

# ***CITY COUNCIL***

## ***Meeting Agenda***

***REGULAR MEETING  
COUNCIL CHAMBERS***

***MONDAY, SEPT 24, 2012  
7:00P.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](http://www.ReadingPa.gov), under Info and Downloads/Meetings and Agenda.*

*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*

### **1. OPENING MATTERS**

#### **A. CALL TO ORDER**

**B. INVOCATION:** Rev. Carolyn Burdine, Total Christian Family Center

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

### **2. PROCLAMATIONS AND PRESENTATIONS**

- Council Commendation recognizing Compadres Network, accepted by Eddie Moran
- Council Commendation recognizing Latin Flair, accepted by Wanda Holdren
- Council Commendation recognizing Big John's Restaurant, accepted by John Ulrich

### **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. 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 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 September 10, 2012

**B. AGENDA:** Council Meeting of September 24, 2012

#### **5. Consent Agenda Legislation**

**A. Award of Contract** - to Brice Excavating LLC, 1896 Friedensburg Road, Reading, PA 19606, at a total submitted bid price of \$32,500.00 for the Schuylkill River Bike Trail Clearance Project (**Purchasing**)

**B. Award of Contract** - to Land Tech Enterprises, 3084B Bristol Road, Warrington, PA 18976, at a total submitted bid price of \$291,743.00 for various improvements to the 11<sup>th</sup> and Pike Playground (**Purchasing**)

#### **6. ADMINISTRATIVE REPORT**

#### **7. REPORT FROM OFFICE OF THE AUDITOR**

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

#### **9. ORDINANCES FOR FINAL PASSAGE**

**A. Ordinance 95-2012** – amending the Codified Ordinances Chapter 15, Part 8 Impoundment and Booting of Vehicles authorizing the immediate removal

of vehicles that have been booted after receiving a minimum of five unsettled parking tickets (**Parking Authority/Council Staff**) *Introduced at the Sept 10 regular meeting*

**B. Ordinance 96-2012-** authorizing the Mayor to execute the Memorandum of Understanding between the Reading Berks Association of Realtors and the City of Reading for the creation of the CORE Program within Reading (**Law**) *Introduced at the Sept 10 regular meeting*

**C. Ordinance 97-2012** – transferring funds from contingency account as follows: \$100,000 to the Reading Redevelopment Authority for blighted properties entering the CORE process and \$5,000 for Reading Beautification supporting the city-wide clean-ups. (**Council Staff & Business Analyst**) *Introduced at the Sept 10 regular meeting*

## **10. INTRODUCTION OF NEW ORDINANCES**

**A. Ordinance** - amending Chapter 1, Administration, of the Codified Ordinances of the City of Reading, the Capital Improvement Program and renumbering as required (**Council Staff/PFM**)

**B. Ordinance** - amending the 2012 City of Reading Self Insurance Fund budget by authorizing the transfer of funds from line items within the Self Insurance Fund Budget (**Human Resources**)

**C. Ordinance** – authorizing the transfer of funds collected during the recent Tax Amnesty to the Non-Departmental Contingency Account (**Business Analyst**)

**D. Ordinance** - authorizing the transfer of funds to the Human Relations Commission for Emergency Shelter Grants in 2012 (**Business Analyst**)

**E. Ordinance** - amending the 2012 General Fund Budget, reallocating funds from the Contingency Fund to Law Department Budget Codified Ordinance line items for Legal Services and/or Contracted Services (**Law**)

## **11. RESOLUTIONS**

**A. Resolution** – authorizing the Mayor to create a Microloan Program for small businesses (**Community Development**)

## **Pending Legislation**

**Resolution** – extending the lease between the City and the Reading Phillies  
**(Law) Tabled at the July 9 regular meeting**

### **12. PUBLIC COMMENT – GENERAL MATTERS**

### **13. COUNCIL BUSINESS / COMMENTS**

### **14. COUNCIL MEETING SCHEDULE**

#### **Monday, September 24**

*Committee of the Whole – Council Office – 5 pm*

*Regular Meeting – Council Chambers – 7 pm*

#### **Saturday, September 29**

*Budget Review – Penn Room – 9 am*

#### **Monday, October 1**

*Nominations & Appointments Committee – Council Office – 4 pm*

*Mural Dedication – Court St Bridge - 5 pm*

*Special Meeting – Council Chambers – 5:30 pm*

*Budget Review Meeting **OR***

*Open Government, Rules & Intergovernmental Relations Comm – Council Office – 6 pm*

*Housing and Economic Development Committee – Council Office – 6 pm*

#### **Remaining Budget Meeting Schedule**

*Monday Oct 1<sup>st</sup> – Expenditure Review*

*Wednesday Oct 3<sup>rd</sup> – Expenditure Review*

*Saturday Oct 6<sup>th</sup> – Expenditure Review*

## **15. BAC AND COMMUNITY GROUP MEETING SCHEDULE**

### **Monday, September 24**

DID Authority – 645 Penn St 5<sup>th</sup> Floor – noon

BARTA – BARTA Office – 3 pm

District 7 Crime Watch – Holy Spirit Church – 7 pm

### **Tuesday, September 25**

Housing Authority Workshop – WC Building – 4 pm

Housing Authority – WC Building – 5 pm

Environmental Advisory Council – Pendora Park – 5 pm

Planning Commission – Penn Room – 7 pm

Penns Commons Neighborhood Group – Penns Commons Meeting Room – 7 pm

### **Wednesday, September 26**

Human Relations Commission – Penn Room – 5:30 pm

Parking Authority – Parking Authority Office – 5:30 pm

Outlet Area Neighborhood Assn – St Marks Lutheran Church – 6:30 pm

Stadium Commission – Stadium RBI Room – 7:30 pm

### **Thursday, September 27**

Water Authority – Water Authority Office – 4 pm

Citizens Advisory Board – Managing Director's Office – 6 pm

### **Monday, October 1**

Shade Tree Commission – Planning Conference Room – 6 pm

### **Tuesday, October 2**

Charter Board – Penn Room – 7 pm

### **Wednesday, October 3**

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm

District 2 Crime Watch – St Paul's Lutheran Church – 6:30 pm

### **Thursday, October 4**

Police Civil Service Board – Penn Room – noon

Glenside Community Council – Christ Lutheran Church – 6:30 pm

District 3 Crime Watch – Calvary Baptist Church – 7 pm

### **Monday, October 8**

Fire Civil Service Board – Penn Room – 4 pm

6<sup>th</sup> & Amity Neighborhood & Playground Assn – 6<sup>th</sup> & Amity Fieldhouse – 6:30  
pm

**City of Reading City Council  
Regular Business Meeting  
Monday, September 10, 2012**

Council President Francis G. Acosta called the meeting to order.

The invocation was given by Pastor Laddie Benton, of the Washington Presbyterian Church.

All present pledged to the flag.

**ATTENDANCE**

Council President Acosta  
Councilor Corcoran, District 1  
Councilor Goodman-Hinnershitz, District 2  
Councilor Sterner, District 3  
Councilor Marmarou, District 4  
Councilor Waltman, District 6  
Managing Director C. Snyder  
Mayor V. Spencer  
City Auditor D. Cituk  
City Solicitor C. Younger  
City Clerk L. Kelleher

**PROCLAMATIONS AND PRESENTATIONS**

City Council issued the following:

- Council Commendation recognizing the 225<sup>th</sup> Anniversary of the signing of the Constitution of the United States, accepted by Elizabeth Dechant, Regent of the Berks County Chapter, Daughters of the American Revolution; Robert Hillegas, President of the Gov. Hiester Chapter, Sons of the American Revolution; and Bruce Vaughan, Chaplain of the Conrad Weiser Society, Children of the American Revolution
  
- Council Commendation recognizing the 55<sup>th</sup> Anniversary of Three Minute Car Wash, accepted by Lyle Greiss, Vice President
  
- Council Commendation recognizing the 20<sup>th</sup> Anniversary of the Blacktop Basketball League
  
- Council Commendation recognizing the Downtown Farmers Market.

## **PUBLIC COMMENT**

Council President Acosta announced that two (2) citizens were 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 Council meeting. As no one objected, the rule to require non-agenda comment at the end of the meeting was suspended. Council President Acosta reminded the citizens registered to speak about the remaining public speaking rules.

**Tracy Salomond, of Wunder St,** was not present.

**David Leibensberger, of South 10<sup>th</sup> St,** stated that he has lived in Reading for many years but has grown tired of dealing with crime and Quality of Life issues, mostly caused by rental properties in his neighborhood. He stated that the City needs to provide support to the Reading Police Force, although he noted the challenges of Reading's ability to hire the number of officers it really needs. He suggested that if the ordinances were better enforced, behavior would change and improve. He stated that until that occurs citizens like himself will be pushed from the City.

## **APPROVAL OF THE AGENDA & MINUTES**

Council President Acosta called Council's attention to the agenda for this meeting and the minutes for the August 27<sup>th</sup> Regular Meeting of Council. He noted that there is no legislation on the Consent Agenda this evening.

**Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the August 27<sup>th</sup> Regular Meeting of Council and the agenda for this meeting. The motion was approved unanimously.**

## **Consent Agenda**

None.

## **ADMINISTRATIVE REPORT**

Mayor Spencer read the report distributed to Council earlier in the day. He highlighted the report as follows:

- Update on the West Nile Virus in Reading
- Expressing congratulations to the Reading Phillies
- Describing his attendance at the Democratic Convention

Mayor Spencer stated that the 2<sup>nd</sup> phase of the Oak Lane Clean-up by Reading

Beautification occurred over the past weekend. He also described the RHS Hall of Fame event and reminded all of the 9/11 Ceremony planned for City Park tomorrow at 9:55 am.

## **AUDITOR'S REPORT**

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- Description of the District 2 Town Meeting on September 5<sup>th</sup>
- Update on the completion of the 2011 external audit
- Description of the payroll system changes
- Update on the Accounts Payable process
- Update on the progress of the Audit Committee

## **ORDINANCES FOR FINAL PASSAGE**

**A. Bill No. 88-2012** - amending the 2012 City of Reading general fund budget by authorizing the transfer of pension savings produced by recalculation of MMO to spending contingency (**Controller**) *Introduced at the August 27 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Corcoran, to enact Bill No. 88-2012.**

**Bill No. 88-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Acosta, President -6**  
**Nays: None -0**

**B. Bill No. 89-2012** - establishing a three-way stop intersection at North 12th and Walnut Streets in the City of Reading, Pennsylvania (**Law**) *Introduced at the August 27 regular meeting*

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to enact Bill No. 89-2012.**

Councilor Goodman-Hinnershitz stated that the next three pieces of legislation all refer changes that were implemented with the plans for Citadel, which were approved by the Planning Commission.

**Bill No. 89-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,**

Acosta, President -6

Nays: None -0

**C. Bill No. 90-2012** - establishing two-way traffic on North 12th Street between Walnut and Elm Streets in the City of Reading, Pennsylvania (**Law**) *Introduced at the August 27 regular meeting*

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 90-2012.**

Ms. Goodman-Hinnershitz stated that the signs referenced in Bill 90 and 91 are already in place. The Managing Director stated that she has set policy requiring Council approval of new traffic signs and signals before the Planning Commission approves the plans.

**Bill No. 90-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Acosta, President -6**

**Nays: None -0**

**D. Bill No. 91-2012** - establishing two-way traffic on Walnut Street between North 12th and Birch Streets in the City of Reading, Pennsylvania (**Law**) *Introduced at the August 27 regular meeting*

**Councilor Corcoran moved, seconded by Councilor Marmarou, to enact Bill No. 91-2012.**

**Bill No. 91-2012 was enacted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Acosta, President -6**

**Nays: None -0**

**E. Bill No. 92-2012** - amending Chapter 11, Housing, of the Codified Ordinances of the City of Reading, by redefining the Failure to Appear for Inspection Language for Property Maintenance Inspections (**Law**) *Introduced at the August 27 regular meeting*

**Councilor Corcoran moved, seconded by Councilor Sterner, to enact Bill No. 92-2012.**

**Bill No. 92-2012 was enacted by the following vote:**

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Acosta, President -6  
Nays: None -0

**F. Bill No. 93-2012** - amending the City of Reading's organizational chart to reflect the current organizational structure (**Law**) *Introduced at the August 27 regular meeting*

Councilor Marmarou moved, seconded by Councilor Corcoran, to enact Bill No. 93-2012.

Bill No. 93-2012 was enacted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Acosta, President -6  
Nays: None -0

**G. Bill No. 94-2012** – amending the City of Reading Codified Ordinances Chapter 15 Parking Meters Section 15-502 Parking Meter Zones, Section 15-503 Saturdays, Sundays, Holidays exempted, 15-504 Time of Parking Limited by Zone; Hours of Operation (**Parking Authority/Council Staff**) *Introduced at the August 27 regular meeting*

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 94-2012.

Bill No. 94-2012 was enacted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman,  
Acosta, President -6  
Nays: None -0

## INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

**A. Ordinance** – amending the Codified Ordinances Chapter 15, Part 8 Impoundment and Booting of Vehicles authorizing the immediate removal of vehicles that have been booted after receiving a minimum of five unsettled parking tickets (**Parking Authority/Council Staff**)

**B. Ordinance** - authorizing the Mayor to execute the Memorandum of Understanding between the Reading Berks Association of Realtors and the City of Reading for the creation of the CORE Program within Reading (**Law**)

**C. Ordinance** – transferring funds from contingency account as follows: \$70,000 to the Reading Redevelopment Authority for blighted properties entering the CORE process and \$5,000 for Reading Beautification supporting the city-wide clean-ups. **(Bus Anal) To be distributed on Monday**

## RESOLUTIONS

**A. Resolutions 109-2012** – appointing Melissa Eggert to the Board of Ethics (Nom & Appts)

**B. Resolutions 110-2012**– appointing Pier Ignozzi-Shaffer to the Environmental Advisory Council (Nom & Appts)

**Councilor Marmarou moved, seconded by Councilor Corcoran, to adopt Resolutions 109 and 110-2012.**

Councilor Marmarou and Corcoran noted the skill of these two residents who have volunteered to serve on these City Boards. They encouraged others to apply.

**Resolutions 109 and 110-2012 were adopted by the following vote:**

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Sterner, Waltman, Acosta, President -6**  
**Nays: None -0**

## COUNCIL COMMENT

Councilor Corcoran agreed with Mr. Leibensberger regarding the need for the City and City residents to support the Reading police and for the police to enforce the City's ordinances. He congratulated Black Top on their anniversary and noted the important service they provide to City youth and young adults.

Councilor Sterner congratulated those receiving commendations this evening and thanked those who provided public comment earlier this evening. He noted the next Outlet Neighborhood Meeting at the 10<sup>th</sup> and Windsor Church.

Councilor Goodman-Hinnershitz noted the importance of democracy and communication. She stated that the September 5<sup>th</sup> District 2 Town Meeting was very well attended. She stated that in addition to herself, the Managing Director, Public Works Director, Council President Acosta and UGI representatives attended the meeting. She also noted the successful event held last Thursday by

the Pagoda Foundation.

Councilor Marmarou noted the success of the Oak Lane Clean Up. He thanked Ms. Kelleher for her role in making this occur.

Councilor Corcoran noted the need for neighbors to keep a watchful eye out on the entire neighborhood. He stated that a watchful neighbor in his own neighborhood prevented a car break-in. He stated that the police responded to the call quickly.

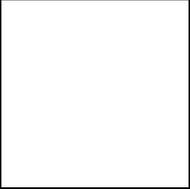
Council President Acosta described the success of the initial RHS Hall of Fame event. He also described the College Heights Community Council meeting he attended on Sunday evening.

Council President Acosta stated that Mr. Gilyard from the Central PA African American Museum (CPAAM) presented each Councilor with a booklet entitled "To Tell the Story of Black Culture in Reading." He invited Mr. Gilyard to comment. Mr. Gilyard stated that the kickoff for the fundraising to support the Museum will occur soon.

Council President Acosta announced the upcoming meeting schedule.

**Councilor Corcoran moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.**

*Respectfully submitted by  
Linda A. Kelleher CMC, City Clerk*



# AGENDA MEMO

DEPARTMENT of ADMINISTRATIVE SERVICES

**TO:** City Council  
**FROM:** Tammi Reinhart, Purchasing Coordinator  
**PREPARED BY:** Tammi Reinhart, Purchasing Coordinator  
**MEETING DATE:** September 24, 2012  
**AGENDA MEMO DATE:** September 14, 2012  
**RECOMMENDED ACTION:** Awarding of Contract for the Schuylkill River Bike Trail Clearance Project for the Department of Public Works/Shade Tree Commission.

**RECOMMENDATION**

The recommendation is to award the contract to Brice Excavating LLC, 1896 Friedensburg Road, Reading, PA 19606, at a total submitted bid price of \$32,500.00 for the Schuylkill River Bike Trail Clearance Project for the Department of Public Works/Shade Tree Commission. Brice Excavating LLC was the sole bidder.

**BACKGROUND**

Bids for this project were received on September 5, 2012. The bid award is based on clearing out the brush, overgrowth and trees to make the trail more visible and more user friendly.

**BUDGETARY IMPACT**

Accounting has confirmed that funds sufficient for this contract. The funding will be out of Shade Tree Commission Budget.

**PREVIOUS ACTION**

None

**SUBSEQUENT ACTION**

Formal action by Council is needed to award the contract at the September 24, 2012 meeting.

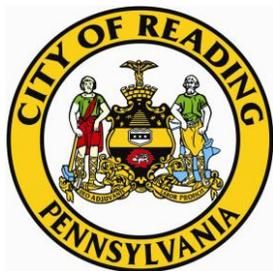
**RECOMMENDED BY**

Mayor, Directors of Administrative Services and Public Works, Controller and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny the recommendation to award the Schuylkill River Bike Trail Clearance Project to Brice Excavating LLC.

cc: File



# AGENDA MEMO

DEPARTMENT of ADMINISTRATIVE SERVICES

**TO:** City Council  
**FROM:** Tammi Reinhart, Purchasing Coordinator  
**PREPARED BY:** Tammi Reinhart, Purchasing Coordinator  
**MEETING DATE:** September 24, 2012  
**AGENDA MEMO DATE:** September 19, 2012  
**RECOMMENDED ACTION:** Awarding of Contract for improvements to the 11<sup>th</sup> and Pike Playground for the Departments of Public Works and Community Development.

## **RECOMMENDATION,**

The recommendation is to award the contract to Land Tech Enterprises, 3084B Bristol Road, Warrington, PA 18976, at a total submitted bid price of \$291,743.00 for various improvements to the 11<sup>th</sup> and Pike Playground for the Departments of Public Works and Community Development. Land Tech Enterprises is the low bidder to meet the specifications.

## **BACKGROUND**

Bids for improvements at the 11<sup>th</sup> and Pike Playground for the Departments of Public Works and Community Development were received on September 5, 2012. The bid award is based on various items which include renovations to the site, safety surface installation and playground equipment installation.

## **BUDGETARY IMPACT**

The Department of Community Development and Accounting have confirmed that funds sufficient for this contract. The funding will be out of CDBG monies.

## **PREVIOUS ACTION**

None

## **SUBSEQUENT ACTION**

Formal action by Council is needed to award the contract at the September 24, 2012 meeting.

## **RECOMMENDED BY**

Mayor, Managing Director, CD Director, Directors of Administrative Services and Public Works, Controller and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny the recommendation for the purchase of the improvements to the 11<sup>th</sup> and Pike Playground in order that the contract may be awarded to Land Tech Enterprises.

cc: File

# Reading Parking Authority Memo

**To:** Reading City Council  
**From:** Lawrence Lee  
Executive Director, Reading Parking Authority  
**Date:** Friday August 24, 2012.  
**Re:** Eliminate 24 Hr. Period for Booted Vehicles

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## **Background**

Currently the Parking Authority is empowered to boot and/or tow scofflaw vehicles in accordance with the City Ordinance 15-811. Upon finding a vehicle with five (5) or more open violations the vehicle may be booted for a period of 24 hours and subsequently towed.

## **Previous Action Required / Completed**

The current booting procedure allows too much time for the booted vehicle to remain on the street. The RPA has seen an increase in stolen boots. In the last two years a total of eight (8) parking boots were stolen. The boots range from \$400 to \$600 in value.

## **Review and Recommendation**

The RPA is also seeking to move its operation from the criminal process to a civil process with tickets. The RPA will need a mechanism to collect payment for outstanding tickets. By moving to the civil process warrants and jail time will no longer be an option to motivate people to obey the law. The mechanism needed is to have the ability to boot and tow a scofflaw parker or a credit collection dodger. Booting and towing in the same day provides motivation for illegal parkers to obey the rules and avoid tickets. This will also save boots due to the fact that all of the stolen boots happened overnight during the 24 hr. period. The RPA will still have discretion with applying the boot with regards to tickets accumulated in a short period of time (i.e. someone on vacation).

## **Recommended Motion**

Approve a resolution amending the city ordinance 15-811 to allow a booted vehicle to be towed at any time within a 24 hour period.

BILL NO. \_\_\_\_\_-2012  
AN ORDINANCE

**AMENDING THE CITY OF READING CODIFIED ORDINANCES  
CHAPTER 15 PARKING METERS SECTION §15 PART 8  
IMPOUNDMENT AND BOOTING OF VEHICLES  
AUTHORIZING THE IMMEDIATE REMOVAL OF VEHICLES  
THAT BEEN BOOTED AFTER RECEIVING A MINIMUM OF  
FIVE UNSETTLED PARKING TICKETS.**

**SECTION 1.** Amending the City of Reading Codified Ordinances Chapter 15, Part 8 Impoundment and Booting of Vehicles authorizing the immediate removal of vehicles that have been booted after receiving a minimum of five unsettled parking tickets, as attached in Exhibit A.

**SECTION 2.** All other parts of the Ordinance remain unchanged.

**SECTION 3.** This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2012

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

*(Council Office & Parking Authority)*

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

## EXHIBIT A

### B. Booting of Motor Vehicles.3

#### §15-811. Definitions.

As used in this Part, the following words shall have the following meanings:

BOOT, BOOTING or BOOTED - the act of immobilizing a motor vehicle in such a manner as to prevent its operation with a device or by means which will cause no damage to such vehicle unless it is moved while such device is in place or such means are employed.

UNSETTLED PARKING VIOLATIONS - outstanding violation(s) of this Part or the Pennsylvania Motor Vehicle Code for which citation(s) have been filed with a District Justice and a summons has been issued to which either no response has been made or for which a warrant has been issued and including adjudicated citation(s) where the fine and costs imposed are unpaid.

(Ord. 14-2001, 5/29/2001)

#### §15-812. Boot Installation.

Any vehicle or conveyance parked within the City upon any public ground at any time may, by or under direction of a Parking Enforcement Officer or member of the Department of Police be booted if there are five or more unsettled parking violations pending against the owner of the vehicle or conveyance on file with a District Justice or the Reading Parking Authority. *The booted vehicle may be towed by the Parking Authority any time after the boot is installed.*

(Ord. 14-2001, 5/29/2001; as amended by Ord. 46-2008, 6/23/2008, §1)

#### ~~§15-813. Notice of Booting.~~

~~Upon booting of such motor vehicle, the officer shall cause to be placed on the vehicle in a conspicuous manner, notice sufficient to warn any individual that the vehicle has been immobilized, and that any attempt to move the vehicle might result in damage to the vehicle. The notice shall also outline the procedure for obtaining removal of the boot. As soon as practicable the owner of the booted vehicle shall be provided, at his request, with a list of the unsettled parking violations on account of which, such vehicle was booted.~~

~~(Ord. 14-2001, 5/29/2001)~~

#### §15-814. Boot Removal Hearing.

1. The owner of a booted vehicle or other authorized person shall be permitted to secure release of the vehicle upon:

A. Depositing of the collateral required for an appearance before a District Justice to answer for each unsettled parking violation.

B. Paying the amount of the fine, penalty and court costs, if any, for each unsettled parking violation.

C. The payment of fees as required by §15-816.

2. The owner of a booted vehicle or other authorized person, shall have the right to a post-immobilization hearing limited to the determination of the validity of the booting. Such hearing shall be requested within 15 days after the vehicle is booted and shall be conducted by the Executive Director of the Parking Authority. The hearing shall be held during normal business hours within 1 business day of the demand thereof, or as soon as practical. The post-immobilization hearing shall not be determinative of or adjudicate the merits of any citation issued relative to any immobilized vehicle but shall be limited solely to whether the vehicle was properly subject to booting under the provisions of this Part.

(Ord. 14-2001, 5/29/2001)

§15-815. Booting *or Towing* and Storage of Vehicles.

*The Reading Area Parking Authority may immediately tow any vehicle that is booted for having a minimum of five (5) unsettled parking tickets. The booted vehicle may be towed by the Parking Authority any time after the boot is installed.* ~~The boot shall remain in place for 24 hours unless the owner has complied with §15-804. If such compliance has not occurred within the 24 hours, the vehicle shall be towed and stored.~~ If the booting occurs when a vehicle is parked in any zone regulated by towing provisions, then such vehicle is subject to immediate towing and storage. Towing and storage fees, as specified in this Chapter shall be paid, along with fees specified in §15-814 before the owner of such vehicle or authorized person, shall be permitted to repossess or secure the release of the vehicle. Unclaimed within 60 days of towing and storage shall be deemed abandoned and subject to disposal as such in the manner authorized by law.

(Ord. 14-2001, 5/29/2001)

§15-816. Booting Fee.

The owner of a booted vehicle shall be subject to a fee in an amount as established from time to time by resolution of City Council for such immobilization in addition to any outstanding fines, which fee shall be paid prior to removal unless otherwise ordered in accordance with §15-814.

(Ord. 14-2001, 5/29/2001)

§15-817. Tampering with Boot Prohibited.

Any person who shall tamper with, remove or attempt to remove any device used to immobilize a motor vehicle that has been booted pursuant to this Part, or who shall move or attempt to move the vehicle booted before release of the vehicle has been officially secured shall be, upon conviction thereof, sentenced to pay a fine of not less than \$500 nor more than \$1,000 plus costs of repairing or replacing said device, together with the cost of prosecution, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. (*Ord. 14-2001, 5/29/2001; as amended by Ord. 22-2006, 3/13/2006, §1*)

§15-818. Implementation and Enforcement.

This Part shall be enforced by the Reading Parking Authority whose Executive Director shall have authority for implementing the parking enforcement provisions thereof and to promulgate such rules and regulations as are necessary therefore, which regulations shall become effective upon approval by Council. (*Ord. 14-2001, 5/29/2001*)

§15-819. Right to Hearing Not Waived.

Nothing in this Part shall be construed to deprive any person of the constitutional right to a hearing or trial as to the violations for which citations have been issued. (*Ord. 14-2001, 5/29/2001*)

BILL NO. \_\_\_\_\_ 2012  
AN ORDINANCE

AUTHORIZING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE READING BERKS ASSOCIATION OF REALTORS AND THE CITY OF READING FOR THE CREATION OF THE CORE PROGRAM WITHIN READING.

WHEREAS, the Reading Berks Association of Realtors proposed the Community Reinvestment (CORE) Program to City Council, the Administration and the Reading Redevelopment Authority in early 2011; and

Whereas, the CORE Program is modeled after the Selling City Owned Properties Efficiently (SCOPE) Program used successfully in Baltimore, and the Reading Berks Association of Realtors recognized that that same success could be achieved in Reading; and

Whereas, after several work group meetings with the Reading Berks Association of Realtors, the City recognizes that the Core Program could assist the City in improving its housing stock and could help to reduce the number of vacant and blighted properties within the City; and

Whereas, the CORE Program is designed to create a simplified and cost effective process for putting vacant and underutilized properties back into productive use. The program engages local real estate agents to list and sell the properties via the multiple listing service (MLS) to responsible buyers, who will rehabilitate the properties within 18 or fewer months of the settlement.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Mayor is authorized to execute the attached Memorandum of Understanding as attached in Exhibit A that sets the program criteria and guidance on the implementation of the CORE Program.

SECTION 2. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2012

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**“EXHIBIT A”**

**LPG-CORE**

**LOCAL PROJECT GUIDELINES**

This form recommended, approved AND RESTRICTED for use  
in the CORE Project of the Pennsylvania Association of REALTORS® (PAR).

Selling Municipality/Entity: City of Reading

By signing below, the individual(s) preparing these local project guidelines on behalf of the municipality or entity acknowledge having received and read the Local Project Guidelines Information and Instructions

Document (Form LPG/I-CORE) provided by the members of the local CORE Project committee, and further acknowledge that any REALTORS® involved in discussions regarding these guidelines and criteria did not engage in any anti-competitive behavior or collaboration during this process.

Signature \_\_\_\_\_

Signature

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
RRA Executive Director

Name \_\_\_\_\_

Name

Title \_\_\_\_\_

Title

Date \_\_\_\_\_

Date

Signature \_\_\_\_\_

\_\_\_\_\_  
President R-BAR

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**1. Types of Properties to be Sold**

- Existing single-family residential suitable for occupation ( %)
- Existing single-family residential in need of substantial renovations ( %)
- Existing multi-family ( %)
- Vacant lots (single) ( %)
- Vacant lots suitable for large-scale development ( %)

- Existing or potential commercial/industrial sites ( %)

## 2. Selecting Eligible Listing Agents

### A) Number of Potential Listing Agents

- Multiple agents will be eligible to list properties (e.g., a pool of eligible agents will be selected)
- A single agent will be selected to handle all listings

Municipality/Entity: City of Reading , page 2

Date: \_\_\_\_\_

### B) When to Select Agents

- The eligible agent(s) will be selected prior to the selection of properties
- A listing agent will be selected each time a property is going to be sold

### C) Membership & Educational Criteria

- All listing agents must be REALTOR® Members
- Listing agents do not have to be REALTOR® members
- All listing agents must earn the CORE designation
- Listing agents do not have to earn the CORE designation

- Listing agents must meet the following additional criteria:

*Full time*

*Three years experience*

*Member of Reading-Berks Association*

*A considerable amount of transactions within the City of Reading*

## 3. Selecting Properties to List

### A) Describe your local goals for the CORE Project:

*Through the use of a CORE Task Force, the City aims to  
Restore properties to productive use;  
Encourage purchase by owner-occupants;  
Encourage planned development; and  
Enhance the tax base*

### B) Describe the process for selecting the properties to be listed through the CORE Project:

*The City will provide a list of selected properties for determination. The CORE Task Force will meet at least quarterly to discuss this list.*

## 4. Pricing Properties

- We will request a comparative market analysis (“CMA”) from multiple prospective listing agents
- We will obtain one CMA from the selected listing agent
- We will *not* use CMAs, but will obtain full appraisals for each property from certified appraisers
- We will *not* use CMAs or appraisals, and will establish listing prices internally

Describe the process for selecting providers of CMAs/appraisals, and for establishing the listing price: (*NOTE: state law says real estate licensees may not provide CMAs if they do not have a realistic opportunity to obtain the listing.*)

*CMA will be given by listing agent. The listing price will take into account the CMA as well as the rehab cost. The rehab costs will be held by the lender and paid to the buyer as various portions of the rehab is completed.*

Municipality/Entity: City of Reading , page 3

Date: \_\_\_\_\_

## 5. How to Distribute Listings to Listing Agents

Describe the process for distributing listings among prospective listing agents:

*Selection will be completed on a rotating basis based on an initial interview.*

## 6. Fees and Listing Broker Terms/Conditions

### A) Standard Contract/terms

- We will establish standard listing terms for all listings
- We will negotiate terms individually for each listing
  
- We will use the PAR listing contract modified for CORE (Form XLS-CORE)
- We will use whatever contract is presented by the listing agent
- We will use local counsel to draft our own proprietary listing contract

### B) Listing Period

(NOTE: Listing period can never be longer than 1 year, and cannot have an automatic extension)

- Listing Period will be the same for all listings: **1 year**
- Listing Period will be negotiated for each listing
- Listing Period will differ based on type of listing (e.g., land, single-family, commercial, etc.)

Describe the listing period for each type of property:

### C) Broker's Fee (total fee, including cooperating broker compensation)

- Listing Broker's Fee will be the same for all listings:

- 
- Listing Broker's Fee will be negotiated for each listing
  - Listing Broker's Fee will differ based on type of listing (e.g., land, single-family, commercial, etc.)

Describe Listing Broker's Fee for each type of property:

***The Broker's Fee will based on a hybrid percentage rate/flat fee***

- 1) Cooperating Broker Compensation (a portion of total Broker's Fee, above)

- Cooperating Broker Compensation will be the same for all listings:

---

  - Cooperating Broker Compensation will be negotiated for each listing
  - Cooperating Broker Compensation will differ based on the type of listing (e.g., land, single family, commercial, etc.)
- Describe Cooperating Broker Compensation for each type of property:

Municipality/Entity: City of Reading, page 4

Date: \_\_\_\_\_

D) Protection Period

- Protection Period will be the same for all listings: **60 days**
  - Protection Period will be negotiated for each listing
  - Protection Period will be different based on the type of listing (e.g., land, single-family, commercial, etc.)
- Describe Protection Period for each type of property:

E) Additional Terms and Conditions

**7. MLS Exposure**

- CORE properties will be included in the Multiple Listing Service (MLS). Listings will include one or more photographs and the street address of the property.
- CORE properties will not be included in the MLS. Failure to include the property in the MLS may reduce the number of potential buyers who are made aware of the property.

**8. Buyer Criteria**

A) Criteria for Buyer Representatives

- We will not restrict which agents may work as buyer agents/~~selling agents~~.
- Buyer representatives should review CORE educational materials available to buyers
- Buyer representatives should review the following information provided by sellers:
- We will instruct listing agents to **ONLY** present us with offers from buyer agents who meet the following criteria (and from no others):

B) Buyer Preferences

- We will offer preferences to owner-occupants

- Exclusive listing period for owner-occupants: \_\_\_\_\_ Days
- Other preferences, benefits or incentives available only to owner-occupants (list):
  - Neighborhood Housing Programs*
  - Reduce Transfer Tax from 3.5% to 1%*
  - Retap*
  - Building and Trades permit reduced from 1.5% to 1%*

Other preferences, benefits, incentives or limitations based on type of buyer (identify types of buyers and the limitations/benefits):

C) Buyer Eligibility Guidelines

1.  Buyers should complete CORE educational materials for buyers
- Buyers must submit a completed PAR Buyer’s Financial Information form (Form BFI- CORE)

Municipality/Entity: City of Reading, page 5      Date: \_\_\_\_\_

We may attach a locally prepared addendum with additional questions to be answered

- Buyers must submit a qualification form developed by local counsel
- 2.  Buyers must submit the following information in addition to, or instead of, a pre-drafted form:

Describe the overall criteria that will be used to screen potential buyers. Include items that will automatically disqualify buyers, and as much as possible, describe how other criteria will be evaluated:

*All sales are intended for residential purposes only. Buyers will be limited to individuals looking to buy homes who intend to rehab the properties and use them as owner occupied. The City will not consider buyers who are tax delinquent, have had properties determined or certified as blighted or who are or have been otherwise repeatedly in violation of any City ordinances.*

**9. Governmental or Private Incentives**

The following incentives may be available to purchasers (please identify the program, benefit, restrictions (if any) and where to find additional information):

- NHS: Home Ownership Program – Available for first time home buyers. This programs provides assistance with down payment/closing costs as well as up to 20% purchase price (2<sup>nd</sup> mortgage)*
- NHS: Keystone Renovate and Repair Program - Must own the home. This program will help finance rehab up to \$35,000. Does not have to be low income.*
- State programs –Subject to availability*
- DCED – Subject to availability*
- KOZ – Subject to availability*

**10. Rehabilitation, occupancy and resale restrictions**

- There will be rules/restrictions on rehabilitation (timelines, criteria, etc.)

Describe the review process and any criteria to be applied (e.g., what plans should include, where should plans be submitted, what criteria will be used to review them, and whether pre-approval will be necessary for a fully executed purchase agreement):

***The City will incorporate into each individual sales agreement the rehab work that needs to be performed including the timelines and criteria for the work. Zoning plans must be submitted directly to the Zoning Hearing Board. The City of Reading One Stop program is available where appropriate.***

- Occupancy restrictions/requirements will be imposed (e.g., limits on rental use)  
Describe restrictions/requirements, including any sanctions for non-compliance:

***Restriction – owner occupied only***

***If the rehab work is not completed in a timely fashion, there will be a one-time only 90 day extension granted upon request. Otherwise, the property will revert back to the***

Municipality/Entity: City of Reading, page 6

Date: \_\_\_\_\_

***City within 1 year. A financial damages clause for non-compliance will be included in the sales agreement.***

- Resale restrictions/requirements will be imposed (e.g., resale purchasers must comply with the same restrictions as the original purchaser)  
Describe restrictions/requirements, including any sanctions for non-compliance:

***There will be a Deed restriction of owner occupancy and a continuing reversion clause placed on all properties. An owner can apply to the City of Reading to have the Deed restriction lifted after the tax abatement period has ended. Should a property be found to not have an owner occupancy use, the City will petition the Court of Common Pleas to have the property reverted back to the City.***

### 11. Standard Forms

- We will use the following PAR Standard Forms:
  - Listing Contract (Form XLS-CORE)
  - Seller Property Disclosure (Form SPD)
  - Hold Harmless Agreement (Form HHA-CORE)
  - Buyer’s Financial Information (Form BFI-CORE)
  - Agreement of Sale (Form ASR-CORE) and related addenda

- We will use the following forms drafted by local counsel:

\_\_\_\_\_  
\_\_\_\_\_  
 \_\_\_\_\_  
\_\_\_\_\_

**12. Seller Negotiation Procedures**

Please include both names and titles to help identify specific individuals

Written offers will be presented to: *Solicitor*

Initial offers will be responded to within: *5 days*

Counteroffers may be made by: *Solicitor*

Criteria for counteroffers:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Final approval/rejection by: *City Council/Redevelopment Authority within 30 days*

Process for approval/rejections (eg., vote of board or committee, approval by single individual, etc.):

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Date: \_\_\_\_\_

***Approvals or rejections will be by majority vote of City Council and the Redevelopment Authority.***

Estimated time period for final approval/rejection (e.g., X days from submission, voting body meets only once a month, etc.): *Approximately 35 days*

\_\_\_\_\_  
**ADDITIONAL INFORMATION**

BILL NO. \_\_\_\_\_-2012

AN ORDINANCE AMENDING THE 2012 GENERAL FUND BUDGET,  
REALLOCATING FUNDS FROM THE CONTINGENCY FUND TO THE  
THE REDEVELOPMENT AUTHORITY AND READING BEAUTIFICATION

Whereas the Council of the City of Reading hereby ordains as follows:

**Section 1.** Authorizing the amendment of the 2012 Budget by transferring \$100,000 from the Contingency Fund to the Reading Redevelopment Authority to provide one-time seed money for properties that will be placed into the CORE (Community Reinvestment) Program with the Reading Berks Association of Realtors, to be marketed for owner occupancy.

**Section 2.** Further authorizing the amendment of the 2012 Budget by transferring \$5,000 from the Contingency Fund to the Reading Beautification to provide funding for the city-wide clean-ups.

**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.

Adopted by Council \_\_\_\_\_, 2012

\_\_\_\_\_

President of Council

Attest:

\_\_\_\_\_

City Clerk

**(Council Staff & Business Analyst)**

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**BILL NO. \_\_\_\_\_ - 2012**

**AN ORDINANCE**

**AMENDING CHAPTER 1, ADMINISTRATION, OF THE CODIFIED ORDINANCES OF THE CITY OF READING, THE CAPITAL IMPROVEMENT PROGRAM AND RENUMBERING AS REQUIRED.**

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

**SECTION 1.** Chapter 1, Administration Section 1-186 Fiscal Provisions, Part 10 Capital Program, of the Codified Ordinances is hereby amended as attached in Exhibit A.

**SECTION 2:** All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

**SECTION 3:** If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

**SECTION 4:** This Ordinance shall become effective in ten (10) days after passage.

Enacted \_\_\_\_\_, 2012

\_\_\_\_\_  
Council President

Attest:

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

## CHAPTER 1

### Capital Improvement Program

#### §1-186. Fiscal Provisions.

#### 10. Capital Program.

##### A. Definitions.

1. Capital Improvement Program (CIP) – A five-year plan that shall contain eligible capital projects listed in order of priority for funding during the five-year period.
2. Capital Project – Any project funded or proposed to be funded by public monies in part or whole to build, restore, retain, rehabilitate, purchase or repurchase any equipment, property, facility, infrastructure, vehicle, hardware for information technology, park facility, or building that is to be used for the public benefit or is a public asset, and has minimum total value of \$50,000.
3. Capital Program Budget – An annual budget that shall identify the total funding and source of funding for each capital project adopted in the capital improvement plan that to be executed during the fiscal year.
4. Capital Purchase: Any purchase of a vehicle or other motorized equipment.
5. Capital Expenditure: An allocation from the capital budget for an approved capital project.

##### B. Capital Priorities.

Each year in the first week of May, the Mayor shall provide an annual statement of CIP priorities to the Council and to the departments funded by the CIP. The statement of priorities shall indicate substantive outcomes that the city is seeking to achieve through projects funded through the CIP and operational goals.

##### C. Project and Purchase Proposals.

1. Each year in the first week of June, the Administrative Services Department (ASD) shall issue a formal request to each city department for capital project proposals. The request shall be via a standard format set by the ASD that includes an estimate of the aggregate size, in dollar figures, of the proposed Capital Budget for the fiscal year.
2. Each capital project and purchase proposal shall be submitted to the ASD by the first week of July and shall include the following:

For Projects:

- a) A description of the geographic location of each proposed Capital Project. If a Capital Expenditure is for a general citywide project, the description shall list anticipated locations, but note that the list may not be exhaustive;
- b) An estimated timeline for the completion of the Capital Project;
- c) An estimated total budget for the Capital Project;
- d) Any potential impact the Capital Project may have on the City's operating budget;
- e) The estimated useful life of the Capital Project;
- f) For Capital Projects related to the general maintenance of infrastructure; the total projected funds required to improve or rehabilitate the infrastructure type citywide to an acceptable state of function of repair;
- g) The departmental priority for each Capital Project submitted.;
- h) A statement of whether the Capital Project will impact public safety or public health;
- i) A statement of whether the project is CDBG eligible;
- j) A proposed source of financing;
- k) A statement of whether the Capital Project is consistent with the City Comprehensive Plan.

For Purchases:

- a) A description of the proposed vehicle's use;
- b) A description of the condition of the vehicle being replaced including mileage and age;
- c) The inventory of vehicles used by the department with a statement of primary purpose and frequency of use;
- d) An estimated total budget for the capital purchases.

D. Capital Improvement Program Committee, the CIPC.

1. The Capital Improvement Program Committee (CIPC) shall advise the Mayor and City Council on the selection and prioritization of all Capital Projects and ensure that the CIP is properly administered. The membership of the CIPC shall consist of the following nine members:
  - A. Director of Administrative Services;
  - B. Director of Community Development;
  - C. Director of Public Works;
  - D. Chief of the Fire Department;
  - E. Chief of the Police Department;
  - F. City Auditor;
  - G. One (1) Member of City Council, appointed by the President of City Council;
2. The Chair or assignee of the CIPC shall provide a complete listing of all capital project proposals for the CIPC members to review and analyze prior to the meeting on the proposed projects.
3. The Chair or assignee of the CIPC shall produce a report on the findings of the committee.

#### E. Contents of the CIPC Report.

1. Each year the CIPC shall produce a report, as required by Section 911 (d) of the Home Rule Charter - Preliminary Feasibility Study, that details the following:
  - a) A clear general summary of its contents;
  - b) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the 5 fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
  - c) Cost estimates and recommended time schedules for each improvement of other capital expenditure;
  - d) Method of financing, upon which each capital expenditure is to be reliant.
  - e) The percentage of total funds to be allocated to capital purchases versus capital projects.
2. Each capital project proposal shall be ranked by the CIPC according to the following criteria:

- a) Projects that will resolve an imminent threat to public or employee safety or health;
  - b) Achieve compliance with federal or state statutory mandates;
  - c) Reduce expenditures in the operating budget;
  - d) Improve efficiency or effectiveness of service delivery;
  - e) Comply with the City's Comprehensive Plan;
  - f) Achieve Community or Economic Revitalization;
  - g) Any other criteria as determined by the Committee.
3. The CIPC shall also evaluate the five year CIP and propose any changes that are necessary to ensure that the plan is consistent with the City's capital needs.
  4. The CIPC Report shall be provided to the Mayor by no later than the first week of September of each year, and the Chair of the Committee or assignee shall draft the report.

#### **F. Submission and Approval.**

1. *The Mayor shall prepare and submit to the City Council a five (5) year capital program no later than the final date for submission of the budget. **The capital program shall include a Capital Budget. The proposed five (5) year capital program and budget shall be posted on the City's website for public review on the date the budget is submitted to Council.***
2. *The Mayor, with the assistance of the Managing Director, Administrative Services Director and the Director of Community Development and in accordance with the provision of the Municipalities Planning Code (PA 209.1 MPC) the Managing Director shall be responsible for developing administering the Capital Budget. The Mayor shall prepare and submit to the City Council a five (5) year capital program no later than the final date for submission of the budget.*
3. *The Council approval of capital projects in this preliminary feasibility study*  
*will*  
*require a simple majority vote in order to move on to a final approval and funding acceptance.*

#### **G. Final Proposal and Financing.**

1. *The final capital project proposal and financing shall include:*
  - a) *A clear general summary of its purpose and justification.*

- b) *The cost estimates and time schedule for the capital project including the cost of the post project completion audit.*
  - c) *The method of financing and sources upon which this capital project is reliant.*
  - d) *The annual cost of operating and maintaining the project to be constructed or acquired.*
2. *This final capital project proposal will be published and made available for the public to review (Use Notice and Hearing Notice - §912). Capital project replaces capital program.*
3. *The final Council approval of capital projects will require five votes to approve.*

**4. The contracts for capital projects shall be subject to the procurement process established by the Charter and the Codified Ordinances.**

**H. City Council Action on the Capital Improvement Program.** (Charter Section 912)

1. *Notice and Hearing. Council shall publish in one (1) or more newspapers of general circulation in the municipality the general summary of the Capital Program with a notice stating:*

(a) *The times and places where copies of the Capital Program message and Capital Program document are available for inspection by the public.*

(b) *The time, place, and date, not less than fifteen (15) days or more than thirty (30) days after such publication, for a public hearing on the Capital Program. The public hearing shall not be on the date of a regular Council meeting or on hearing date of the operating Budget.*

(c) *The proposed Capital Program shall be available for public inspection at City Hall and copies shall be available for the public at a reasonable fee to be set by the Council.*

**I. Adoption.** (Charter Section 912(3)(b))

Council must adopt an annual Capital Program by no later than December 15<sup>th</sup> of the fiscal year currently ending. If Council fails to adopt a Capital Program by December 15<sup>th</sup>

then the Mayor's original Capital Program shall become the official Capital Program of the City for the ensuing year.

## **J. Capital Project Execution**

### ***Section 911. (4)(C) Capital Project Reporting.***

**1. Current Projects.** *All capital projects in process must be reported on a quarterly basis and provide an update on cost, completion date, and estimated revised operating costs. This information is to be supplied by the Administrative Services Director and the Project Manager to the City Council in such a form that it is available to the public.*

**2. Quarterly Report. The quarterly report on all capital projects approved for the current budget year shall be distributed to Council by the last day of each fiscal quarters. The report shall include the following:**

**a) A clear general summary of its purpose and justification.**

**b) A statement of each project's status as of the date of the report.**

**c) A statement of whether the project is 50% more or less completed.**

**d) The cost estimates and time schedule for each capital project including the cost of the post project completion audit.**

**e) The method of financing and sources upon which this capital project is reliant.**

**f) The annual cost of operating and maintaining the project to be constructed or acquired.**

**3. Extended Projects.** *If commencement of a capital project does not begin by end of the fiscal year following the year in which final approval is obtained the project must go through §911(C) (1) and (2) of and as required by the Charter §911 (d)(3), **and subsections (C), (D) and (E) of this ordinance in the subsequent year.***

### **4. Post Project Completion Audit. (Charter Section 914)**

*Following completion of the capital project a complete and detailed audit must be published and made available to the public. This post audit is to be completed by an independent auditor appointed by the Council. The purpose of the post audit is to confirm the estimates of costs and explain any deviation between actual and estimated costs.*

# AGENDA MEMO

## Human Resources/Risk & Safety Division

**TO:** City Council  
**FROM:** Pat Beisswanger, Risk & Safety Coordinator  
**PREPARED BY:** Pat Beisswanger, Risk & Safety Coordinator  
**MEETING DATE:** September 24, 2012  
**AGENDA MEMO DATE:** September 12, 2012

**REQUESTED ACTION:** To approve a transfer of \$45,000 from the Self Insurance Fund line item Incurred Liability Claims into Self Insurance Fund line item Premium Payments

**RECOMMENDATION:** The Risk & Safety Coordinator is asking Council to approve this transfer of \$45,000 within the Self Insurance Fund to pay insurance premiums for the 4<sup>th</sup> quarter of 2012.

**BACKGROUND:** The Premium Payments line item has exceeded its budget amount in 2012 due to larger than anticipated insurance premiums for the Auto, General Liability and Property insurance policies.

**BUDGETARY IMPACT:** NONE

**PREVIOUS ACTION:** NONE

**SUBSEQUENT ACTION:** NONE

**RECOMMENDED BY:** Niki Oxendine, Human Resources Manager and Pat Beisswanger, Risk & Safety Coordinator

**RECOMMENDED MOTION:** Approve a transfer of \$45,000 from the Self Insurance Fund Incurred Liability line item Acct# 52-11-00-4749 into Self Insurance Fund Premium Payments line item Acct # 52-11-00-4752.

BILL No. \_\_\_\_\_ - 2012  
AN ORDINANCE

**AN ORDINANCE AMENDING THE 2012 CITY OF READING SELF INSURANCE FUND BUDGET BY AUTHORIZING THE TRANSFER OF FUNDS FROM LINE ITEMS WITHIN THE SELF INSURANCE FUND BUDGET.**

Section 1. Amending the City of Reading 2012 Self Insurance Fund Budget by authorizing the transfer of a total of \$45,000 in the Human Resources/Risk & Safety Division Incurred Liabilities line item #52-11-00-4749 to the following account/line item in the Risk & Safety Division budget:

1. Transferring \$45,000 into the Self Insurance Fund Premium Payments line item # 52-11-00-4752.

Section 2. 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: \_\_\_\_\_,

2012

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

(Business Analyst)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**ORDINANCE \_\_\_\_-2012**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS COLLECTED DURING THE RECENT TAX AMNESTY TO THE NON-DEPARTMENTAL CONTINGENCY ACCOUNT**

WHEREAS the Council of the City of Reading authorized the Administration to administer a Tax Amnesty by the enactment of Ordinance 54-2012 on May 14, 2012; and

WHEREAS the Administration undertook such an Amnesty Program from June 18 to August 17, 2012; and

WHEREAS the amount attributable to the Amnesty Program has been determined to be \$480,150.

NOW, THEREFORE, the Council of the City of Reading hereby ordains that the following transfers be made from the following accounts into the Non-Departmental Contingency Account (01-14-91-4739):

Business Privilege Tax	01-00-00-3120	\$133,762
BPT Prior Years	01-00-00-3121	\$269,038
Business Privilege License	01-00-00-3230	\$ 77,378

Passed by City Council on \_\_\_\_\_, 2012

\_\_\_\_\_  
City Council President

ATTEST:

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_  
Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_

**ORDINANCE \_\_\_\_-2012**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS  
TO THE HUMAN RELATIONS COMMISSION FOR  
EMERGENCY SHELTER GRANTS IN 2012**

WHEREAS the Federal Government has awarded a supplemental grant to the City of Reading to prevent homelessness by funding Emergency Shelter Grants (ESG); and

WHEREAS this Supplemental ESG requires matching funds in order to be utilized; and

WHEREAS various homelessness prevention programs, including the Berks Coalition to End Homelessness, Inc.'s Operation Code Blue which provided emergency shelter to eligible adults and children in extreme winter weather conditions, have been de-funded; and

WHEREAS area shelters are typically full owing to poor economic conditions, and demand for such services will no doubt rise as we approach the winter season.

NOW, THEREFORE, the Council of the City of Reading hereby ordains that \$15,000 of the Non-Departmental Contingency Fund (01-14-91-4739) be allocated to the ESG Match Fund of the City of Reading's Human Relations Commission (01-18-91-3548) to provide emergency shelter support grants to prevent homelessness for the duration of the 2012 budget year.

Passed by City Council on \_\_\_\_\_, 2012

\_\_\_\_\_  
City Council President

ATTEST:

\_\_\_\_\_  
City Clerk

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

**BILL NO. \_\_\_\_\_ 2012  
AN ORDINANCE**

**AN ORDINANCE AMENDING THE 2012 GENERAL FUND BUDGET, RE-  
ALLOCATING FUNDS FROM THE CONTINGENCY FUND TO LAW  
DEPARTMENT BUDGET CODIFIED ORDINANCE LINE ITEMS FOR LEGAL  
SERVICES AND/OR CONTRACTED SERVICES.**

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

**SECTION 1:** Authorizing the amendment of the 2012 Budget by transferring \$300,000 from the Contingency Fund to the Law Department Budget Codified Ordinance line items for Legal Services and/or Contracted Services to cover additional legal costs associated with legal service providers.

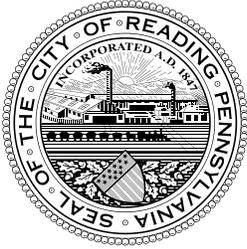
**SECTION 2:** This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2012

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk



**AGENDA MEMO**

**COMMUNITY DEVELOPMENT**

**TO:** City Council  
**FROM:** Lenin Agudo, Community Development Director  
**MEETING DATE:** 9/4/2012  
**AGENDA MEMO DATE:** 9/4/2012  
**REQUESTED ACTION:** To enact a resolution permitting the City of Reading Community Development Department to administer a contract with Community Initiatives Development Corporation (CIDC) for our Micro-Enterprise Loan Program.

*The Community Development Department is asking City Council to consider this resolution on their August 27<sup>th</sup> meeting.*

**BACKGROUND:**

The City of Reading's Micro-Loan Program began on January 1<sup>st</sup> 2011 after Brian Jeremiah, who at the time was with the Community and Economic Development Office at Pennsylvania Department of Economic Development reminded the city that it had \$550,000.00 in EZ-Fred funds available for use.

With the help of the City's accounting department, the C.D. Department transferred \$550,000 to the Community Initiatives Development Corporation (CIDC). The CIDC now does the management and underwriting for the City's micro-loan program. Under the CIDC's and C.D. Department's management, the program has had much success and garnered great attention within the community.

The City has had over 85 micro-loan inquiries since the program's inception. Of those who have inquired, 30 have completed applications, and nine of those applicants have had loans approved. The City has assisted those nine local residents to significantly improve the viability of their businesses. Each received a loan in the amount of \$35,000 to be used for working capital purposes, renovations, and equipment.

To date, the program has loaned \$336,199.00, of which, \$34,664.65 has been repaid. All loans except for one are current and paid through August.

Given the good track record and management of this program, I am asking council to formally approve this program and the contract that has been in place with CIDC since January 2011.

**BUDGETARY IMPACT:** None.

**PREVIOUS ACTION:** None.

**SUBSEQUENT ACTION:** None.

**RECOMMENDED BY:** Community Development Department Director Lenin Agudo, and  
Mayor Vaughn D. Spencer.

**RECOMMENDED MOTION:** To approve/deny a Council Resolution authorizing the program.

Cc: Mayor Vaughn D. Spencer

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING  
AUTHORIZING THE MAYOR TO CREATE A  
MICROLOAN PROGRAM FOR SMALL BUSINESSES**

WHEREAS, there were available EZ Fred funds originally approved as a loan Program and such funds were programmed for a Micro-Loan Program to assist small businesses in distressed areas and minority owned firms in the City, and

WHEREAS, such a program has been designed in accordance with standards of the U.S. Small Business Administration and the U.S. Department of Housing and Urban Development, and

WHEREAS, the City Council is desirous of assisting credit worthy businesses in the City of Reading to access such funds and to encourage the growth of minority businesses and assist other businesses in distressed areas in the City of Reading,

NOW THEREFORE BE IT RESOLVED, that the Mayor, be and hereby is, authorized to take the necessary steps for the continuation and administration of the Micro-Loan Program.

The Mayor, on behalf of the City of Reading, is authorized and directed to execute the contract to the satisfaction of HUD.

PASSED COUNCIL \_\_\_\_\_, 2012

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
City Clerk