



Legislation Details (With Text)

File #: 2019-1969 **Version:** 1

Type: Ordinance **Status:** Passed Finally

File created: 8/23/2019 **In control:** Committee on Innovation, Performance and Asset Management

On agenda: 8/27/2019 **Final action:** 9/10/2019

Enactment date: 9/10/2019 **Enactment #:** 31

Effective date: 9/12/2019

Title: Ordinance amending the Pittsburgh Code of Ordinances, Title One, Administrative, Article XI, Human Resources, Chapter 181, General Provisions, Section 181.11 and Title Four, Public Places and Properties, Article II, Telecommunications, Chapter 425, Section 425.07, Cable Communications in order to remove the Pittsburgh Cable Communications Advisory Committee and all mentions in city code.

Sponsors:

Indexes: PGH. CODE ORDINANCES TITLE 01 - ADMINISTRATIVE

Code sections:

Attachments: 1. Summary 2019-1969

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------|---------------------------|--------|
| 9/12/2019 | 1 | Mayor | Signed by the Mayor | |
| 9/10/2019 | 1 | City Council | Passed Finally | Pass |
| 9/4/2019 | 1 | Standing Committee | Affirmatively Recommended | Pass |
| 8/27/2019 | 1 | City Council | Read and referred | |

Ordinance amending the Pittsburgh Code of Ordinances, Title One, Administrative, Article XI, Human Resources, Chapter 181, General Provisions, Section 181.11 and Title Four, Public Places and Properties, Article II, Telecommunications, Chapter 425, Section 425.07, Cable Communications in order to remove the Pittsburgh Cable Communications Advisory Committee and all mentions in city code.

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

Section 1. Pittsburgh Code of Ordinances, Title One, Administrative, Article XI, Human Resources, Chapter 181, General Provisions, Section 181.11 is hereby amended 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; ~~Cable Communications Advisory Committee~~; 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 2. Pittsburgh Code of Ordinances, Title Four, Public Places and Properties, Article II, Telecommunications, Chapter 425, Section 425.07, Cable Communications is hereby amended as follows:

~~§ 425.07 – PITTSBURGH CABLE COMMUNICATIONS ADVISORY COMMITTEE.~~

- ~~(a) There shall be a body known as the Pittsburgh Cable Communications Advisory Committee ("the Committee"), which shall act solely as an advisory body to Council with regard to the optimal use of the cable communications system in the City. In its advisory capacity, the Committee shall endeavor to promote and develop the best use by the community of the cable communications system as a community communications system.~~
- ~~(b) Council shall appoint eleven (11) members to the Committee as follows:~~
 - ~~(1) Members of the Committee, with the exception of the Director, who shall receive the salary as Council may authorize, shall serve thereon without pay;~~
 - ~~(2) The members of the Committee shall be appointed on the following basis:~~
 - ~~(i) Each Member of Council shall appoint one (1) representative from his or her respective Council district to serve on the Committee, for a total aggregate of nine (9) district members;~~
 - ~~(ii) The Mayor shall appoint two (2) at-large members to serve on the Committee.~~
 - ~~(iii) A member shall be deemed to have resigned from the Committee and shall no longer participate in any manner thereon when the member's residence is no longer in the area from which he or she was appointed if such member was appointed pursuant to subsection (b)(2)(i) hereof, or from the City if the member as appointed pursuant to subsection (b)(2)(ii) hereof; or upon missing more than three (3) consecutive meetings of the Committee, absent good cause for doing so.~~
 - ~~(3) District members and at-large members shall serve for a term of four (4) years. District 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.~~
 - ~~(i) Duration of appointments shall be decided by lot at the first scheduled meeting of the Committee.~~
 - ~~(4) 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.~~
 - ~~(i) 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.~~
 - ~~(ii) 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.~~
 - ~~(5) Vacancies on the Committee, whether by reason of resignation or otherwise, shall be filled by Council according to whether the vacancy is that of a designated area member or a member-at-large, in accordance with subsection (b)(2) hereof. The member appointed to fill such vacancy shall serve for~~

~~the duration of the vacated term.~~

~~(6) In addition to members of the Committee appointed as herein before outlined, the Director shall be a nonvoting member of the Committee.~~

~~(i) The Director shall not serve as the chairperson of the Committee.~~

~~(7) Neither the Franchisee, nor any of its agents, servants, employees or their families, nor any of its subsidiary, parent or affiliated corporations or any of their agents, servants, employees or members of their families, nor any person with any financial interest in any agreement awarding a Franchise in accordance herewith, shall be appointed as a member of the Committee by Council.~~

~~(i) A representative of the Franchisee shall be named in the Franchise agreement who shall attend all meetings of the Committee. The representative shall be a nonvoting member of the Committee.~~

~~(8) 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.~~

~~(9) 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.~~

~~(c) The Committee shall have the following specific functions:~~

~~(1) Review the evaluation made by the Department of Innovation and Performance of the proposals to enter into an agreement for the award of a franchise in accordance herewith which are submitted in response to the request for proposals thereto and make recommendations to Council regarding the selection of the Franchisee.~~

~~(2) Advise Council regarding general policy relating to the services provided to Subscribers and users by the Franchisee.~~

~~(3) Advise Council regarding the operation and use of any community communications channels with a view toward maximizing the diversity of programs and services to Subscribers and users.~~

~~(4) Encourage the use of any community communications channels among the widest range of institutions, groups and individuals within the City.~~

~~(5) Advise Council on the regulation of rates in accordance with this Chapter.~~

~~(i) The Committee shall submit a written report to Council which shall include, but shall not be limited to, recommendations to Council regarding rates and the findings upon which those recommendations are based.~~

~~(6) Make an annual report to the City which shall include, but not be limited to a summary report on the utilization of community communications channels, a review of any plans submitted during the year by the Franchisee for the development of new services and a summary report of the Committee's deliberations throughout the year.~~

~~(7) Report to Council on matters that may constitute violation of this Chapter.~~

~~(8) 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 cable communications system.~~

~~(i) The Committee shall meet at least once every month, except August.~~

~~(ii) All meetings of the Committee shall be open to the public.~~

- ~~(9) Adopt rules and regulations governing its meetings and other activities.~~
- ~~(10) Request comments and suggestions regarding cable communications.~~
- ~~(11) Advise Council on proposed transfers of the cable communications system.~~
- ~~(12) Perform other advisory functions as Council may direct.~~
- ~~(d) Council shall not pass any proposed resolution or ordinance relating to Committee functions identified in (c) above without referring same to the Committee for review. The Office of the City Clerk shall provide reasonable assistance to the Committee in its review of such proposed resolution or ordinance. If the Committee fails to act within forty-five (45) days of receipt of such referral, the Committee will be deemed to have approved the ordinance or resolution. The review period may be shortened if Council declares that an urgent reason exists requiring earlier Committee action.~~