

CITY COUNCIL

Meeting Agenda

REGULAR MEETING
COUNCIL CHAMBERS

MONDAY, JUNE 13, 2016
7:00 P.M.

The Regular Meetings of City Council are filmed and can be viewed LIVE while the meeting is taking place or at your convenience at any time after the meeting on the City's website at www.ReadingPa.gov, under "Live and Archived Meeting Videos". All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.

RULES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS

The Administrative Code, Section § 5-209 defines public participation at Council meetings.

1. Citizens attending Council meetings are expected to conduct themselves in a responsible and respectful manner that does not disrupt the meeting.
2. Those wishing to have conversations should do so in the hall outside Council Chambers in a low speaking voice.
3. Public comment will occur only during the Public Comment period listed on the agenda at the podium and must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Clapping, calling out, and/or cheering when a speaker finishes his comments is not permitted.
4. Citizens may not approach the Council tables at any time during the meeting.
5. Any person making threats of any type, personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking, removed from Council Chambers and/or cited.
6. Failure to abide by these regulations could result in your removal from Council Chambers and/or a citation. These regulations are meant to avoid disruptions at the meeting and they are not meant to interfere with public participation.

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Pastor Felipe Fana, Iglesia Misionera La Senda

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

The purpose of the Executive Session on Monday, June 13th was related to _____ matters.

2. PROCLAMATIONS AND PRESENTATIONS

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council meeting or by legibly printing their name, address and the subject matter to be discussed on a sign-up sheet found on the podium in Council Chambers between 5 pm and 7 pm on the day of the scheduled meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration, including applause or cheering, at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.

4. APPROVAL OF AGENDA

A. MINUTES: Regular Meeting of May 23, 2016

B. AGENDA: Regular Meeting of June 13, 2016

5. Consent Agenda Legislation

A. Resolution No. 50-2016 – authorizing the execution of the PY2014, PY2015 and PY2016 CDBG Action Plan Amendment to program \$1,100,000 in unprogrammed CDBG funds for the Fire Protection Equipment Activity (the purchase of a Ladder Vehicle) for the 3rd and Court Station

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

Pending additional information required

Bill No. 17-2016 – authorizing Berks EIT, as the City’s tax collector, to engage one or more third-party collection agencies to pursue and collect delinquent Tax and apply a fee for the use of a third-party collection agency provided that the fee does not exceed twenty-five percent (25%) of the amount of Tax collected from any such Taxpayer ***Introduced at the April 25 regular meeting; Tabled at the May 9 and May 23 regular meetings***

Bill No. 2016 – creating the Reading Regional Water Authority ***Introduced at the May 23 regular meeting***

A. Bill No. 20-2016 – setting the salary of the Police Chief at \$105,000 ***Introduced at the May 23 regular meeting***

B. Bill No. 21-2016 – amending the 2016 Position Ordinance and the 2016 Annual Operating Budget to add the position of Deputy Chief under Police Administration and setting the salary for the Deputy Chief at the amount received by a Captain ***Introduced at the May 23 regular meeting***

Bill No. 22-2016 – dissolving the Reading Area Water Authority ***Introduced at the May 23 regular meeting***

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance –

11. RESOLUTIONS

A. Resolution – appointing Chris Kern to the Environmental Advisory Council

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, June 13

Committee of the Whole – Penn Room – 5 pm

Regular Meeting – Council Chambers – 7 pm

Wednesday, June 15

Conditional Use Hearing – 800 N 5th St – Council Chambers – 5 pm

Monday, June 20

Nominations & Appointments Committee – Council Office – 4 pm
Finance, Audit and Budget Committee – Council Office – 5 pm
Standards of Living Committee – Council Office – 5 pm

Monday, June 27

Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Tuesday, June 14

Water Authority Workshop – Water Authority Office – 4:30 pm

Wednesday, June 15

O & E Pension – Penn Room – 1:30 pm
Redevelopment Authority – Redevelopment Authority Office – 3 pm

Thursday, June 16

Blighted Property Review Committee – Council Chambers – 6 pm

Friday, June 17

Fire Pension Board – Penn Room – 10 am

Monday, June 20

Library Board – 113 S 4th St – 4:30 pm

Tuesday, June 21

Fire Civil Service Board – Fire Training Center – 3 pm
HARB – Penn Room – 6:30 pm
Charter Board – Council Chambers – 7 pm

Wednesday, June 22

Main Street Board – Chamber Office – 3:30 pm
Parking Authority – Parking Authority Office – 5:30 pm

Thursday, June 23

Water Authority – Water Authority Office – 4:30 pm

Monday, June 27

DID Authority – 645 Penn St – noon
District 7 Crime Watch – Holy Spirit Church – 7 pm

City of Reading City Council
Regular Meeting
May 23, 2016

Council President Waltman called the meeting to order.

The invocation was given by Pastor Jack Williams, First Century Worship Center Association.

All present pledged to the flag.

The Committee of the Whole meeting included an executive session on personnel matters and litigation.

ATTENDANCE

Council President Waltman
Councilor Daubert, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Twyman, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Slifko, District 6
City Auditor D. Cituk
Acting City Solicitor T. Coleman
City Clerk L. Kelleher
Acting Managing Director C. Younger
Mayor W. Scott

Council Daubert moved, seconded by Councilor Slifko, to suspend the rules and calling the resolutions related to the appointment of the managing director and the police chief up for a vote. As there was no objection to the motion, the motion was deemed approved.

Council President Waltman announced that prior to the vote Council will hear public comment from those registered to address the appointments. The City Clerk stated that one person was registered to speak about the appointments.

Councilor Daubert read the public speaking rules.

Carlos Zayas, of South 11th Street, thanked Council for considering this candidate for police chief which will bring a positive change to the department. He stated that the appointment of a Latino chief welcomes diversity to the department. He noted the importance of training

for police officers. He reminded Council about the DA's recent charges against a Reading officer and suggested that training may prevent similar situations in the future. He stated that on duty officers should expect their actions to be video recorded and that officers should be held accountable for their actions.

There was no further public comment on the appointment resolutions.

A. Resolution 42-2016 – appointing Glenn Steckman as Managing Director ***Tabled at the May 9 regular meeting***

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 42-2016.

Councilors Slifko stated that the City is fortunate to find a qualified candidate with Mr. Steckman's credentials to fill this role. He noted that Council needs to consider the qualifications of candidates nominated. He stated that while working for Easton, Mr. Steckman handled issues that we are experiencing here in Reading.

Councilor Goodman-Hinnershitz agreed that Reading is fortunate to attract a candidate of this caliber. She noted the import role Council has in appointing executive management.

Council Reed agreed that the candidate is qualified; however, she expressed disappointment that a proper executive search was not conducted. She noted the importance of a proper vetting process. She stated that she will support the appointment of this candidate.

The mayor stated that he checked Mr. Steckman's references. He expressed his belief in the skill and qualification of Mr. Steckman. He assured that everyone that Mr. Steckman will work openly with everyone and he encouraged Council to work on issues directly with Mr. Steckman.

Council President Waltman expressed the belief that Mr. Steckman will play a pivotal role in helping Reading exit Act 47.

Resolution No. 42-2016 was adopted by the following vote:

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman
President - 7
Nays: None - 0**

B. Resolution 44-2016 – appointing Andres Dominguez, Jr. as Chief of Police

Councilor Marmarou moved, seconded by Councilor Slifko, to adopt Resolution No. 44-

2016.

Councilor Reed stated that Mr. Dominguez is a Reading native and he brings an experience level that is well suited for the position.

Councilor Goodman-Hinnershitz stated that Mr. Dominguez's skills are critical to the leadership needed to protect Reading's citizens.

Councilor Slifko expressed the belief that with these two (2) appointments, the administration is off to a good start.

The mayor welcomed Mr. Dominguez back to Reading. He noted that Mr. Dominguez stated during his interview that he wants to return home to make a difference. He expressed the belief that Mr. Dominguez will lead in a colorblind manner and that he will do well at engaging the community.

Council President Waltman agreed with all the comments made.

Resolution No. 44-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman

President - 7

Nays: None - 0

Council President Waltman announced that Councilor Marmarou needs to be excused from the rest of the meeting due to a conflicting obligation.

PROCLAMATIONS AND PRESENTATIONS

- Recognizing Historic Preservation Week
- Presentation of Preservation Awards by HARB
 - 730 Centre Ave., Inn at Centre Park. – Painting of exterior surfaces, roof replacement, copper gutter replacement.
 - 812 N. 4th St. – Painting of exterior surfaces.
 - 727-729 N. 5th St. – Painting of exterior surfaces and the restoration of wood balustrades.
 - 623 N. 4th St. – Roof replacement.
 - 1624 N. 15th St. – Roof replacement and overall maintenance of the property.
- Celebrating the 125th Anniversary of St. Joseph's Roman Catholic Church
- Recognizing Lupus Awareness Month, accepted by Annette Boynes from the Flowers for Lupus Foundation

PUBLIC COMMENT

Council President Waltman stated that there are sixteen (16) citizens registered to address

Council on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule was suspended.

Council President Waltman reminded those registered to speak about the public speaking rules read earlier in the meeting.

Adanjesus Marin, of Washington St., stated that he represents Make the Road PA and he submitted 1200 postcards signed by residents who support the Municipal ID program. The program would provide municipal IDs for residents who cannot obtain the legal forms of identification required to attend to general life issues such as opening bank accounts, obtaining prescription meds, picking up children from school, etc. He expressed the belief that the adoption of this program would show that Reading welcomes all citizens. He asked Council to adopt the program like 30 other cities across the nation.

David Kozak, of South 5th Street, stated that he moved to Reading when he was reassigned to a local parish. He expressed the belief that having a Municipal ID will provide citizens with human dignity. He expressed the belief that there are currently two (2) classes of citizens in Reading and the cards will unite those classes.

Bernardo Carbajal, of North 5th Street, expressed his belief in the Municipal IDs as the program will recognize and support all in the community. He noted that the lack of an ID jeopardizes a citizens access to basic services.

Marvin Hernandez, of North 3rd Street, stated that he supports the Municipal ID program as it would provide all citizens with the ability to have some form of identification. He asked Council to support the program.

Patricia Uribe, of Franklin Street, expressed hope that the community of faith and all citizens will support the Municipal ID program proposed.

Jose Ortiz, of Schuylkill Avenue, stated that he moved to the United States from Puerto Rico and he relayed what he learned during a drive to Mexico City. He stated that he supports the proposed Municipal ID program.

Mary Ellen Davidson, of Mulberry Street, was not present.

Rafael Nunez, of Reading, stated that he has been teaching for 13 years. He stated that the lack of acceptable ID prevents students from taking the GED test.

Adela Rodriguez, of Penn Street, expressed the belief that the people of Reading makeup

Reading's garment. She stated that having a Municipal ID will alleviate struggles for those without access to IDs.

Ernesto Lujan, of Washington Street, stated that he supports the Municipal ID program as it will provide basic life needs for citizens currently without access to IDs.

Luis Vera, of Gordon Street, asked Council to adopt the proposed Municipal ID program that will provide basic services to citizens as it does in the other 30 cities across the nation that have adopted the program.

Abraham Cepeda, of North 8th Street, stated that he supports the proposed Municipal ID program as it provides access to those who cannot currently obtain an ID. He described the need for identification in everyday life and relayed a personal story when he left his ID behind.

Chuck Broad, Executive Director of DID, distributed the 2015 DID Report. He stated that DID was reauthorized in late 2015 for another five (5) year period without an increase in the assessment rate. He noted that the assessment rate has not increased since 2005 and he described how DID works to cut costs and operate within their budget. He stated that the reauthorization of DID allowed DID to enter into a five (5) year contract for ambassador services to keep the downtown vital and attractive. He described the economic improvements in the downtown area over the past few years and he predicted that improvements will continue moving forward. Mr. Broad's comments were also relayed in Spanish by his Administrative Assistant.

Chris DiAnna, of Bingaman Street, distributed information pertaining to the development of a Dollar Store at 6th and Bingaman over the past four (4) months. He described the negative impact this new store will have on the area. He stated that the sidewalk installed in the alleyway will create problems for those who access their businesses from the alleyway. He stated that approximately 26 parking spaces will be lost due to the proposed truck docking area. He stated that the developer has refused to make the requested changes even though the changes would lower the cost of the project.

Luis Castillo, of Bingaman Street, described the problems that will be created if the proposed sidewalk is placed in the alleyway in the 6th and Bingaman neighborhood. He stated that the changes will harm his ability to move merchandise into his business which will create an economic hardship for him.

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading and the minutes from the

May 9th Regular Meeting of Council. He noted the need to add the following pieces of legislation:

- Resolution appointing an ex officio member to the Stadium Commission
- Resolution notifying RAWA of the intent to dissolve the authority
- Resolution in support of pension reform
- Ordinance dissolving RAWA
- Ordinance creating the Reading Regional Water Authority

No member of Council objected to the additions to the agenda.

Councilor Daubert moved, seconded by Councilor Reed, to approve the minutes from the May 9th Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution No. 43-2016 – appointing William Farmer as a firefighter/EMT for the Fire Department

B. Resolution No. 45 - 2016 - authorizing the mayor to execute an agreement to transfer the City's former Micro-Loan Program to the Community First Fund.

ADMINISTRATIVE REPORT

The mayor stated that he looks forward to working with both the managing director and police chief.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting, in summary:

- 2016 Admissions Tax/Fee
- 2012-16 Transfer Tax

REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

None.

ORDINANCES FOR FINAL PASSAGE

A. Ordinance 17-2016 – authorizing Berks EIT, as the City's tax collector, to engage one or more third-party collection agencies to pursue and collect delinquent Tax and apply a fee for the use of a third-party collection agency provided that the fee does not exceed twenty-five percent (25%) of the amount of Tax collected from any such Taxpayer ***Introduced at the April 25 regular meeting***

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slifko, to table Bill No.

17-2016.

Bill No. 17-2016 was tabled by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman President - 6

Nays: None - 0

B. Bill No. 19-2016 – setting the salary of the Managing Director at \$105,000 *Introduced at the May 9 regular meeting*

Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 19-2016.

Bill No. 19-2016 was enacted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman President - 6

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

Councilor Goodman-Hinnershitz read the following ordinance into the record:

A. Ordinance – setting the salary of the Police Chief at \$105,000

B. Ordinance – amending the 2016 Position Ordinance and the 2016 Annual Operating Budget to add the position of Deputy Chief under Police Administration and setting the salary for the Deputy Chief at the amount received by a Captain

C. Ordinance – dissolving RAWA

D. Ordinance – creating the Reading Regional Water Authority

RESOLUTIONS

C. Resolution 46-2016 – reappointing Valerie Phelps-Robinson to the Human Relations Commission

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slifko, to adopt Resolution No. 46-2016.

Resolution No. 46-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman President -

6

Nays: None - 0

D. Resolution 47-2016 – requesting the legislators of the Commonwealth of Pennsylvania to take all actions required to enact HB 414 (PN 2545) which provides responsible pension reform

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slifko, to adopt Resolution No. 47-2016.

Councilor Slifko provided background on the need for pension reform. He explained that the initial reform is focused on police and fire pensions. Under the reform new hires would be placed into a defined contribution plan, rather than the current defined benefit plan. He explained the costs that municipalities are exposed to under the defined benefit plan and that currently this cost is equal to 17% of the City's budget.

Councilor Daubert explained that the cost of the program is in no way the fault of the current employees or retirees.

Council President Waltman thanked Councilor Slifko for all the work he did on this issue.

Resolution No. 47-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman President -
6

Nays: None - 0

E. Resolution 48-2016 – notifying RAWA of the City's intent to dissolve the Authority

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 48-2016.

Resolution No. 48-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman President -
6

Nays: None - 0

F. Resolution 49-2016 – appointing Stratton Marmarou as the ex officio member of the Stadium Commission

Councilor Daubert moved, seconded by Councilor Twyman, to adopt Resolution No. 49-2016.

Councilor Slifko explained that an ad hoc member has no vote and attends meetings for informational purposes.

Resolution No. 49-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Slifko, Twyman, Waltman President - 6

Nays: None - 0

COUNCIL COMMENT

Councilor Daubert thanked the District 1 citizens for addressing their concerns about the proposed sidewalk in the alleyway in the 6th and Bingaman area. He expressed hope that the developer will provide a reasonable compromise.

Councilor Goodman-Hinnershitz stated that Reading has many icons; however, the East Reading Pool is an icon that can no longer support itself. She noted the need to consider the reuse of this pool property.

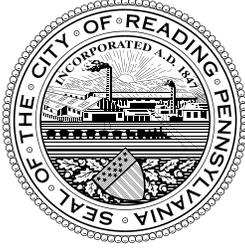
Councilor Slifko stated that he looks forward to further consideration of the Municipal ID program.

Councilor Twyman thanked those attending the meeting tonight. He noted the importance of public participation in government.

Council President Waltman reviewed the upcoming Council meeting schedule.

Councilor Daubert moved, seconded by Councilor Slifko, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk



AGENDA MEMO

COMMUNITY DEVELOPMENT DEPARTMENT

TO: CITY COUNCIL
FROM: ALEX PALACIOS, ACTING DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT
MEETING DATE: June 13, 2016
AGENDA MEMO DATE: April 28, 2016
REQUESTED ACTION: TO APPROVE AN AMENDMENT TO THE PY2014,
PY2015 and PY2016 CDBG ACTION PLANS

The Community Development Department is asking City Council to pass the resolution at the **June 13, 2016** City Council meeting.

BACKGROUND:

The Capital Improvements Program lists the Purchase of a Fire Ladder Vehicle as one of its expenses. Since there is not enough of 2016 CIP funding available to purchase the Ladder outright the City needs to ask the manufacturer for financing. Instead of financing the purchase the administration is proposing to use unprogrammed CDBG funds instead of CIP funds for the purchase. CDBG will pay for 90% of the Ladder costs upfront (and the remaining 10% upon delivery) thereby permitting the City to purchase the Ladder at a lower price without requiring manufacturer financing.

Various consultants have advised the City to consider using CDBG funds instead general fund monies whenever possible if the CDBG funds can be spent expeditiously and the project is CDBG eligible/fundable.

On November 1, 2016 HUD CPD will conduct an annual CDBG Timeliness Test. The City is permitted to have no more than \$3,639,891 in CDBG funds available or HUD may recapture CDBG funds.

Because of the pending CDBG Timeliness Test, the following PY2014 and PY2015 CDBG activities will be cancelled/closed because they did not drawdown funds in a timely manner and/or they are no longer viable:

PY2014 Emergency Demolition Urgent Needs
PY2014 Micro-Enterprise Loan Program
PY2014 and PY2015 Schlegel Pool Improvements
PY2015 Commercial Building Improvements

PY2015 Rehabilitation Historic Preservation
PY2015 Special Economic Development Activity Grant Program

The Community Development Department has determined that there is \$1,100,000 of unprogrammed CDBG funds available.

The Controller will present a subsequent request to Council asking them to approve revising the CIP to replace the Purchase of a Fire Ladder Vehicle with the City Hall ADA Upgrades Project.

BUDGETARY IMPACT: None.

PREVIOUS ACTION: None.

SUBSEQUENT ACTION: None.

RECOMMENDED BY: The Acting Community Development Department Director, the Fire Chief, the Public Works Department Director, the Acting Managing Director and the Mayor.

RECOMMENDED MOTION: To approve/deny a Council Resolution authorizing the Mayor to execute a PY2014, PY2015 and PY2016 CDBG Action Plan Amendment to program \$1,100,000 in unprogrammed CDBG funds for the Fire Protection Equipment Activity (the purchase of a ladder vehicle). The Ladder will be housed at the 3rd and Court Station. The activity's eligibility / fundability is fire protection equipment 24CFR570.207 (b) (1) (ii) and public facilities and improvements 24CFR570.201(c) / low mod area 24CFR570.208 (a) (1). The activity's service area for a primary response are Census Tracts 1 (Block Group 5) , 9, 10, 11, 11, 12, 13, 25, 26, 27, 29, which contains 72.4% low and moderate income level persons. The activity's service area for a 1st and 2nd Alarm is Citywide which contains 72.7% low and moderate income level persons.

The following CDBG activities will be cancelled/closed:

PY2014 Emergency Demolition Urgent Needs
PY2014 Micro-Enterprise Loan Program
PY2014 and PY2015 Schlegel Pool Improvements
PY2015 Commercial Building Improvements
PY2015 Rehabilitation Historic Preservation
PY2015 Special Economic Development Activity Grant Program

Attachment

Cc: Mayor Wally Scott
Charles Younger
Chief William Stoudt
Ralph Johnson
Don Pottiger
Neil Nemeth

Drafted by CD Dept
Sponsored by/Referred by CD Dept
Introduced on June 13, 2015
Advertised on N/A

RESOLUTION NO. _____2016

RESOLUTION OF THE COUNCIL OF THE CITY OF READING
AUTHORIZING THE MAYOR TO EXECUTE A
PY2014, PY2015, PY2016 CDBG ACTION PLAN AMENDMENT

WHEREAS, under 24 CFR Part 91, the U.S. Department of Housing and Urban Development (HUD) outlines the consolidated submissions for community planning and development programs which will serve as: (1) a planning document for the City that builds on a participatory process at the grass roots level, (2) an application for federal funds under HUD's formula grant program, (3) a strategy to be followed in carrying out HUD programs, and (4) an Action Plan that provides a basis for assessing performance;

WHEREAS, the PY2014, PY2015, and PY2016 CDBG Action Plans have been prepared meeting HUD's requirements and providing guidance for addressing the housing and community development needs of the City;

WHEREAS, the Department of Fire and Rescue Services would like to utilize CDBG funds to purchase fire protection equipment (Ladder Vehicle);

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The Mayor is authorized to execute a PY2014, PY2015 and PY2016 CDBG Action Plan Amendment to program \$1,100,000 in unprogrammed CDBG funds for the Fire Protection Equipment Activity (the purchase of a Ladder Vehicle). The Ladder would be housed at the 3rd and Court Station. The activity's eligibility / fundability is fire protection equipment 24CFR570.207 (b) (1) (ii) and public facilities and improvements 24CFR570.201(c) / low mod area 24CFR570.208 (a) (1). The activity's service area for a primary response are Census Tracts 1 (Block Group 5), 9, 10, 11, 11, 12, 13, 25, 26, 27, 29, which contain 72.4% low and moderate income level persons. The activity's service area for a 1st and 2nd Alarm is Citywide which contains 72.7% low and moderate income level persons.

The following CDBG activities will be cancelled/closed:
PY2014 Emergency Demolition Urgent Needs
PY2014 Micro-Enterprise Loan Program
PY2014 and PY2015 Schlegel Pool Improvements

PY2015 Commercial Building Improvements
PY2015 Rehabilitation Historic Preservation
PY2015 Special Economic Development Activity Grant Program

ADOPTED BY COUNCIL _____, 2016

PRESIDENT OF COUNCIL

ATTEST:

CITY CLERK

Drafted by City Clerk/TCC
Sponsored by/Referred by Council
Introduced on April 25, 2016
Advertised on May 2, 2016

CITY OF READING
BILL NO. ____ 2016

AN ORDINANCE AUTHORIZING COLLECTION AGENCY FEES

The City of Reading City Council hereby ordains under authority of the Local Tax Enabling Act, the Municipal Claims and Tax Lien Act, and other applicable law, as follows:

Section 1. Definitions. The following terms shall have the meanings set forth herein:

- a. Collector. The Berks County Earned Income Tax Collection Bureau.
- b. Enactment. This of this Ordinance.
- c. Governing Body. The City of Reading City Council.
- d. Tax. All local earned income taxes, other taxes, penalties, interest, and costs that the Collector collects on behalf of the Taxing Authority under the Local Tax Enabling Act, 53 P.S. § 6924.101, *et seq.*, or other statutory law.
- e. Taxpayer. An employer or taxpayer that is liable for Tax.
- f. Taxing Authority. City of Reading.

Section 2. Authorization. The Taxing Authority acknowledges the Collector may engage one or more third-party collection agencies to pursue and collect delinquent Tax in situations where the amount of delinquent Tax owed is relatively small and it is therefore cost-prohibitive for the Collector to dedicate the upfront resources necessary to pursue such delinquent Tax. The Taxing Authority hereby approves of the imposition on and collection of a fee from any delinquent Taxpayer by any third-party collection agency engaged by the Collector, provided such fee does not exceed twenty-five percent (25%) of the amount of Tax collected from any such Taxpayer.

Section 3. Notice. Promptly after adoption of this Enactment, the Taxing Authority will provide a copy of the Enactment to the Collector. If the Taxing Authority later rescinds, limits, or changes the scope of, the authorization set forth in this Enactment, then the Taxing Authority will immediately notify the Collector.

Section 4. Severability. The provisions of this Enactment are severable and if any of its provisions are ruled invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect or impair any of the remaining provisions of this Enactment. It is declared to be the intention of the Governing Body that this Enactment would have been adopted if such invalid or unconstitutional provision had not been included.

Section 5. Enactment. This Enactment is adopted and enacted _____, 2016.

ATTEST:

City of Reading City Council

City Clerk

By: _____
President of Council

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Drafted by Managing Director's Office
Sponsored by/Referred by Mayor
Introduced on May 23, 2016
Advertised on N/A

BILL NO. _____
AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING SETTING FORTH THE SALARY OF THE CHIEF OF POLICE.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The salary of the Chief of Police, Andres Dominguez, Jr., shall be ONE HUNDRED FIVE THOUSAND DOLLARS (\$105,000.00) per annum, payable in equal bi-monthly installments, or as otherwise provided for by ordinance.

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted by Council _____, 2016

President of Council

Attest:

City Clerk

Sent to Mayor _____

Date: _____

Signed by Mayor _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Over-ridden by Council:

Date: _____

Drafted by Administration
Sponsored by/Referred by Administration
Introduced on May 23, 2016
Advertised on May 31, 2016

BILL NO. _____
AN ORDINANCE

AN ORDINANCE AMENDING THE 2016 FISCAL YEAR EMPLOYEE POSITION ORDINANCE AS SET FORTH IN THE 2016 ANNUAL OPERATING BUDGET.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The 2016 Fiscal Year Employee Position Ordinance and 2016 Annual Operating Budget shall be and are hereby amended to include the position of Deputy Chief under Police Administration. The salary for said Deputy Chief shall be equal to the amount received by a Captain of the department.

SECTION 2. Any other ordinance, or part thereof, of the City of Reading, Berks County, Pennsylvania, which is contrary to the amended ordinance is hereby repealed.

SECTION 3. This ordinance shall be effective immediately after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2016

President of Council
Attest:

City Clerk

Submitted to Mayor by: _____
Date Submitted: _____
Received in Mayor's Office by: _____
Date Received: _____
Approved by Mayor: _____
Date Approved: _____
Vetoed by Mayor: _____
Date Vetoed: _____

Drafted by City Clerk
Sponsored by/Referred by City Council
Introduced on May 23, 2016
Advertised on

BILL NO. _____ - 2016
AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, NOTIFYING THE READING AREA WATER AUTHORITY (THE "AUTHORITY") OF THE TERMINATION OF THE LEASE AND OPERATING AGREEMENT **AS PER THE DELIVERY OF RESOLUTION NO. 48-2016 TO THE AUTHORITY ON MAY 24, 2016**; DISSOLVING THE AUTHORITY, REQUIRING THE AUTHORITY TO CONVEY THE WATER SYSTEM AND ALL PROPERTY OF THE AUTHORITY TO THE CITY OF READING UNDER PROVISIONS OF THE ACT OF ASSEMBLY APPROVED JUNE 19, 2001, P.L. 22, AS AMENDED AND SUPPLEMENTED, KNOWN AS THE MUNICIPALITY AUTHORITIES ACT; ESTABLISHING A DEADLINE BY WHICH THE READING AREA WATER AUTHORITY SHALL CONVEY BY APPROPRIATE INSTRUMENT THE WATER SYSTEM AND ALL PROPERTY OF SAID AUTHORITY TO THE CITY OF READING; IMPOSING NECESSARY PENALTIES UPON THE MEMBERS OF THE BOARD OF SUCH AUTHORITY IF THE WATER SYSTEM AND ALL PROPERTY OF SAID AUTHORITY ARE NOT CONVEYED BY SAID DEADLINE; NOTIFYING THE AUTHORITY AND ANY OTHER PARTY TO IMMEDIATELY CEASE AND DESIST FROM ALL ACTIONS AND ACTIVITIES THAT COULD DECREASE THE VALUE OF THE WATER SYSTEM OR OTHERWISE INTERFERE WITH OR DELAY THE CONVEYANCE OF THE WATER SYSTEM TO THE CITY OF READING OR THE TERMINATION OF THE LEASE AND OPERATING AGREEMENT; AUTHORIZING ALL OTHER NECESSARY ACTION; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES.

WHEREAS, the Reading Area Water Authority (the "Authority"), was incorporated pursuant to an ordinance of the City Council of the City of Reading (the "City Council") under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, then known as the "Municipality Authorities Act of 1945" and as amended by the Act of Assembly approved June 19, 2001, P.L. 22, as further amended and supplemented, and now known as the "Municipality Authorities Act"; and

WHEREAS, the Authority entered into a Lease and Operating Agreement, dated May 20, 1994, as amended and supplemented (the "Water Lease") with the City of Reading (the "City") for the Water System as defined in the Water Lease, including the waterworks, water supply works and water transmission and distribution system facilities and storage facilities and properties previously built or acquired by the City together with all appurtenant facilities and properties which the City had acquired or which the City or the

Authority thereafter acquired in connection with said water system, including all property, real, personal and mixed, rights, powers, licenses, easements, rights-of-way, privileges, franchises and other property or interest in property of whatsoever nature used or useful in connection with such facilities, together with all additions, extensions, alterations and improvements thereof or thereto which might have been made or acquired, from time to time, by the Authority or the City pursuant thereto;

WHEREAS, the Water System is a project of a character which the City has the power to establish, construct, acquire, operate or maintain as provided in the Third Class City

1

Code, 53 P.S. §§ 35101, *et seq.*, as amended and supplemented, and in the Optional Third Class City Charter Law, 53 P.S. § 41101, *et seq.*, as amended; and

WHEREAS, the City Council has determined to terminate the Water Lease, acquire the Water System, dissolve the Authority, and to assume or pay off the outstanding obligations of the Authority with respect to the Water System (the "Authority Obligations") pursuant to the provisions of Section 5622 of the Municipality Authorities Act, 53 Pa C.S. §5622.

NOW THEREFORE, BE IT DULY ENACTED AND ORDAINED, by the City Council of this City, as follows:

Section 1. As provided in the Water Lease, City Council on behalf of the City, hereby notifies, directs and orders that the Water Lease be terminated on December 30, 2016, ***which is more than 180 days from the delivery of Resolution No. 48-2016.*** ~~as of November 30, 2016. This Ordinance shall constitute ***Resolution No. 48-2016 conveyed*** written notice to the Authority of the City's intent and desire to terminate the Water Lease as of November 30, 2016.~~ The City Solicitor or City Clerk is hereby authorized and directed to immediately serve a copy of this Ordinance on the Authority notifying the Authority of the termination of the Water Lease ***and the dissolution of the Authority.***

Section 2. The City Council on behalf of the City hereby requests the written resignation of each member of the Board of the Authority.

Section 3. The City Council of the City of Reading hereby directs and orders that the Reading Area Water Authority be dissolved and that the Water Lease be terminated as stated above.

Section 4. (a) In addition to terminating the Water Lease as provided in Section 1 above, the City Council on behalf of City hereby determines to acquire the Water System, including all money, funds and property, real, personal and mixed

and all contracts related thereto of the Authority, and all right, title and interest of the Authority thereto, pursuant to the right and power vested in the City by Section 5622 of Municipality Authorities Act to acquire the Water System; subject, however, to the provisions of subsection (b) of this Section, and the members of the Board of the Authority being appointed by City Council, the City being the only member municipality of the Authority, and the Water System being a project of the Authority, of a character which the City has, or will at the appropriate time, as further provided in subsection (b) of this Section, have the power to establish, maintain or operate, as appropriate, as contemplated by Section 5622 of the Municipality Authorities Act.

(b) The action taken by the City, pursuant to subsection (a) of this Section, is subject to the condition that this City shall enter into an agreement with a "municipality authority" governed under the Municipality Authorities Act of the Commonwealth ("New Authority"), under and pursuant to which water service provided to properties located outside of the boundaries of the City of Reading (the "Outside Water Services") will be provided by such New Authority, upon such terms and conditions that such Outside Water Services shall not be deemed or construed as being provided under provisions of Section 1301 or Section 1501 of the Public Utility Code of Pennsylvania, 66 Pa C.S. § 101 *et seq.*; and the transfer, ~~by sale or lease~~ of the Water System to the New Authority necessary to provide such Outside Water Services, pursuant to a written agreement (the "Agreement for Outside Water Services"), is hereby authorized and approved, which Agreement for Outside Water Services shall contain terms and conditions satisfactory to City Council and the Board of the New Authority.

(c) The action taken under and pursuant to Section 4, shall take effect upon the execution and delivery of the Agreement for Outside Water Services by the New Authority and by the City of Reading.

Section 5. To effectuate the City's right to own, operate, and maintain the Water System for its residents, the City Council of this City hereby commands and orders the Authority through its Board, to convey the Water System and all property of the Authority to this City pursuant to Section 5622 of the Municipality Authorities Act by written instrument(s) in form and substance acceptable to the City on or before ~~November 30~~ **December 31**, 2016 (the "Deadline").

Section 6. Pursuant to Section 5622 of the Municipality Authorities Act, City Council hereby authorizes and approves the assumption or payment by this City on or before the effective date of the conveyance of the Water System, of all outstanding obligations incurred and owing by the Authority with respect to the Water System (the "Authority Obligations"). The City Council of this City hereby commands and orders the Authority through its Board, to cooperate fully with the City and the City's officials, attorneys and agents to enable the City to effectuate the orderly assumption or payment by the City of the Authority Obligations on or before the Deadline. It is hereby declared that it is necessary for the health, safety and welfare of the citizens of the City to (i) have the City assume or pay the Authority Obligations; and (ii) have the Authority convey the Water System and all property of the Authority to the City on or before the Deadline;

Section 7. The Authority or any other party shall not take any action upon, undertake or prosecute or expend any funds (i) related to any project or projects (other than those projects which have been approved in writing by City Council) including, but not limited to, the incurrence by the Authority of any obligations or indebtedness for any purpose, or the expansion, encumbrance, transfer or other disposition of any portion of the Water System or any property of the Authority; (ii) on or in connection with ordering or obtaining any valuation, study or report of or in connection with the Water System; or (iii) which could have the effect of decreasing the value of the Water System.

Section 8. The Authority or any other party is ~~are~~ hereby expressly prohibited from taking any action or expending any funds, for the purpose of challenging the right of the City to take the actions set forth in this Ordinance or which would have the effect of directly or indirectly, delaying, hindering, impeding or otherwise adversely affecting the City's ability to terminate the Water Lease, acquire the Water System or take any other action contemplated by this Ordinance. Violation of this provision shall constitute cause for removal of members of the Board of the Authority under Section 5610(d) of the Municipality Authorities Act, 53 Pa C.S. §5610(d) and grounds for surcharge.

Section 9. The Mayor of the City of Reading and members of the Executive Branch are expressly prohibited from taking action or expending any funds, directly or indirectly, for the purpose of challenging the right of City Council or the City to take the

actions set forth in this Ordinance or which would have the effect of directly or indirectly, delaying, hindering, impeding or otherwise adversely affecting the City's ability to terminate the Water Lease, acquire the Water System or take any other action contemplated by this Ordinance.

Section 10. Any person who violates any of the provisions of this Ordinance shall be subject to a fine not to exceed Six Hundred Dollars (\$600.00) in a civil enforcement proceeding before a District Justice commenced by the City and having been found liable shall pay the fee plus all costs, including reasonable attorneys' fees incurred by the City. Each day that a violation is permitted to exist by the person shall constitute a separate offense.

Section 11. The Authority shall promptly execute and deliver any necessary agreements or documents as the City may request in order to effectively operate and set user rates for the Water System located outside the boundaries of the City as described in sections 4 and 5 above.

Section 12. All existing agreements between the City and the Authority shall be terminated and shall be null and void and no longer of any force or effect upon the effective date of the conveyance of the Systems to the City.

Section 13. All ordinances and resolutions or parts thereof, insofar as the same are inconsistent herewith, are repealed hereby.

Section 14. If a sentence, clause, section or part of this Ordinance is found to be unconstitutional, illegal or invalid, for any reason, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses sections or parts of this Ordinance. It is hereby declared to be the legislative intent of the City Council that this Ordinance would have been enacted had such provisions not been included.

Section 15. This Ordinance shall become effective ten (10) days after adoption pursuant to City of Reading Home Rule Charter Article II Section 219.

ENACTED and ORDAINED by the City of Reading City Council, Berks County, this ___ day of _____, 2016.

President of Council

Attest:

City Clerk

Sent to Mayor _____

Date: _____

Signed by Mayor _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Over-ridden by Council:

Date: _____

Drafted by City Clerk
Sponsored by/Referred by City Council
Introduced on May 23, 2016
Advertised on

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. ____ 2016
(Duly Enacted _____ 2016)**

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION OF CITY COUNCIL TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “READING REGIONAL WATER AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY AND FIXING THEIR TERM OF OFFICE; DESIGNATING THE PURPOSES FOR SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY, INCLUDING THE PUBLICATION OF REQUIRED PUBLIC NOTICE; AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL, AND EFFECTIVE DATE.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the “City”), is empowered to establish, organize, and incorporate an authority pursuant to §5603 of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”); and

WHEREAS, in preparation for the passage of this Ordinance, a public hearing was held by the City Council of the City pursuant to notice duly advertised as required by the Municipality Authorities Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same, as follows:

INTENT. It is the intent of the City Council of the City to organize an authority under provisions of the Municipality Authorities Act.

NAME OF AUTHORITY. The name of the authority shall be the “Reading Regional Water Authority”.

ARTICLES OF INCORPORATION. The proposed Articles of Incorporation of said Reading Regional Water Authority are as follows:

READING REGIONAL WATER AUTHORITY

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth of Pennsylvania.

In compliance with requirements of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”), and pursuant to the ordinance enacted by the City Council of the City of Reading, Berks County, Pennsylvania, expressing the intention and desire of the City Council of said municipality to organize a municipality authority under said Municipality Authorities Act, the incorporating municipality does hereby certify:

The name of the Authority is “Reading Regional Water Authority”.

The Authority is formed under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented, with all powers authorized by said Municipality Authorities Act.

No other authorities have been organized under said Municipality Authorities Act, under the former Act of June 28, 1935 (P.L. 463, No. 191), or under the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, and is in existence in or for the incorporating municipality, except that the incorporating municipality has heretofore organized (i) the Reading Area Water Authority, (ii) the Reading Regional Airport Authority, (iii) the City of Reading Revitalization and Improvement Zone Authority, (iv) the Reading Downtown Improvement District Authority, and (v) the Berks Area Reading Transportation Authority, as a joint incorporating municipality, each under the provisions of the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, which authorities are in existence in or for said incorporating municipality.

The name of the incorporating municipality is the City of Reading, Berks County, Pennsylvania.

The names and addresses of the members of the City Council of the City of Reading, the incorporating municipality, are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Jeffrey Waltman	723 N 4 th St Street Reading, PA 19601
Vice President	Donna Reed	1525 Argonne Rd Reading, PA 19601
Council Member	Chris Daubert	1135 Gregg Avenue Reading, PA 19607
Council Member	Stratton P. Marmarou	1515 Linden Street Reading, PA 19604
Council Member	Marcia Goodman-Hinnershitz	564 S 15th Reading, PA 19601

Council Member

Brian Twyman

849 N 11th St
Reading, PA 19604

Council Member

John Slifko

919 N 3rd St
Reading, PA 19601

The new Authority Board of shall exist of a total of seven (7) members: two (2) members appointed for a one (1) year term and the remaining members for a two (2), three (3), four (4) and five (5) year term.

The terms of office of the first members of the Board of said Reading Regional Water Authority shall commence on the date of appointment and shall be computed from the first Monday in January of 2017.

The term of existence of the Reading Regional Water Authority shall be for a period of fifty (50) years.

Advertisement of notice of filing these Articles of Incorporation is submitted herewith.

IN WITNESS WHEREOF, the undersigned has executed these Articles on behalf of the City of Reading, Berks County, Pennsylvania, and has caused to be affixed the seal and attested this _____day of _____2016.

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

By: _____
Wally Scott, Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

COMMONWEALTH OF PENNSYLVANIA :
 : SS.
COUNTY OF BERKS :

On this ____ day of _____, 2014, before me a Notary Public in and for said Commonwealth, personally appeared the above named Vaughn Spencer and Linda A. Kelleher, who stated that their official positions in the City of Reading are, respectively, the Mayor and City Clerk of the City of Reading, and who, in due form of law, acknowledged the foregoing Articles of Incorporation to be the act and deed of said City of Reading for the purposes therein specified.

Notary Public

NOTARIAL SEAL

My Commission Expires: _____

MEMBERS. The first members of the Board of said Reading Regional Water Authority, named in the aforesaid Articles of Incorporation, are hereby specifically appointed members of said Board for the terms set after their respective names, commencing on the date of appointment and computed from the first Monday in January, 2015.

AUTHORITY TO EFFECT THE INCORPORATION OF THE AUTHORITY. The Mayor of the City is hereby authorized and directed to execute the Articles of Incorporation of the proposed Reading Regional Water Authority in substantially the form set forth in this Ordinance, and the City Clerk of the City is hereby authorized and directed to attest the same and to affix thereto the seal of the City. Such officers are authorized and directed to execute and deliver such other documents, agreements, certificates and instruments, and to do all acts necessary or appropriate to effect the incorporation of the proposed Reading Regional Water Authority, including, but not limited to, to cause notice of the substance of this Ordinance, including the substance of the foregoing Articles of Incorporation, and the proposed filing of such Articles of Incorporation, to be published as required by the Municipality Authorities Act.

The Mayor of the City and the City Clerk of the City are authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to effect the incorporation of the Reading Regional Water Authority, including payment of the required filing fees.

PURPOSES AND PROJECTS AUTHORIZED. The Reading Regional Water Authority shall have all the purposes, powers, and rights, as provided by the Municipality Authorities Act; provided, however, that the Authority shall be prohibited, without prior approval of City Council, from (a) undertaking any project which is not related to waterworks, water supply works or water distribution systems and (b) undertaking any project, whether or not related the waterworks, water supply works or water distribution systems, which involves the incurrence of any long term debt.

SEVERABILITY. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this City that such remainder shall be and shall remain in full force and effect.

REPEALER. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.

EFFECTIVE DATE. This Ordinance shall take effect upon its advertisement and enactment as required

by law.

DULY ENACTED, THIS ____ DAY OF _____, 2016, BY THE
COUNCIL OF CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL
SESSION DULY ASSEMBLED.

Attest:

CITY OF READING
Berks County, Pennsylvania

By: _____
Linda A. Kelleher CMC, City Clerk
(SEAL)

Jeffrey Waltman, President of Council

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

Drafted by Deputy City Clerk
Sponsored by/Referred by Council Nominations and Appointments Committee
Introduced on N/A
Advertised on N/A

RESOLUTION NO. _____

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That Chris Kern is appointed to the Environmental Advisory Council with a term ending June 13, 2019.

Adopted by Council _____, 2016

President of Council

Attest:

Linda A. Kelleher
City Clerk