, charters, and/or bylaws for said organization.
 - b. The name of persons appointed to said organizations, business address, effective date of appointment, and expiration of said term.~~
- ~~(4) Create a means to solicit and maintain a list of citizens who express an interest in public service by making themselves available for consideration for appointment to such boards, authorities, and commissions.~~

~~§ 179B.02 – PUBLIC LISTING OF ALL CITY RELATED BOARDS, AUTHORITIES, AND COMMISSIONS.~~

- ~~(1) The Mayor of the City of Pittsburgh will develop and maintain a listing of all City related boards, authorities, and commissions, which will include:
 - ~~(a) Governing documents, including, but not limited to, enabling legislation, governing charter, and/or bylaws for said organizations.~~
 - ~~(b) A listing of the name of persons serving on each board, authority, and commission, business address, effective date of appointment and date of the expiration of the term of the appointment.~~
 - ~~(c) A list of who makes the appointment for each seat on each board, authority, and commission.~~
 - ~~(d) Any residency requirements for each seat on each board, authority, and commission.~~
 - ~~(e) Whether there is any compensation and/or reimbursement for each seat on each board, authority, and commission.~~
 - ~~(f) A calendar of scheduled meetings and/or any scheduled special meetings of said organizations,~~~~

~~noting the time and place of said meetings.~~

~~This information should be made available by request at the Mayor's Office.~~

- ~~(2) The Mayor of the City of Pittsburgh will develop and maintain a database of the age, sex, zip code, and optional demographic information, including race, sexual orientation, and disability, of:~~
- ~~(a) Each individual that submits an application for a City board, authority, or commission and~~
 - ~~(b) Each appointee to all City boards, authorities, and commissions.~~

~~This information shall be tabulated in the aggregate for each board, authority, and commission, and made public via a report to City Council on an annual basis.~~

~~§ 179B.03 – PUBLIC ACCESS TO INFORMATION.~~

- ~~(1) The Department of City Information Systems will develop and maintain a "Boards, Authorities, and Commissions" page on the City website, with information on all City related boards, authorities, and commissions. The website should include:~~
- ~~(a) A comprehensive alphabetical list of all City boards, authorities, and commissions with links to individual pages for each board, authority, and commission.~~
 - ~~(b) A link to this policy.~~
 - ~~(c) All current vacancies and positions that are scheduled to become vacant in the next sixty (60) days on any board, authority, or commission.~~
 - ~~(d) A link to an online and downloadable application.~~
- ~~(2) The Department of City Information Systems will develop and maintain individual webpages for each City board, authority, and commission with information about each board, authority, and commission. Each website should include:~~
- ~~(a) Governing documents, including, but not limited to, enabling legislation, governing charter, and/or bylaws for said organizations.~~
 - ~~(b) A listing of the name of persons serving on each board, authority, and commission, effective date of appointment and date of the expiration of the term of the appointment.~~
 - ~~(c) A list of who makes the appointment for each seat on each board, authority, and commission.~~
 - ~~(d) A calendar of scheduled meetings and/or any scheduled special meetings of said organizations, noting the time and place of said meetings.~~

~~§ 179B.04 – APPLICATIONS.~~

- ~~(1) The Office of the Mayor, assisted by other departments as necessary, will develop a single standardized application form to be submitted by all applicants for any board, authority, or commission for which an applicant seeks consideration. The information provided by the applicant will be used to track efforts to receive committee balance. The City will keep all applications on file for at least one (1) year.~~
- ~~(2) The Office of the Mayor, assisted by other departments as necessary, will make applications available to all interested citizens by creating an online application form, by posting a printable application on the City webpage, and by making an application available upon request at the Mayor's Office.~~

~~§ 179B.05 – APPOINTMENTS.~~

- ~~(1) The Mayor and City Council should consult the database for all applicants who have expressed interest in serving on a board, authority, or commission. Any ex-officio membership requirements of a board, authority, or commission are exempted from this Section.~~

- ~~(2) City Council should not renew the appointment of any nominee who has already served two (2) consecutive terms on any board, authority, or commission and should not serve on more than two (2) boards, authorities, or commissions at a time.~~
- ~~(3) City Council will only consider nominees for a board, authority, or commission after consulting applicant database.~~

~~§ 179B.06 – RENEWAL.~~

~~All aforementioned information relating to City boards, authorities, and commissions will be updated on an annual basis.~~

~~§ 179B.07 – SEVERABILITY.~~

~~If any provision of this Ordinance shall be determined to be unlawful, invalid, void, or unenforceable, then that provision shall be considered severable from the remaining provisions of this Ordinance, which shall be in full force and effect.]~~

~~Section 12. The City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 179D: Records Management Advisory Commission, Section 179D.04: Establishment of Archive Policy, as follows so as to repeal the Section in its entirety:~~

~~CHAPTER 179D: – RECORDS MANAGEMENT ADVISORY COMMISSION~~

~~[§ 179D.04 – ESTABLISHMENT OF ARCHIVE POLICY.~~

~~The City shall establish policies on archiving based on the following process:~~

- ~~(a) Each department shall conduct a survey of records.~~
- ~~(b) The Commission will work with members of the archive and preservation communities to establish best practices for archive plans.~~
- ~~(c) The Commission will establish broad guidelines to be applied across all departments.~~
- ~~(d) Department Representatives will work to establish archive plans.~~
- ~~(e) Department archive plans will be brought to the Commission for review for possible amendments and approval.~~
- ~~(f) The Commission will submit approved archive plans to City Council to be read and filed.~~
- ~~(g) The Commission will provide annual reports to the Mayor, City Controller, and City Council on the progress of archive plans.]~~

~~Section 13. The City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 179E: Establishment of Advisory Board on Entrepreneurship and Startups, as follows so as to repeal the Chapter in its entirety:~~

~~[CHAPTER 179E: - ESTABLISHMENT OF ADVISORY BOARD ON ENTREPRENEURSHIP AND STARTUPS~~

~~§ 179E.01 - MEMBERSHIP.~~

Committee: Committee on Finance and Law

Status: Passed Finally

A. A Six (6)-member Steering Committee shall be appointed by City Council. This Steering Committee shall work to recommend nominees to the Advisory Board in accordance with § 179E.01 (B) and submit said recommendations to City Council for appointment.

1. The Steering Committee shall be charged with creating rules and regulations for its operations and procedures of reviewing the credentials of parties interested in serving on the Advisory Board.
2. Members of the Steering Committee shall serve as full members of the Advisory Board.
3. Upon achieving full membership of the Advisory Board, the Steering Committee shall dissolve.
 - a. Individuals appointed to the Steering Committee shall still serve as members of the Advisory Board for the duration of their term.
 - b. Upon achievement of full membership and the dissolving of the Steering Committee, the full membership of the Advisory Board shall subsequently work to recommend nominees to the Advisory Board in accordance with § 179E.01 (B) and submit said recommendations to City Council for appointment as necessary.

B. The full membership of the Advisory Board on Entrepreneurship and Start-ups shall be appointed by City Council upon recommendation of the Steering Committee or Advisory Board, as appropriate, and shall include the following members:

1. One (1) representative of the Urban Redevelopment Authority.
2. One (1) representative of a business working in the field of green technology.
3. One (1) representative of a veteran-owned business within the City of Pittsburgh.
4. Two (2) representatives of women- and/or minority-owned business enterprises within the City of Pittsburgh.
5. Two (2) members of the restaurant and/or food service community currently working in the industry within the City of Pittsburgh.
6. Three (3) representatives of the university community, representing the colleges and universities within the City of Pittsburgh.
7. Five (5) representatives of businesses, start-ups, entrepreneurial ventures, or related organizations throughout the City of Pittsburgh.

C. Members shall serve for a term of four (4) years or until successors are confirmed and qualified.

D. All members of the Advisory Board must be residents of the City of Pittsburgh.

E. The purpose of this Advisory Board is to provide recommendations and reviews to the Mayor and City Council of policies and regulations affecting business and economic development in the City of Pittsburgh.

F. Members of organizations whose services are needed to augment the work of the Advisory Board shall be invited by the Advisory Board to serve on an ad hoc basis, in committees, to address current issues.

§ 179E.02 - MEETINGS AND CHAIR.

A. Within sixty (60) days of the appointment of the Steering Committee, the Steering Committee shall convene to begin the process of soliciting additional members so as to comply with Section 179E.01B.

B. Within sixty (60) days of the confirmation of the appointments of all members of the Advisory Board, the Advisory Board shall convene to elect a chairperson by a roll call vote of the majority of the members of the Advisory Board in attendance.

C. The Advisory Board may also elect a vice-chair and other board officers, as needed.

D. The chairperson so elected shall serve for the remainder of the calendar year and for the following calendar year. Thereafter, an election shall be held in November of the second year, and the newly elected chair shall begin serving at the following January meeting and shall serve for two (2) calendar years.

E. A vacancy in the position of chairperson of the Advisory Board shall be filled by a roll call vote of the majority of the members of the Advisory Board in attendance. The person selected shall serve temporarily until the end of the calendar year, with an election held in November, so that a duly elected chair will begin to serve on January 1 of the subsequent calendar year for a complete two-year term.

F. If an election for chairperson is not held, the last person holding the position of chairperson will act in that capacity until a successor is appointed.

G. The Advisory Board shall meet quarterly, at a minimum, at a time and place designated by the Advisory Board chairperson.

H. The Advisory Board shall distribute its agendas and minutes to the Mayor and to City Council.

§ 179E.03 - VACANCY.

Should any vacancy occur, it shall be filled by City Council for the unexpired term.

§ 179E.04 - Regulations.

A. A simple majority of the then-standing Advisory Board members shall constitute a quorum, which shall be required for any official meetings to be conducted. A simple majority vote of those present at any meeting is sufficient for any official action.

B. The Advisory Board shall establish rules and regulations for its own organization and procedures consistent with this Chapter, as it deems necessary to implement this Chapter.

C. Members shall serve without compensation.

§ 179E.05 - POWERS AND DUTIES.

A. Activities of the Advisory Board may include, but are not limited to:

1. Develop strategies to promote targeted growth opportunities in business districts through the City of Pittsburgh.
2. Provide review of laws, regulations, and policies that impact the business environment.
3. Provide policy recommendations on municipal issues relevant to businesses, including zoning, permitting, community resources, and other related areas.
4. Serve as a liaison between new entrepreneurs, small business owners and startups by acting as an interface with municipal government.
5. Work with the City of Pittsburgh to identify and work with potential strategic partners for advance of business and economic development opportunities.
6. Advise the City of Pittsburgh on the development of strategies to promote affordable incubation spaces or similar lodging for new businesses.

B. The Advisory Board shall submit, at a minimum, a yearly report to the Mayor and City Council detailing its activities of the past year and planned activities of the coming year.

C. The Advisory Board shall, at a minimum, meet yearly with the City of Pittsburgh's Equal Opportunity Review Commission to review topics such as, but not limited to:

1. Contracting practices.
2. Employment opportunities for women and minorities.

§ 179E.06 - EFFECTIVE DATE.

This chapter shall become effective upon signature by the Mayor of the enabling legislation.]

Section 14. The Pittsburgh City Code is hereby amended at Title One: Administrative, Article IX: Boards, Commissions and Authorities, Chapter 179F: Advisory Board on Bicycle Infrastructure, as follows so as to repeal the Chapter in its entirety:

[CHAPTER 179F. - ADVISORY BOARD ON BICYCLE INFRASTRUCTURE

§ 179F.01 - PURPOSE.

The Advisory Board on Bicycle Infrastructure is hereby established to draft policies and procedures for installing bicycle infrastructure and to review proposed plans prior to installing bicycle lanes in the City of Pittsburgh.

§ 179F.02 - ADVISORY BOARD MEMBERSHIP.

- (a) The Advisory Board shall consist of a maximum of thirteen (13) members, with a majority of the members of the Board being residents of the City of Pittsburgh.
- (b) The members of the Advisory Board shall be appointed by the Mayor and confirmed by Council and shall include the following:
 - City of Pittsburgh Director of Mobility and Infrastructure;
 - City of Pittsburgh Bike Pedestrian Coordinator;
 - Representative from the City County Task Force on Disabilities;
 - City of Pittsburgh Director of Planning or designee;
 - City of Pittsburgh Director of Public Works or designee;
 - Representative from City of Pittsburgh Bureau of Police;
 - Director of Parking Authority or designee;
 - Representative from Port Authority;
 - Two (2) representatives from the business community;
 - Two (2) representatives from bicycle advocacy organizations.
- (c) One (1) additional member may be appointed by the Mayor and confirmed by Council.

§ 179F.03 - MEETINGS AND CHAIR.

- (a) Within sixty (60) days of the confirmation of the appointments of all members of the Board, the Board shall convene to elect a chairperson by a roll call vote of the majority of the members in attendance. The chairperson must be a City of Pittsburgh resident.
- (b) The Board may also elect a vice-chair and other Board officers, as needed.
- (c) The chairperson so elected shall serve for the remainder of the calendar year and for the following calendar year. Thereafter, an election shall be held in November of the second year, and the newly elected chair shall begin serving at the following January meeting and shall serve for two (2) calendar years.

- (d) A vacancy in the position of chairperson of the Board shall be filled by a roll call vote of the majority of the members in attendance. The person so selected shall serve temporarily until the end of the calendar year, with an election held in November, so that a duly elected chair will begin to serve on January 1 of the subsequent calendar year for a complete two-year term.
- (e) If an election for chairperson is not held, the last person holding the position of chairperson will act in that capacity until a successor is appointed and qualified.
- (f) The Advisory Board shall meet bi-monthly, or as needed, at a time and place designated by the Board chairperson.
- (g) Seven (7) members of the Board shall constitute a quorum for the transaction of business and a simple majority vote of those present at any meeting is sufficient for any official action.

§ 179F.04 - POWERS AND DUTIES OF THE ADVISORY BOARD.

- (a) To create policy and procedures for both the process of developing better and safer bicycle infrastructure and design guidelines within six (6) months of the effective date of Chapter 179F.
- (b) To provide safe routes to schools, businesses and neighborhoods.
- (c) To have an inclusive process for all stakeholders.
- (d) To work closely with the Bicycle and Pedestrian Coordinator for PennDOT and attempt to work closely with Philadelphia to establish State and National best practices for bicycle infrastructure in order to give Pittsburgh a voice in the State code.
- (e) To coordinate communication among neighborhood organizations by having a or presenting at a regular community meeting with the primary local community group at least forty-five (45) days prior to the beginning of installation of said bicycle infrastructure.
- (f) To coordinate a meeting with council members at least forty-five (45) days prior to installation of said bicycle infrastructure.
- (g) To establish communication with City departments and officials.
- (h) To facilitate collaboration between community groups, residents and City government to reach the most effective solutions.
- (i) Council will re-evaluate the responsibilities of the Advisory Board and take any appropriate actions if necessary, three (3) months after the first meeting of the Complete Streets Commission.

§ 179F.06 - EFFECTIVE DATE.

This Chapter shall become effective thirty (30) days after the enactment of this legislation.]

Section 15. The City Code is hereby amended at Title Two: Fiscal, Article V: Special Funds, Chapter 233: Sinking Fund Commission, as follows so as to repeal the chapter in its entirety:

[CHAPTER 233: - SINKING FUND COMMISSION

§ 233.01 - CREATION.

The Sinking Fund Commission shall consist of five (5) persons appointed by the Mayor subject to the approval of Council. Those members first appointed shall serve for terms of one (1), two (2), three (3), four (4) and five (5) years. Thereafter, the term of office shall be five (5) years. A member shall hold office until his successor

has been appointed. All vacancies for unexpired terms shall be filled by appointment in the manner set forth above.

§ 233.02 - GENERAL AUTHORITY.

There shall be a Sinking Fund Commission which is authorized, empowered and required:

- (a) To meet at stated intervals, and receive from the City Treasurer a report of the moneys in his or her hands due the sinking funds, from whatever source the same may arise.
- (b) To cause the income or amounts so reported to be invested as quickly as possible in the bonds and other securities of the city, Commonwealth or the United States.
- (c) To report their proceedings and the condition of their funds to Council annually, on the second Monday of January, and at other times as Council may require.
- (d) To keep minutes of their proceedings and the transactions of their business, and cause the same to be recorded in a book kept for that purpose.
- (e) To collect the interest accruing from all investments, and receipts therefor, and deposit the same in the City Treasury to the credit of the several sinking funds to which the same may belong.
- (f) To cause all bonds purchased by it, or which may be under its control, to be registered in the name of the particular Sinking Fund for which purchased, and stamped across the face with the words "Sinking Fund Commission of the City of Pittsburgh, Pennsylvania."
- (g) To deposit with a trust company of its selection all bonds or securities which may, at any time, come into its possession, belonging to or being the property of any of the sinking funds in its charge or under its control.
- (h) To transfer to the credit of the City Sinking Fund, any balance which may remain to the credit of any sinking fund, after the redemption of all the bonds, to the payment of which such sinking fund is pledged.
- (i) To do other acts, not herein set forth and not inconsistent herewith, as are recited and prescribed in Article XI of the Act of Assembly entitled, "An Act for the Government of Cities of the Second Class," approved March 7, 1901, as amended by Act of June 27, 1913, P.L. 644 (53 P.S. Sec. 22671 et seq.).

§ 233.03 - DEPOSITING FUNDS.

- (a) All moneys belonging to the several sinking funds of the City shall be deposited by the City Treasurer in the regularly appointed City depositories, separate and apart from all other moneys in his or her hands, and shall be used only for the purposes of the trusts to which they belong.
 - (b) All moneys from the several sinking funds shall not be deposited inconsistent with the City's policy and procedures for investments and deposits in minority and female controlled financial institutions or similar depositories. A copy of the policy and procedures shall be attached to all official notifications, bids or contracts for deposits or investments.
- (Ord. 27-1983, eff. 11-7-83)

§ 233.04 - PURCHASE OF SINKING FUND INVESTMENT BONDS OR SECURITIES.

The Sinking Fund Commission, in purchasing bonds or other securities, as investments for the sinking funds, shall make requisition on the City Controller, by voucher approved by its Chairman or President, and attested by its Secretary, in the usual form of vouchers, for the amount of money required therefor, whereupon the City Controller shall issue his certificate on the City Treasurer for a warrant in payment of the same.

§ 233.05 - SINKING FUND EXPENSES.

For the purpose of defraying the necessary expenses incurred by the Sinking Fund Commission, in the transaction of its business, it is hereby authorized and empowered to make requisition on the City Controller, by voucher approved by its Chairman or President, and attested by its Secretary, for the sums of money as may be required to pay expenses. The voucher shall give the name of the person to which the same is due and describe the service or labor furnished or done. The City Controller is hereby authorized and directed to issue his or her certificate on the City Treasurer for a warrant in payment of the same.]

Section 16. The City Code is hereby amended at Title Two: Fiscal, Article V: Special Funds, Chapter 235: Stimulus Oversight and Reinvestment in New Growth Committee, by repealing the Chapter in its entirety, as follows:

[CHAPTER 235: - STIMULUS OVERSIGHT AND REINVESTMENT IN NEW GROWTH COMMITTEE

§ 235.01 - PURPOSE.

(a) There shall be a body known as the Pittsburgh Stimulus Oversight and Reinvestment in New Growth Committee ("the Committee"), which shall act solely as an advisory body to Council, with support and advice from the City Controller, in regards to the optimal use of the American Recovery and Reinvestment Act ("ARRA") funds. The Committee will provide accountability and oversight of the City's Stimulus Tracker website, adopt a priority standard, and provide transparency and details on the value of projects on infrastructure, energy, and sustainable employment for Pittsburgh's economy.

§ 235.02 - COMMITTEE MEMBERSHIP.

- (a) The Committee shall have seven (7) members, with the following qualifications:
- (b) At least one (1) certified engineer in mechanical or civil engineering with a background in infrastructure or energy, at least one (1) community planner with experience in neighborhood development, at least one (1) economic development specialist with experience in regional job growth, at least one (1) community leader with experience in under-served communities, workforce development, equal access and similar national programs, at least one (1) community leader with experience in worker's rights, workplace safety, wage equality, and labor organization; and at least one (1) certified environmental specialist with experience in green buildings, green jobs and technology
- (c) Each member shall submit the name of one (1) City resident to the Mayor and he shall choose five (5) that meet the above criteria
- (d) The Mayor shall appoint two (2) at-large members to serve on the Committee. The Mayor's at-large members must also be City residents.
- (e) Members shall serve for a term of four (4) years. Members' terms shall expire with the terms of their respective Members of Council and terms of at-large members shall expire with the Mayor's term.
- (f) No individual while a member of the Committee shall:
- (1) Hold or campaign for any other public office.
 - (2) Hold office in any political party or political committee.
 - (3) Hold a position of employment or appointment with any municipal government, the Commonwealth of Pennsylvania or any board or commission formed by the City.

- (4) Have a relationship with any company doing business with the city or submitting for work through ARRA.
- (g) All appointed members shall serve without compensation.
- (h) The committee shall represent the diversity of the City.
- (i) A chairperson and vice chairperson of the Committee shall be elected by a roll call vote of a majority of the members appointed and voting at the first scheduled meeting of the Committee.
 - (1) The chairperson so elected shall serve for a term of one (1) year from the date of the chairperson's election. Thereafter, a new chairperson shall be elected by Committee members on the anniversary of the initial Committee meeting.
 - (2) A vacancy in the position of chairperson and/or vice chairperson of the Committee shall be filled by a roll call vote of a majority of the members appointed and voting at the meeting called for that purpose.
- (j) Vacancies on the Committee, whether by reason of resignation or otherwise, shall be filled within thirty (30) days by the Mayor for an at-large member and by City Council for a member nominated by Council. The member appointed to fill such vacancy shall serve for the duration of the vacated term.
- (k) Council members shall submit all nominations to the President of Council no later than July 17, 2009 and the Mayor shall submit all final appointments to City Council by July 31, 2009.

§ 235.03 - RULES AND PROCEDURES.

- (a) Any action to be taken by the Committee shall require the concurrence of a simple majority of the members of the Committee present and voting. If action is taken without a quorum being present, any member may, at the next regularly scheduled meeting, request reconsideration of such action.
- (b) The Committee shall have the following specific functions:
 - (1) Advise Council regarding general policy relating to the expenditure of ARRA funds.
 - (2) Report to Council on matters that may constitute violation of this Chapter.
 - (3) Provide a written advisory position to City Council prior to City Council taking a preliminary vote on the spending of any ARRA funds.
- (c) The Committee may appear before Council in accordance with Council's direction and in accordance with its rules in proceedings before Council on matters pertaining to the use of ARRA funds.
- (d) The Committee shall report all findings and file all reports with both City Council and the City Controller.
- (e) All staff assistance to the Committee shall be provided by the City Controller's office at the discretion of the City Controller.
- (f) Minutes of Committee meetings or records of any Committee actions shall be available for public inspection in the office of the City Clerk during normal business hours.
- (g) The Committee shall meet at least once every month and as needed to meet all critical deadlines.
- (h) All meetings of the Committee shall be open to the public.
- (i) The Committee shall receive from each Council Member and the Mayor a list of priorities and needs for the City of Pittsburgh.

§ 235.04 - SUNSET PROVISION.

This Chapter shall require Council to review the Committee and vote to reenact, amend, or eliminate this Committee on or before December 31, 2011.]

Committee: Committee on Finance and Law

Status: Passed Finally

Section 17. The City Code is hereby amended at Title Four: Public Places and Property, Article II: Telecommunications, Chapter 425: Cable Communications, Section 425.20: Miscellaneous Provisions, subsection (c): Administration of Franchise, as follows:

(c) *Administration of Franchise.* The City shall be responsible for the continued administration of this Chapter and all Franchise Agreements.

(1) The Bureau of Cable for purposes of this Chapter has been established within the Department of Innovation and Performance.

(2) The Director shall act as the representative of the City in all matters pertaining to any cable communications system established in the City. The Director, in his or her capacity pertaining to the Bureau of Cable, shall have the following powers and duties:

(i) Mediating disputes or disagreements between a subscriber and the Franchisee at either's request, following investigation.

(ii) Reviewing and auditing all reports and filings submitted by the Franchisee to the FCC and to the City pursuant to this Chapter.

(iii) Promulgating regulations regarding the construction, reconstruction, operation, maintenance, dismantling, testing or use of the cable communications system established pursuant to an agreement awarding a Franchise in accordance herewith.

(iv) Reviewing all rules and regulations promulgated by the Franchisee or the City regarding cable service and community communications in order to ensure compliance by Franchisee. Copies of rates and rules and regulations, which are hereby declared to be documents of public record, shall be made available by the Director to those who request the same on a cost-per-copy basis.

(v) Conferring and coordinating with the Franchisee on the interconnection of the cable communications system created in accordance herewith with any other communications systems, including but not limited to cable communications systems.

(vi) Retaining consultants' services as authorized by Council in order to ascertain the best use of public facilities and channels of the system and for other consulting services.

(vii) Reporting to Council at Council's request.

[(viii) Facilitating the activities of the Advisory Committee and providing assistance in its deliberation.]

[(ix) Attending regularly scheduled meetings of the Committee and participating thereon as a nonvoting member.]

[(x) (viii)] Performing other duties assigned under the provisions of this Chapter or other legislation hereafter enacted by the Council or other duties as the Mayor assigns.

[(3) In matters pertaining to increases in basic subscriber rates, installation charges, distribution of facilities and changes in ownership of the agreement awarding a Franchise in accordance herewith, the Director may submit requests he or she receives to the Committee.]

[(4)] (3) The Director shall make his or her recommendations, if any, to the Council and the Mayor concerning such requests within ninety (90) days of the receipt of such requests.

[(5)] (4) Council shall take no action on any legislation submitted on the recommendation of the **[Committee or]** the Director pertaining to the cable communications system unless it gives thirty (30) days' notice, in the manner provided by law, of its consideration of such legislation and serves a copy of

the notice upon the Franchisee as provided in Section 425.04. The Franchisee shall be an interested party to any hearing conducted with regard to its operation and maintenance of a cable communications system.

Section 18. The City Code is hereby amended at Title Four: Public Places and Property, Article XI: Parks and Playgrounds, Chapter 479: Zoological Park Commission, as follows so as to repeal the chapter in its entirety.

[CHAPTER 479: - ZOOLOGICAL PARK COMMISSION

§ 479.01 - JURISDICTION.

The Zoological Park Commission shall administer and establish policies for the administration of the Pittsburgh Zoo.

§ 479.02 - COMPOSITION, APPOINTMENT AND TERM.

The Zoological Park Commission shall consist of seven (7) members, three (3) of whom shall be the President of Council, Director of Parks and Recreation, and the Chairperson of the Council Committee on Parks and Recreation, who shall be exofficio members. Four (4) members shall be appointed by the Mayor, subject to the approval of Council, to serve for a term of four (4) years. Terms shall be staggered so that no appointed member's term shall commence during the same year as that of any other appointed member. Any vacancies created by the resignation, death or removal of any appointed member shall be filled by appointment of the Mayor, subject to approval of Council, for the unexpired portion of the term. Members shall serve without compensation. This provision shall not be deemed to prevent reimbursement for the proper and approved travel expenses.

§ 479.03 - RULES OF PROCEDURE.

A majority of the seven (7) members of the Zoological Park Commission shall constitute a quorum for the transaction of any business or the decision of any matters within its jurisdiction, and the majority of the quorum shall be sufficient to make a decision. The Commission shall have the power to adopt its own rules of procedure, which rules shall not be inconsistent with any law or ordinance, so that in proper cases reasonable notice and full opportunity to be heard shall be afforded according to the principles of the common law.

§ 479.04 - POWERS AND DUTIES.

The Zoological Park Commission, acting by a quorum of its members, shall have the following powers and duties:

- (a) To appoint, with the consent of Council, a professional Executive Director of Zoo Operations for the Pittsburgh Zoo, which Director shall be eminent in his profession. The Director shall be responsible for the supervision of all current and future zoo employees, which employees shall be City employees with all rights, benefits and privileges appertaining thereto.
- (b) To obtain animals and exhibits and purchase equipment needed for the proper operation and maintenance of the Pittsburgh Zoo.
- (c) To collect revenues from fees charged for parking and admission to the Pittsburgh Zoo, and from the operation of amusements and the sale of refreshments and souvenirs.

- (d) To pay all direct and indirect expenses related to the purchase of refreshments, souvenirs, the operation of amusements, and the collection of admission and parking fees at the Pittsburgh Zoo.
- (e) To deposit any surplus funds and collected revenues in a special trust fund established by the City Treasurer for capital expenditures relating to the Pittsburgh Zoo.
- (f) To submit a projected operating and separate capital budget for the Pittsburgh Zoo to Council for each year on the second Monday of the eleventh month of the preceding fiscal year.
- (g) To submit an annual report to Council with respect to zoo operations disclosing all programs, expenditures and revenues for the year, within ninety (90) days of the end of each fiscal year.
- (h) To encourage and recruit volunteer assistance to aid in the operation of the Pittsburgh Zoo.
- (i) To encourage contributions to the capital fund, operating budget or special funds relating to the Pittsburgh Zoo from private sources.
- (j) To receive and act upon the complaints and suggestions of residents or voluntary associations having objects and purposes in view as are provided in this Chapter.]

Section 19. The City Code is hereby amended at Title Two: Fiscal, Article I: Administration, Chapter 207: Delinquent Tax and Water Liens, Section 207.01 as follows so as to repeal the Section in its entirety:

[§ 207.01 - BOARD FOR DELINQUENT REALTY TAX AND WATER LIENS.

The Board for the Office of Delinquent Real Estate Tax and Water Rate Liens shall:

- (a) Consist of the Mayor, President of the Board of Public Education, City Solicitor, School Solicitor and the Collector of Delinquent City and School Taxes;
- (b) Have charge of the Office of the Solicitor for Delinquent Real Estate Tax and Water Rate Liens;
- (c) Have the authority to appoint a Solicitor; and
- (d) Approve the necessary personnel and expenses of the office for joint filing, reviving, consolidating and enforcing payment by court action or otherwise, of City and school tax liens and liens for water rates, and to perform other related duties as may be required by the Board in connection with delinquent taxes and delinquent water rates.]

Section 20. The City Code is hereby amended at Title Three: Water, Article III: Water Distribution, Chapter 313: Water Meters, at Sections 313.08 and 313.09, as follows so as to remove references to the Board of Water Assessors:

§ 313.08 - REPLACING DAMAGED OR MISSING METERS; EXPENSE AND ASSESSMENT.

- (a) Where meters malfunction or have been stolen or damaged by abuse or through neglect, including but not limited to, vandals, failure to maintain the meter and connecting plumbing in proper working order, new meters shall be purchased and reinstalled at the expense of the property owner at the written order of the Director of Water.
- (b) During the period meters malfunction or are absent, whether due to theft or through any other cause, the **[Board of Water Assessors shall assess and the City Treasurer] Department of Water or the PWSA** shall collect double the flat rate charges as set forth in § 331.03.
- (c) The assessment shall be continued on this basis until a meter of a size, type and setting approved by the

Director of Water is installed and operating properly, all work to be done at the expense of the property owner.

§ 313.09 - NONCOMPLIANCE WITH ORDER; NOTICE TO TERMINATE SERVICE; APPEAL.

(a) Where the property owner fails to comply with any written order of the Director of Water to repair or replace a malfunctioning, damaged or missing water meter or its connecting plumbing within ten (10) days of receipt of the order, the Director shall notify the property owner and any occupant in writing that water service shall be terminated thirty (30) days from the date of the notice. The property owner or occupant shall have the right to appeal the order of the Director by submitting a hearing request in writing to the **[Chairman of the Board of Water Assessors. The Board of Water Assessors, Director of Water, and an employee designated by the City Treasurer from his or her office shall constitute a board to consider the appeals] Pittsburgh Water and Sewer Authority**.

(b) If the owner or occupant fails to appeal the order of the Director or fails to remedy the situation complained of to the satisfaction of the Director, the Director shall have the absolute power to terminate water services.

(c) In the event the health, welfare and safety of the City or any other person is endangered by any condition as a result of servicing any person, the Director is authorized to terminate such service immediately.

Section 21. The City Code is hereby amended at Title Three: Water, Article VII: Assessment, Billing and Exonerations, Chapter 341: Assessment and Billing Procedure, Section 341.01, as follows to so as to remove references to the Board of Water Assessors:

§ 341.01 - NONMETERED USE.

(a) Water rates on a flat rate basis shall be payable in advance during the months of January, February and March of each year.

(b) Alternatively, consumers assessed at the flat rate, upon written request and receiving authorization from the **[Board of Water Assessors] Department of Water or the PWSA** shall have the option to pay water rates by the end of each quarter.

Section 22. The City Code is hereby amended at Title Three: Water, Article VII: Assessment, Billing and Exonerations, Chapter 343: Estimates and Appeals, as follows so as to repeal the references to the Board of Water Assessors:

CHAPTER 343: - ESTIMATES AND APPEALS

§ 343.01 - ESTIMATED BILLS.

(a) If the **[Board of Water Assessors] Department of Water or the PWSA** are unable to obtain a reading of a meter or a determination of the water consumption for any reason, except as provided in § 343.02, an estimated bill for water usage shall be rendered in an amount reasonably commensurate with the consumer's normal usage for a similar period as determined by criteria set forth in Water Department **or PWSA** Regulations. The estimated bill shall be due and payable at the regular times and, if unpaid at the due date, shall accrue penalty and interest as provided in § 341.03.

(b) After estimated bills have been rendered for four (4) consecutive quarters during which the **[Board of Water Assessors has] Department of Water or the PWSA have** been unable to obtain a reading, and notice

of such has been served by certified mail on the property owner, a penalty of fifty (50) percent of the estimated quarterly assessment shall be imposed.

§ 343.02 - MISSING METERS.

If a meter is missing from the premises for any reason, water rates may be assessed at double the flat rate charge and penalty and interest added as provided in § 341.03.

[§ 343.03 - APPEALS.

(a) *Appeal to Board of Water Assessors.* Any person aggrieved by an assessment made by the Water and Sewer Authority may, personally or by agent, appeal to the full Board of Water Assessors sitting as a board of revision, and demand a reassessment of the same. All appeals shall be by written request, and filed with the member designated by the Board to receive such requests within three (3) months of the assessment for which exoneration is claimed. On the consideration of such appeal, the Board shall have the power to subpoena witnesses and to examine them under oath or affirmation.

(b) *Collection during appeals.* No appeals taken from the assessment shall prevent the collection of the water rates or rates complained of. In case the rates shall be reduced, the excess or overpayment shall be refunded to the person who has paid the same.]

Section 23. The City Code is hereby amended at Title One: Administrative, Article VII: Procedures, Chapter 161: Contracts, at Sections 161.30, ~~161.30.1~~, 161.31, and 161.32 as follows so as to repeal the Review Committee of the Contracting Out Regulation and Review Act of 1996

[§ 161.30 - CONTRACTING OUT.

This section shall not apply to those services which are contracted out in accordance with the Act 47 Recovery Plan.

(a) The Agency shall prepare a specific written statement of the services proposed to be the subject of the outside contract, including the specific quantity and standard of quality of the subject services. The Agency shall solicit competitive sealed bids for Contracting Out based upon this statement. The date and time specified by the Agency on which it will accept sealed bids shall be the same for all bidders. The statement shall be a public record, shall be filed with the Agency and in the City Clerk's Office and shall be transmitted to the Review Committee for review pursuant to § 161.31. The term of any Outside Contract shall not exceed five (5) years. No amendment to an Outside Contract shall be valid if it has the purpose or effect of avoiding any requirement of this section.

(b) For each position in which a bidder will employ any person pursuant to the Outside Contract and for which the duties are substantially similar to the duties performed by an Agency employee or employees, the statement required by division (a) shall include a statement of the minimum wage rate to be paid for the position, which rate shall be the lesser of the entry level grade or classification under which the comparable Agency employee is paid, or seventy-five (75) percent of the prevailing wage rate as established by the Pennsylvania Department of Labor and Industry. Every bid for an Outside Contract and every Outside Contract shall include provisions specifically establishing the wage rate for each such position, which shall not be less than said minimum wage rate as defined above. Every such bid and contract shall also include provisions for the contractor to pay not less than a percentage, comparable to eighty (80) percent of the percentage paid by the Agency for Agency

employees, of the costs of health insurance plans for every employee employed for not less than thirty-four (34) hours per week pursuant to such contract. Such health insurance plans shall satisfy the requirements of, and shall provide coverage to the employee and the employee's spouse and dependent children, where applicable. Each contractor shall submit quarterly payroll records to the Agency, listing the name, address, social security number, hours worked and the hourly wage paid for each employee in the previous quarter.

(c) Each Outside Contract may contain provisions requiring the contractor to offer available employee positions pursuant to the contract to qualified Agency employees of the Agency whose employment is terminated because of the Outside Contract and who satisfy the hiring criteria of the contractor. Unless otherwise directed by the Agency, the contractor shall determine the number of employees necessary for efficient performance of the contract and may elect to employ more or fewer employees than the agency or predecessor contractor employed in connection with performance of the work. Every such contract shall also contain provisions requiring the contractor to comply with a policy of nondiscrimination and equal opportunity for all persons. Pursuant to the Pittsburgh Code and the Mayor's Directive, all contracts must be evaluated and reviewed by the Equal Opportunity Review Commission.

(d) The Agency shall prepare a comprehensive written estimate of the costs of Agency's employees' providing the subject services in the most cost effective manner. The estimate shall include all direct and indirect costs of regular Agency employees' providing the subject services, including but not limited to, pension, insurance and other employee benefit costs. A copy of the estimate shall be provided to all employee organizations affected by the proposed contract. For the purpose of this estimate, any employee organization may, at any time before the final day for the Agency to receive sealed bids pursuant to division (a), propose amendments to any relevant collective bargaining agreement to which it is a party. Any such amendments shall take effect only if necessary to reduce the cost estimate pursuant to this division below the contract cost pursuant to division (e). Such estimate shall remain confidential until after the final day for the Agency to receive sealed bids for the privatization contract pursuant to division (a), at which time the estimate shall become a public record, shall be filed with the Agency and in the City Clerk's Office and shall be transmitted to the Review Committee for review pursuant to § 161.31.

(e) After soliciting and receiving bids, the Agency shall publicly designate the bidder to which it proposes to award the contract. The Agency shall prepare a comprehensive written analysis of the contract cost based upon the designated bid, specifically including the costs of transition from public to private operation, of additional unemployment and retirement benefits, if any and of monitoring and otherwise administering contract performance. If the designated bidder proposes to perform any or all of the contract outside the boundaries of the Agency, said contract cost shall be increased by the amount of wage tax revenue, if any, which will be lost to the Agency by the corresponding elimination of Agency employees, as determined by the Department of Finance to the extent that it is able to do so. In the event the designated bidder proposes to perform any or all of the contract within the boundaries of the Agency, said contract cost shall be decreased by the amount of wage tax revenue, if any, which shall be gained by the Agency by the corresponding hire of additional Agency employees, as determined by the Department of Finance to the extent it is able to do so.

(f) The head of the Agency shall certify in writing to the Review Committee that:

- (1) The Agency has complied with all provisions of this section and of all other applicable laws;
- (2) The quality of the services to be provided by the designated bidder is likely to satisfy the quality requirements of the statement prepared pursuant to division (a), and to equal or exceed the quality of services which could be provided by regular agency employees pursuant to division (d);
- (3) The contract cost pursuant to division (e) will be less than the estimated cost pursuant to division

- (d), taking into account all comparable types of costs;
 - (4) The designated bidder and its supervisory employees, while in the employ of said designated bidder, have no adjudicated record of substantial or repeated willful noncompliance with any relevant federal, state or city regulatory statute including, but not limited to, statutes concerning labor relations, occupational safety and health, nondiscrimination, environmental protection and conflicts of interest; and
 - (5) The proposed outside contract is otherwise in the public interest.
- (g) In the event a collective bargaining agreement between any labor organization and the Agency contains provisions addressing the issue of privatization and/or sub-contracting, the more restrictive language, be it in the ordinance or in the collective bargaining agreement, shall take precedence.
- (h) The provisions of this section and § 161.31 shall not apply to Exempt Contracts or Professional Service Contracts.
- (i) A copy of the proposed outside contract shall accompany the certificate transmitted to the Review Committee.]

~~161.30.1 REQUIRING CONTRACTORS AND EMPLOYERS OF EMPLOYEES HIRED TO STAFF HOSPITALITY OPERATIONS TO BE SIGNATORY TO COLLECTIVE BARGAINING AGREEMENTS WHERE THE CITY OF PITTSBURGH HAS A FINANCIAL OR PROPRIETARY INTEREST.~~

~~(a) *Union contracts: no work stoppage: arbitration.* Each and every contractor and employer of employees hired to staff hospitality operations shall be or become signatory to valid collective bargaining agreements or other contracts under 29 U.S.C. Section 185 with any labor organization seeking to represent hospitality workers employed in the contractor's and/or employer's hospitality operations in a capital project as a condition precedent to its contract with the City of Pittsburgh. Each collective bargaining agreement or contract must contain a provision prohibiting the labor organization and its members, and in the case of a collective bargaining agreement, all employees covered by the agreement, from engaging from any picketing, work stoppages, boycotts or any other economic interference with the hospitality operations of contractor or any persons under contract to it for the duration of the time required for the repayment of public indebtedness incurred to finance the acquisition or development of such capital project, or for the duration of contractor's contract or contracts with the City for the operation of such capital project, whichever period of time is more extensive (the "no-strike pledge"). Each agreement must provide that during this time period, all disputes relating to employment conditions or the negotiation thereof shall be submitted to final and binding arbitration. Each and every contractor and employer of employees hired to staff hospitality operations shall require that any work under its contract or contracts with the City to be done by the contractor's or employer's contractors, subcontractors, tenants or subtenants shall be done under collective bargaining agreements or other contracts under 29 U.S.C. Section 185 containing the same provisions as specified above. A contractor or employer shall be relieved of the obligations of this section with respect to a labor organization if the labor organization places conditions upon its No-strike pledge that the City Council finds, after notice and hearing, to be arbitrary or capricious.~~

~~(b) *Definitions:*~~

~~"Contractor" as used herein means any person party to a contract.~~

~~"Person" means and includes a sole proprietorship, partnership, corporation, joint venture or business organization of any kind.~~

~~"Employer" means an employer of employees hired to staff or work at a hospitality operation.~~

~~"Contract" means any contract, lease or license from the City to use any City property for the conduct of hospitality operations, or under any contract, lease or license pursuant to which the City is entitled to receive as rents, royalties or other income a percentage of the revenues of an enterprise, or any payments in connection with financing providing by or through the City, or any subcontract, sublease, sublicense or other transfer or assignment of any right, title or interest received from the City pursuant to any such contract, lease or license.~~

~~"Hospitality operations" means hotels or motels, providing lodging and other guest accommodations and restaurants, bars, clubs, cafeterias and food and beverage operations and does not include sport stadium operations.~~

~~"Valid collective bargaining agreement" as used herein means a collective bargaining agreement entered into between the person contracting or subcontracting to provide services and a labor organization lawfully serving as the exclusive collective bargaining representative for the employees who provide or will provide services pursuant to such a contract.~~

~~"Contract under 29 U.S.C. Section 185" as used herein means a contract to which 29 U.S.C. Section 185 (a) applies, as that provision has been interpreted by the United States Supreme Court.~~

~~"City" means the City of Pittsburgh, Pennsylvania.~~

~~"City Council" means the City Council of the City.~~

~~"Capital Project" has the same meaning as in Pennsylvania Senate Bill 10 P.N. [313](https://library.municode.com/pa/pittsburgh/codes/code_of_ordinances?)~~

~~.~~

~~"Hospitality workers" means all full-time or part-time employees in a hospitality operation, except supervisors, managers and guards.~~

~~(e) Severability. If any section or portion of a section of this agreement is declared illegal, invalid or inoperative, in whole or in part, by any court of competent jurisdiction, the remaining sections and all portions not declared illegal, invalid or inoperative shall remain in full force or effect, and no such determination shall invalidate the remaining sections or portions of the sections of this ordinance.~~

[§ 161.31 - REVIEW COMMITTEE AND RECOMMENDATION.

This section shall not apply to those services which are contracted out in accordance with the Act 47 Recovery Plan.

(a) An Agency shall not make any Outside Contract and no such contract shall be valid, if, within thirty (30) days after receiving the certificates required by § 161.30, the Review Committee notifies the Agency of its objection. Such objection shall be in writing and shall state specifically the Review Committee's finding that the Agency has failed to comply with one (1) or more requirements of § 161.30, including that the Review Committee finds incorrect, based on independent review of all the relevant facts, any of the findings required by division (f) of § 161.30.

(b) For the purpose of reviewing the Agency's compliance and certificate pursuant to said § 161.30, the Review Committee may require the cooperation of witnesses and the production of books, papers and other records relating to such review.

(c) The Review Committee may propose and adopt regulations and prescribe forms to carry out the provisions of this section and § 161.30.

(d) The decision of the Review Committee pursuant to § 161.30 shall be final and binding on the Agency, unless;

- (1) The Review Committee thereafter in writing withdraws the objection, stating the specific reasons, based upon a revised certificate by the Agency and upon the Review Committee's review thereof; or,
 - (2) The Agency does not concur with the written objection of the Review Committee.
- (e) In instances when the Agency does not concur with the written objection of the Review Committee, the Agency will submit to binding arbitration before the Board of Mediation, Department of Labor & Industry. The decision of said arbitration panel shall be final and binding on all parties.

§ 161.32 - CONTRACTING OUT REGULATION AND REVIEW ACT OF 1996.

This section shall not apply to those services which are contracted out in accordance with the Act 47 Plan.

- (a) *Title.* This section shall be known as the "Contracting Out Regulation and Review Act of 1996."
- (b) *Legislative findings.*

(1) The Council hereby finds and declares that using outside contractors to provide public services formerly provided by City employees does not necessarily promote the public interest. Council further finds that the City employs nearly four thousand five hundred (4,500) City residents; many of these workers being highly trained, experienced and capable professionals whose work product compares favorably with industry standards.

(2) To ensure that taxpayers of the City receive high quality public services at competitive prices, with due regard for the taxpayers of the City and the needs of public and private workers, Council finds it necessary to regulate the contracting out in accordance with §§ 160.30 and 161.31 inclusive.

- (c) As used in §§ 161.30, 161.31 and 452.04, inclusive, the following words shall have the following meanings:

AGENCY. An office, department, bureau, division, board, commission or other office or officer in the administrative branch of city.

COMMUNITY-BASED ORGANIZATION. A private, non-profit entity whose principal offices are located in the city; an organization whose revenues are exempt from taxation under 50 1.c.3 of the United States Internal Revenue Code; and a group whose mission includes the enhancement of educational, recreation, social, employment, safety, community development, or other goal deemed appropriate by the city.

CONTRACTING OUT. An agreement or combination or series of agreements by which a nongovernmental person or entity agrees with an agency to provide services, valued at one hundred thousand dollars (\$100,000.00) or more, which are substantially similar to, and in lieu of, services theretofore provided, in whole or in part, by City employees of an agency.

DEPENDENT. The spouse and children of an employee if such persons would qualify for dependent status under the Internal Revenue Code.

EXEMPT CONTRACTS. Any agreement or combination of series of agreements by which a nongovernmental person or entity currently provides services to the agency, regardless of the value of said agreement or agreements and the subsequent rebidding and awarding of same.

PROFESSIONAL SERVICE CONTRACTS. An agreement as defined by the Code of Ordinances.

REVIEW COMMITTEE. A committee comprised of the following members: The Director of Finance who shall serve as the chair; the Director of Public Works; the Director of Mobility and Infrastructure; a representative of labor nominated by the Mayor and confirmed by City Council; Controller of the Office of City Controller and a representative of City Council.]

Section 24. The City Code is hereby amended at Title Nine: Zoning Code, Article V: Use Regulations, Chapter 911: Primary Uses, Section 911.04: Use stand, Subsection 911.04.A.7: Bed and Breakfast, by repealing subsection (k): ~~Bed and Breakfast Problem Solving Task Force~~ as follows:

~~911.04.A.7 – Bed and Breakfast~~

~~[(k) A Bed and Breakfast Problem Solving Task Force is hereby created comprising Public Safety, Bureau of Building Inspection, City residents living adjacent to Bed and Breakfast, and representatives of Bed and Breakfast Association to (1) receive complaints and mediate disputes and (2) initiate a report to City Council at the end of twelve (12) months with recommendations for legislative amendments if needed. This shall take effect upon the date of the Mayor's signature (March 26, 1999), and will expire one (1) year later.]~~

Section 25. The City Code is hereby amended at Title One: Administrative, Article XI: Human Resources, Chapter 181: General Provisions, Section 181.11: Attendance Allowance, to remove defunct and repealed boards as follows:

§ 181.11 - ATTENDANCE ALLOWANCE.

(a) All members of the following boards, commissions, committees and task forces who are not City employees shall be reimbursed at the rate of five dollars (\$5.00) per meeting for attendance at each regular meeting of any such board, commission, committee or task force: Art Commission; **[Board of Code Review; Board of Standards and Appeals; Handicapped Access Committee;]** Historic Review Commission; Human Relations Commission; **[Mayor's Task Force for Older Workers; Mayor's Task Force on Employment and Training of the Handicapped; Minority Business Enterprise Review Committee;]** Planning Commission; **[Women's Task Force; Zoo Commission;]** any other such board, commission, committee or task force specifically approved for reimbursement by Council.

(b) Vouchers verifying attendance at the meetings of any board, commission, committee or task force shall be signed by the director of the department under which board, commission, committee or task force is authorized to operate, and shall be submitted to the Council Finance Committee for approval before payment.

Section 26. The City Code is hereby amended at Title One: Administrative, Article XI: Human Resources, Chapter 197: Code of Conduct, Section 197.02: Definitions, subsection (e): Quasi-Judicial Tribunal, to remove references to defunct and repealed boards as follows:

(e) *QUASI-JUDICIAL TRIBUNAL.* A board or commission of the City which is required to investigate or ascertain facts and draw conclusions as a basis of its official action and to exercise discretion of a judicial nature. The term shall include, but not be limited to, the Zoning Board of Adjustment, the Planning Commission when considering a conditional use, the Historic Review Commission, **[the Board of Code Review, the Board of Standards and Appeals, the Board of Water Assessors,]** the Human Relations Commission and the Civil Service Commission.