Legislation Details (With Text)

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File created:	5/20/2010	**In control:**	Committee on Finance and Law
On agenda:		**Final action:**	
Enactment date:		**Enactment #:**	
Effective date:			
Title:	Ordinance amending the Pittsburgh City Code to add language that would bring more transparency and accountability to the City's Community Development Block Grant program.		
Sponsors:	Reverend Ricky V. Burgess		
Indexes:	CDBG PROGRAM		
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Attachments:	1. 2010-0508.doc, 2. 2010-0508 VERSION 2.doc		

Date	Ver.	Action By	Action	Result
4/27/2011	2	Standing Committees	TABLED	Pass
3/30/2011	2	Standing Committees	Held in Committee	Pass
3/24/2011	2	Committee on Hearings	Public Hearing Held	
3/16/2011	2	Post Agenda	Post Agenda Held	
3/9/2011	2	Standing Committees	Held for Cablecast Public Hearing	Pass
3/9/2011	2	Standing Committees	Held for Cablecast Post Agenda	Pass
7/21/2010	1	Standing Committees	AMENDED BY SUBSTITUTE	Pass
7/21/2010	1	Standing Committees	Held in Committee	Pass
7/14/2010	1	Standing Committees		
6/23/2010	1	Standing Committees	Held in Committee	Pass
6/16/2010	1	Standing Committees	Held in Committee	Pass
6/9/2010	1	Standing Committees		
5/26/2010	1	Standing Committees	Held in Committee	Pass
5/20/2010	1	City Council	Read and referred	Pass

Ordinance amending the Pittsburgh City Code to add language that would bring more transparency and accountability to the City's Community Development Block Grant program.

Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh is hereby amended by creating Title Two: Fiscal, Article II: Chapter 218: Community Development Block Grant Funding, which shall read:

219.1 Purpose

To ensure community participation in the allocation of Community Development Block Grant Funds in the City of Pittsburgh.

219.2 Definitions

The following definitions shall apply to all parts of this chapter:

(a) Citizen *Advisory Committee (CAC)*. A committee that shall act in an advisory capacity to the Mayor and City Council with respect to Consolidated Plan Funds. The CAC shall identify housing and community development needs, establish priorities relating to those needs, propose activities and projects to address high-priority needs, and suggest amounts of Consolidated Plan Funds to be allocated to those activities and projects.

(1) Membership. (i) The membership of the CAC shall consist of the following:

(A) Director of City Planning, or his/her representative;
(B) Director of the Urban Redevelopment Authority, or his/her representative;
(C) Two (2) Members of City Council, appointed by the President of City Council;
(D) One (1) representative appointed by the Mayor;
(E) One (1) representative of an organization that represents the interests of Pittsburgh community development corporations, appointed by the Mayor;
(F) Nine (9) Community Representatives appointed by City Council and approved by the Mayor, as follows:

(i) Three (3) representatives of community-based organizations whose membership consists entirely of residents of one or more CDBG eligible census tracts, and at least 1/3 of whose governing board consists of low-income residents of the community in which the organization is based;

(ii) Three (3) representatives of organizations whose primary mission is to serve low income residents of Pittsburgh; and

(iii) Three (3) representatives of organizations whose primary mission is to represent the interests of special populations, including but not limited to subsidized housing tenant organizations, advocates for people with disabilities, advocates for the homeless, and fair housing advocates.

(ii) At least three (3) of the Community Representatives appointed to the CAC must be low-income. All Community Representatives shall provide the Department of City Planning with evidence sufficient to demonstrate compliance with the above membership qualifications, which evidence shall be available to the public.

(2) Terms and Filling of Vacancies. (i) The Director of City Planning and the Director of the Urban Redevelopment Authority shall serve for the duration of their tenure as Director. All other members of the CAC shall serve for three (3) year terms. Upon the original incorporation of the CAC, three (3) representatives shall be designated to serve for one (1) year, four (4) representatives shall be designated to serve for two (2) years, and four (4) representatives shall be designated to serve for three (3) years.

(ii) A vacancy shall have occurred upon the expiration of a term, ineligibility due to the failure to meet the membership qualifications, a formally written resignation communicated concurrently to the Mayor and the City Council, or a vacancy from death. Upon a vacancy, the Mayor shall submit written communication to City Council informing them of the vacancy or vacancies and requesting a new nomination. If a vacancy exists for more than sixty (60) days without written notice from the

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Mayor, Council may forward its nomination.

(iii) The Mayor shall make all appointments to fill vacancies from nominations provided by City Council via resolution. The Mayor and Council shall work to fill all vacancies upon their occurrence and in a timely manner. If the Mayor fails to approve or reject a nomination within thirty (30) days, the nomination shall be deemed to have been approved.

(3) All meetings, business, and written communication of the CAC shall be subject to the Sunshine Act of the State of Pennsylvania. All documents produced by the CAC shall be made publicly available on the City's website within ten (10) days of their final publication.

(4) No decision of the CAC to recommend any project that could result in funding for an organization in which one or more committee members serves as director, officer or employee shall be void or voidable for such reason, notwithstanding the fact that such committee member is present during the decision, provided that (a) the interested person does not participate in the decision, (b) all material facts as to the relationship or interest are disclosed or known to the committee, and the committee in good faith authorizes or ratifies such decision by a vote of disinterested persons (even if disinterested persons are less than a quorum) and (c) the decision is in the best interest of low-income residents of the City of Pittsburgh.

(h) *Consolidated Plan Funds*. All funds that are included in the City's Consolidated Plan to HUD, including but not limited to, Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Emergency Shelter Grant (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and such other federal housing and community development funds as may be administered by the City from time to time.

219.3 Public Participation in the Consolidated Planning Process.

(a) At least three (3) public meetings shall be held each year to assess the housing, community development, and community services needs of low-income City residents and CDBG eligible census tracts in the City of Pittsburgh, and to establish funding priorities in order to update the City's Consolidated Plan/Annual Action Plan. At least two (2) of these public meetings must be held at locations in CDBG eligible census tracts, at times that are conducive to participation by low- and moderate-income people (after 6:00 p.m.).

(b) The Department of City Planning shall prepare a written description of all proposed uses of Consolidated Plan Funds each year, for use by the CAC and for review by the general public. At a minimum, the description shall include the type of activity; the location; the amount of Consolidated Plan Funds requested; the total amount and sources of all other money needed for the activity; the estimated value of the activity that will directly benefit low-income City residents; and the minimum number, type and approximate duration of full-time equivalent jobs that the activity will provide to low-income City residents. This description, along with the City's Analysis of Impediments to Fair Housing Choice and a copy of every proposal for the use of Consolidated Plan Funds, shall be distributed to CAC members and made available to the general public for review no later than May 31 of each year. All meetings of the CAC shall be cablecast and open to the public.

(c) The CAC shall deliver a recommendation to the Department of City Planning concerning activities and projects to address community development needs, and suggested amounts of Consolidated Plan Funds to be allocated to those activities and projects, no later than July 15 of each year. In no event shall

Consolidated Plan Funds be allocated without review by the CAC.

(d) After review of the CAC's recommendations, the Department of City Planning shall draft the Consolidated Plan/Annual Action Plan. The full draft Consolidated Plan/Annual Action Plan, including all exhibits, shall be posted on the City's website and otherwise made available to the public no later than August 15 of each year. The Department of City Planning shall allow a period of at least thirty (30) days for public review and comment.

(e) After review of the draft Consolidated Plan/Annual Action Plan, the CAC's recommendations, and any public comment received by the Department of City Planning, the Mayor shall make a recommendation to City Council no later than September 30 of each year. City Council shall hold a public hearing on the proposed Consolidated Plan/ Annual Action Plan no later than October 15 of each year. Upon reviewing the recommendations of the CDAC and the Mayor, and considering public comments received by the Department of City Planning and testimony provided at the City Council hearing, City Council shall determine the projected expenditures of Consolidated Plan Funds to be included in the proposed Consolidated Plan/Annual Action Plan to HUD.

(f) The Department of City Planning shall hold at least one (1) public meeting to discuss the City's draft Grantee Performance Report (GPR) and Consolidated Annual Performance and Evaluation Report (CAPER), no later than June 15 of each year. The draft GPR and CAPER shall be posted on the City's website and otherwise made available to the public no later than May 31 of each year. The final GPR and CAPER shall be posted on the City's website and otherwise made available to the public no later than July 15 of each year. In addition to HUD requirements, the GPR and CAPER shall list low-mod job activities by CDBG grantee, shall specify the number of low- and moderate income City residents actually hired by each listed grantee during the period covered by the report, and shall specify the race and gender of all employees for whom a low-mod job benefit is claimed.

(g) Substantial Amendments to the Consolidated Plan. The City may not submit any substantial amendment to the Consolidated Plan without prior review by the CAC and approval by City Council.

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