

July 15, 2024

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VIA EMAIL: linda.kelleher@readingpa.gov
AND FIRST CLASS MAIL

Linda A. Kelleher, CMC, City Clerk
City of Reading
815 Washington Street
Reading, PA 19601

**RE: In Re: Charter § 1002(a)
Advisory Opinion No. 55**

Dear Ms. Kelleher:

The Charter Board voted to approve Advisory Opinion No. 55 today. A copy of Advisory Opinion No. 55 is enclosed.

I am requesting on behalf of the Board that the Advisory Opinion be circulated among City Council members and posted on the City's website as is customary. Thank you for your assistance.

Very truly yours,



Eric B. Smith

Solicitor, City of Reading Charter Board

Of Counsel
Bernard F. Siergiej
Roman J. Koropecy⁵

EBS/plp
Enclosure

cc w/enclosure (via email):
City of Reading Charter Board

¹ Member DC Bar
² Member NJ Bar
³ Member MD Bar
⁴ LLM Taxation
⁵ RJK, Ltd.

IN RE: Appointments to subcommittees of : Request Received May 17, 2024
Environmental Advisory Board :
: :
: Advisory Opinion No. 55

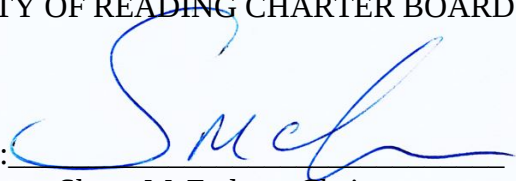
Commission now over fifteen years ago in its Advisory Opinion No. 14, *Application of Charter Art. X to Reading Local Redevelopment Authority* (March 3, 2009).

The City created the EAC in April 2007, by Ordinance 27-2008, *amended* by Bill 67, September 13, 2010, to include a removal process. According to the City’s Administrative Code, § 23-1102(A), regarding membership to the EAC, it is to be composed of seven voting members, chosen to serve three-year staggered terms and appointed by City Council. This section also states that EAC members shall reflect the geographic, demographic, technical, and nontechnical backgrounds of the citizens of Reading. Section 23-1105 clearly demonstrates that the EAC is strictly advisory, meaning, that neither the EAC, nor any of its members are “delegated authority by City Council to execute or administer City business within clearly delineated channels of accountability.” *See* footnote 1, letter iv).

The Board need not go further, as, on the information available to the Board, the fourth criteria of an Article X Board and Commission is not met by the EAC or its authorizing ordinance. The Board notes that, perhaps other criteria are also not met.

III. OPINION OF THE BOARD

The Opinion of the Board is that a) the EAC is not an Article X Board and Commission and, therefore, b) a City resident who is also a City employee may be a member of a subcommittee of the EAC.

CITY OF READING CHARTER BOARD

By: _____
Shane McFarlane, Chair

Date: July 12, 2024