CITY COUNCIL

Meeting Agenda

REGULAR MEETING ***MONDAY, JANUARY 27, 2014***
COUNCIL CHAMBERS ***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 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: Rabbi Lipsker, Chabad Lubavitch of Berks County

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- Council Recognition Certificates for Berks Catholic High School outstanding fall athletes

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 January 13, 2013
B. AGENDA: Regular Meeting of January 27, 2014

5. Consent Agenda Legislation

A. Award of Contract – to Crown Castle USA for cellular towers **(Purchasing Mgr) To be distributed Monday**

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

Ordinances authorizing budgetary transfers

A. Bill No. 1-2014 - authorizing the transfer of $250,000.00 from the General Fund (01) to the AGENCY Fund (31). The City has been awarded $250,000.00 through PA RACP funding for the construction portion of the Main Library Improvement Project. This request provides interim funding (bridge loan) to cover the $250,000.00 award as it is spent on construction **(Controller)**

G. Bill No. 2-2014 – authorizing the transfer of $850,000.00 from the General Fund to the Trash/Recycle Fund to alleviate cash flow issues resulting from the distribution of the receivables from RAWA to the City on the 15th of each month as per current (April 9, 2013) MOU **(Controller).**

H. Bill No. 3-2014 – authorizing the transfer of $550,000.00 from the General Fund to the Trash/Recycle Fund to alleviate cash flow issues resulting from the distribution of the receivables from RAWA to the City on the 15th of each month as per current (April 9, 2013) MOU **(Controller).**

B. Bill No. 4-2014 – correcting an error in the Per Capita Tax Ordinance **(Bus Analyst)**
Advertised 1-20-14

C. Bill No. 5-2014 - authorizing the mayor to execute an easement between the City of Reading and UGI Utilities, Inc., thereby conveying unto UGI Utilities, Inc. a non-exclusive, perpetual easement in gross upon that portion of premises known as TAX PARCEL # 531702762194 as shown on drawing number D-4900213 sheet 1 (SEE ATTACHED) **(Law)** ***Advertised 1-20-14***

Ordinances amending the Administrative Code

D. Bill 6-2014 - amending §5-209 of the Administrative Code, Public Participation **(Council Staff/Law)** ***Advertised 1-20-14***

E. Bill No. 7-2014 - amending the Administrative Code Section 5-204 C Special Meetings, D. Emergency Meetings and G. regarding postponement of meetings to provide clarification **(Council Staff/Law)** ***Advertised 1-20-14***

F. Bill No. 8-2014 – amending the Administrative Code Section 5-809 Department Of Police, Section B 2 to provide clarification. **(Council Staff/Law)** ***Advertised 1-20-14***

I. Bill No. 9-2014 – modifying the 2014 Position Ordinance, transferring one Clerical Position from the Department of Community Development, Property Maintenance Division, to the Department of Administrative Services, Citizens Services Center Division and amending the respective budgets accordingly **(Bus Analyst)**

Ordinances related to the sale of the city-owned land located in Perry/Richmond Township

J. Bill No. 10-2014 – authorizing the temporary easement on city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** ***TO BE DISTRIBUTED on MONDAY; Advertised 1-20-14***

K. Bill No. 11-2014 – authorizing the sale of city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** ***TO BE DISTRIBUTED on MONDAY Advertised 1-20-14***

10. INTRODUCTION OF NEW ORDINANCES

11. RESOLUTIONS

A. Resolution – approving the conditional use application for 918 Lancaster Avenue, to allow an additional residential unit in the former first floor commercial space **(Council Staff/Law)**

B. Resolution – approving the conditional use application for 34 N 6th Street, to expand the zoning permit for a deli/grocery use to include a banquet hall **(Council Staff/Law)**

C. Resolution – appointing the City Clerk **(Council Staff)**

D. Resolution – amending the Council Policy Book, as amended **(Council Staff/Law)**

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on first page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, January 27
Committee of the Whole – Council Office – 5 pm
Regular Meeting – Council Chambers – 7 pm

Monday, February 3
Nominations & Appointments Committee – Council Office – 4:30 pm

Monday, February 10
Committee of the Whole – Council Office – 5 pm
Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, January 27
DID Authority – 645 Penn St 5th floor – noon
District 7 Crime Watch – Holy Spirit Church – 7 pm

Tuesday, January 28
Environmental Advisory Council – Public Works Bldg conference room – noon

Housing Authority Workshop – WC Building – 4 pm
Housing Authority – WC Building – 5 pm
Planning Commission – Penn Room – 7 pm
Penns Commons Neighborhood Group – Penns Commons meeting room – 7 pm

Thursday, January 30
Water Authority – Water Authority office – 4 pm

Monday, February 3
Shade Tree Commission – Public Works Bldg – Operation Manager's office – 6 pm

Tuesday, February 4
Board of Health – Penn Room – 4 pm
Charter Board – Penn Room – 7 pm

Wednesday, February 5
Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm
District 2 Crime Watch – St Paul's Lutheran Church – 6:30 pm

Thursday, February 6
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

Sunday, February 9
College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, February 10
Fire Civil Service Board – Penn Room – 4 pm
6th & Amity Neighborhood & Playground Assn – 6th & Amity field house – 6:30 pm

City of Reading City Council
Regular Business Meeting
Monday, January 13, 2014

Council President Francis Acosta called the meeting to order.

The invocation was given by Rev. Danny Moore, Holy Trinity Church of God.

All present pledged to the flag.

ATTENDANCE

Council President Acosta
Councilor Daubert, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Managing Director C. Snyder
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

City Council issued Certificates of Recognition to Reading Senior High School outstanding fall athletes. The certificates will be mailed to the school.

Acting Chief Mogel and 1st Deputy Chief Conrad from the EMS Division issued a Reading Hospital Scholarship to BLS EMT Mike Quintinsky

PUBLIC COMMENT

Council President Acosta reviewed the public speaking regulations and stated that one (1) individual is registered to address Council this evening on non-agenda matters.

William Bangs, of Pennsylvania Ave, Muhlenberg, was not present.

The public comment period was closed.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading and the minutes for the December 16th Regular Meeting of Council and December 24th Special Meeting. He noted the need to add a Resolution to the Consent Agenda that authorizes the hiring of eight (8) probationary police officers and to remove the Award of Contract for Hill Road for separate consideration.

Councilor Marmarou moved, seconded by Councilor Sterner, to approve the minutes from the December 16th Regular Meeting of Council and the December 24th Special Meeting and the agenda for this meeting, including the legislation listed under the Consent Agenda heading, as amended. The motion was approved unanimously.

Consent Agenda

A. Resolution 1-2014 - authorizing the Bank Accounts for the City of Reading for the 2014 Calendar Year as attached in Exhibit A **(Controller)**

B. Resolution 2-2014 - amending Resolution 80-2013, designating the Keystone Communities Enterprise Zone by specifically including the words "commercial properties **(Bus Analyst/CD)**

C. Resolution 3-2014 - authorizing the disposition of the 2006 Financial Interest Statements from the City Clerk's Office **(Council Staff)**

D. **Award of Contract** - for the Police Policy and Procedures Manual to Police Accreditation Consultants, LLC, Gilbertsville, PA 19525 for a total price of $57,600 **(Purchasing)**

F. Resolution 4-2014 - to ratify the award of a Dam Condition Assessment Consulting Contract to URS Corporation ("URS") for a contract price not-to-exceed $61,541**.(Man Dir)**

G. Resolution 5-2014 – authorizing the hiring of Santiago Hernandez-Bernaid, Eric Koller, Peter Clauss, Francisco Contreras, Steve Valdez, Ryan Crampsie, Joshua Sheller, Anne Pletcher as probationary police officers **(Police)**

ADMINISTRATIVE REPORT

The mayor stated that Acting Public Works Director Ralph Johnson will be making a report on snow removal, in place of his report.

Mr. Johnson explained that the Public Works Department has rubber blades attached to the plows, rather than metal blades. He explained that the rubber blades are used to avoid damaging the manholes located in the streets. He stated that when snow is packed onto the

street rubber blades are not as effective in moving the packed snow.

Mr. Johnson stated that due to attrition in the Public Works Department some of the newer plow drivers are still learning the job. He explained the use of the labor pool during a snow event. He noted that he is talking with other organizations about pooling labor for snow removal.

Mr. Johnson stated that residents who have called questioning the use of salt on streets were correct when they questioned why salt was not falling from the chute on the truck. He explained that the salt purchased has a higher than normal moisture content, which makes it clog in the chutes on the trucks.

Mr. Johnson described the problems with the snow event last Friday during morning rush hour and the problems created when people dig out and throw the snow back into the streets.

Ms. Goodman-Hinnershitz stated that in various city neighborhoods, people have nowhere to go with the snow when they shovel their sidewalks or dig out their vehicles.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting. The report provided an overview of the Pension Boards, welcomed newly elected officials and defined the plan for the report at the next Council meeting.

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

Kevin Devera and Lori Knockstead, from the Stadium Commission, distributed a report on the volunteer hours accumulated by the Stadium Commission members. Mr. Devera stated that the former chair, Greg Geiger, who passed away suddenly in the spring began a push towards increasing the volunteer efforts from the Commission members. This effort will continue. He also described the Commission's work to assist the Fightin Phils and baseball charities.

Councilor Goodman-Hinnershitz and Councilor Reed thanked the Commission for their volunteerism and efforts to this important city asset.

ORDINANCES FOR FINAL PASSAGE

None.

INTRODUCTION OF NEW ORDINANCES

The following ordinances were read into the record:

A. Ordinance - authorizing the transfer of $250,000.00 from the General Fund (01) to the AGENCY Fund (31). The City has been awarded $250,000.00 through PA RACP funding for the construction portion of the Main Library Improvement Project. This request provides interim funding (bridge loan) to cover the $250,000.00 award as it is spent on construction **(Controller)**

B. Ordinance – correcting an error in the Per Capita Tax Ordinance **(Bus Analyst)**

C. Ordinance - authorizing the mayor to execute an easement between the City of Reading and UGI Utilities, Inc., thereby conveying unto UGI Utilities, Inc. a non-exclusive, perpetual easement in gross upon that portion of premises known as TAX PARCEL # 531702762194 as shown on drawing number D-4900213 sheet 1 (SEE ATTACHED) **(Law)**

D. Ordinance - amending §5-209 of the Administrative Code, Public Participation **(Council Staff/Law)**

E. Ordinance - amending the Administrative Code Section 5-204 C Special Meetings, D. Emergency Meetings and G. regarding postponement of meetings to provide clarification **(Council Staff/Law)**

F. Ordinance – amending the Administrative Code Section 5-809 Department Of Police, Section B 2 to provide clarification. **(Council Staff/Law)**

G. Ordinance – authorizing the transfer of $850,000.00 from the General Fund to the Trash/Recycle Fund to alleviate cash flow issues resulting from the distribution of the receivables from RAWA to the City on the 15th of each month as per current (April 9, 2013) MOU **(Controller).**

H. Ordinance – authorizing the transfer of $550,000.00 from the General Fund to the Trash/Recycle Fund to alleviate cash flow issues resulting from the distribution of the receivables from RAWA to the City on the 15th of each month as per current (April 9, 2013) MOU **(Controller).**

I. Ordinance – modifying the 2014 Position Ordinance, transferring one Clerical Position from the Department of Community Development, Property Maintenance Division, to the Department of Administrative Services, Citizens Services Center Division and amending the respective budgets accordingly **(Bus Analyst)**

J. Ordinance – authorizing the temporary easement on city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** ***TO BE DISTRIBUTED on MONDAY***

K. Ordinance – authorizing the sale of city-owned land in Perry/Richmond Townships to the Commonwealth of Pennsylvania **(Law)** ***TO BE DISTRIBUTED on MONDAY***

RESOLUTIONS

A. Resolution 6-2014 – appointing a Vice President of Council **(Council Staff)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to nominate Councilor Reed as Council Vice President.

Councilor Goodman-Hinnershitz expressed the belief that Councilor Reed brings years of valuable experience to this position and that she can responsively handle this position and assist in leading Council. She noted that in addition to regularly attending Council sessions, Councilor Reed also regularly attends additional meetings such as the Act 47 Implementation meetings held on Thursday afternoons.

Councilor Reed expressed the belief that her nomination will not be approved by the majority of Council. She stated that this fact saddens her. She noted that the Council President's efforts to build consensus about the selection process has been ripped apart.

Resolution No. 6-2014 to appoint Councilor Reed as Vice President of Council was NOT adopted by the following vote:

Yeas: Goodman-Hinnershitz, Reed, Acosta, President - 3
Nays: Daubert, Marmarou, Sterner, Waltman - 4

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to nominate Council Daubert as Council Vice President.

Councilor Daubert stated that he will accept the nomination as he was elected to bring about change and to move the body of Council forward.

Councilor Sterner expressed the belief that Councilor Daubert can handle the duties of the Vice President but that it is unfair to thrust him into this position at his first official meeting.

Councilor Goodman-Hinnershitz recalled that a similar situation happened when Councilor Fuhs was nominated as Vice President at his first official Council meeting when similar dynamics were in play.

Councilor Waltman questioned if the issue at hand was based on choosing a leader or a lack of leadership. He expressed the belief that the issue at hand is not being conducted effectively and that this is not good government. He questioned the pressure being placed on the newly elected District 1 Councilor and questioned the behavior that is occurring. He expressed concern for the City leadership moving forward.

Council President Acosta recalled that two (2) years ago when he applied to be appointed to be Council President, he was subjected to similar behavior.

Resolution No. 6-2014 to appoint Councilor Daubert as Vice President of Council was adopted by the following vote:

> **Yeas: Daubert, Goodman-Hinnershitz, Reed, Acosta, President – 4**
> **Nays: Marmarou, Sterner, Waltman - 3**

B. Resolution 7-2014 – reappointing Otis Smith to the Recreation Commission **(Council Staff)**

C. Resolution 8-2014 – appointing James Washington to the Recreation Commission **(Council Staff)**

D. Resolution 9-2014 - appointing Marcia Goodman-Hinnershitz and Chris Daubert as Council representatives to the Recreation Commission **(Council Staff)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolutions 7, 8 and 9-2014.

Councilor Reed noted the importance of the Rec Commission and she thanked Councilor Daubert for accepting this position.

Councilor Goodman-Hinnershitz explained the need to make these appointments quickly as without the appointments the Commission would be unable to reorganize at their meeting scheduled for January 14th. She stated that she looks forward to working with Councilor Daubert.

Resolution Nos. 7, 8 and 9-2014 were adopted by the following vote:

> **Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President – 7**
> **Nays: - 0**

E. Award of Contract - for the Hill Road/Egelman's Park Project to Bertolet Construction, 100 South Church Road, Wernersville, PA 19565 with a total submitted bid of $115,621.00 **(Purchasing)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to approve the Award of Contract for the Hill Road/Egelman's Park project.

Councilor Goodman-Hinnershitz noted that these repairs have been needed for years and she thanked the administration for moving them forward.

The Award of Contract was approved by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President – 7
Nays: - 0

COUNCIL COMMENT

Councilor Sterner described the Committee of the Whole meeting discussion about the Council Vice President. He noted that a sidebar meeting after the Committee of the Whole changed the matter. He stated that during the Committee of the Whole various parties were accused of playing politics, which he questioned due to the sidebar conversations between the meetings.

Councilor Reed noted the passing of 1st Deputy Fire Chief "Moose" Wentzel.

Councilor Daubert thanked the Councilors for welcoming him and helping his transition on to the body of Council.

Councilor Goodman-Hinnershitz stated leadership comes in all ways and that she was willing to step away from the Vice President role so Councilor Reed could have the opportunity and she also stepped away after Councilor Reed's nomination was rejected. She noted the need for the body of Council to work together and lead together so the City's problems can be solved. She asked all to renew their commitment.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

FUND TRANSFER

TO:	Members of City Council
FROM:	Christian F. Zale City Controller
PREPARED BY:	Christian F. Zale City Controller
MEETING DATE:	January 13, 2014
AGENDA MEMO DATE:	November 25, 2013
RECOMMENDED ACTION:	Fund Transfer

BACKGROUND:
The City has been awarded $250,000.00 through PA RACP funding for the construction portion of the Main Library Improvement Project. This request provides interim funding (bridge loan) to cover the $250,000.00 award as it is spent on construction and is a requirement of the RACP funding source. (Resolution number 123-2010 adopted on 12/27/2010 for this project.)

BUDGETARY IMPACT:
None

PREVIOUS ACTION:
None

RECOMMENDED BY:
City Controller

RECOMMENDED MOTION:
Approve the request.

BILL NO. _____ - 2014

AN ORDINANCE

AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER FUNDS FROM THE GENERAL FUND TO THE AGENCY FUND.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of $250,000.00 from the General Fund (01) to the AGENCY Fund (31). The City has been awarded $250,000.00 through PA RACP funding for the construction portion of the Main Library Improvement Project. This request provides interim funding (bridge loan) to cover the $250,000.00 award as it is spent on construction and is a requirement of the RACP funding source. (Resolution number 123-2010 adopted on 12/27/2010 for this project.)
Upon cash receipt from PA DCED Office of the Budget (RACP Funding Source), the Agency Fund reimburses the General Fund.

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 _____, 2014

_____
President of Council

Attest:

_____
City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Bill No. ____-2014
AN ORDINANCE

AMENDING CHAPTER 549 OF THE CODE OF THE CITY OF READING TO CORRECT AN ERROR PERTAINING TO THE PER CAPITA TAX

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Council of the City of Reading hereby ordains the amendment of Chapter 549, Part 6, Section 608 be redacted and reserved as follows:

§ 549-403. Tax levied; rate; business volume computed; exemptions. [Amended 5-29-2001 by Ord. No. 14-2001]
§ 549-608. ~~Exemption.~~ *Reserved.*
~~Persons whose total income from all sources is less than $12,000 per annum are hereby exempted~~
~~from this tax.~~

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 _____, 2014

_____
President of Council

Attest:

_____
City Clerk

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

BILL NO._____-2013

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE AN EASEMENT BETWEEN THE CITY OF READING AND UGI UTILITIES, INC., THEREBY CONVEYING UNTO UGI UTILITIES, INC. A NON-EXCLUSIVE, PERPETUAL EASEMENT IN GROSS UPON THAT PORTION OF PREMISES KNOWN AS TAX PARCEL # 531702762194 AS SHOWN ON DRAWING NUMBER D-4900213 SHEET 1 (SEE ATTACHED).

WHEREAS, the City of Reading is the legal owner of certain real property situate on the South side of Walnut Street, Reading, Berks County, Pennsylvania, with tax parcel # 531702762194; and

WHEREAS, UGI Utilities, Inc., desires to locate a certain regulator station upon said premises; and

WHEREAS, the City of Reading is willing to grant to UGI Utilities, Inc., a perpetual easement on said parcel for such purpose.

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

SECTION 1. The Mayor is authorized to execute an Easement (attached hereto) to convey unto the UGI Utilities, Inc., a non-exclusive, perpetual easement in gross easement upon that portion of premises known and designated as Tax Parcel # 531702762194, as shown on Plan of Ludgate Engineering, Inc., dated February 11, 2013 (also attached hereto).

SECTION 2. This Ordinance shall be effective ten (10) days after passage.

Enacted_____, 2014

_____
President of Council

Attest:

_____
City Clerk

(LAW DEPT.)

BILL No. _____-2014

AN ORDINANCE

AMENDING §5-209 OF THE ADMINISTRATIVE CODE, PUBLIC PARTICIPATION

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

Section 1. Amending §5-209 of the Administrative Code, Public Participation as follows:

§5-209. Public Participation.
These rules are intended to promote an orderly system of public comment, to give every person an opportunity to be heard, and to ensure that no individual is embarrassed by exercising his right of free speech. Public comment is permitted at the regular meetings of Council which occur on the second and fourth Mondays of each month. Public comment is not permitted at the City Council work sessions, committee meetings or Committee of the Whole meetings.

A. ***Regular Meetings.*** Citizens desiring to address the Council at its regular meetings may do so by providing notice verbally or in writing ***by providing*** their name, address and the subject matter to be discussed to the City Clerk any time before 5 pm on the day of the scheduled meeting ***or by 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.***

B. ***Special Meetings.*** Citizens desiring to address the Council at its special meeting may do so by providing notice verbally or in writing ***by providing their name, address and*** the subject matter to be discussed to the City Clerk any time before 5 pm on the day of the scheduled meeting ***or by 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***.

~~C. A citizen shall be provided the opportunity to address the Council on any agenda item without written notice (see Charter, §2135). The presiding officer or by action of Council shall limit the time each person shall speak giving equal time to all. Such discussion shall occur prior to the vote of the agenda item.~~

~~D~~ ***C.*** All remarks must be directed to Council as a body and not to any Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become 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 a majority vote of Council.

~~E~~ ***D***. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing the Council may be called to order by the Presiding Officer, and may be barred from speaking before the Council unless permission to continue to speak is granted by a majority vote of the Council.

~~F~~***E***. All comments by the public shall be made from the speaker's podium. 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 presentation.

~~G~~ ***F***. Citizens may not ask questions of Council member or other elected or public official in attendance. However, Council members, elected or public officials may make a statement in response to comments made by citizens at the conclusion of the public comment period.

~~H~~ ***G***. **Public Hearings**. ***Citizens desiring to address the Council at its public hearing may do so by providing notice verbally or in writing by providing their name, address and the subject matter to be discussed to the City Clerk any time before 5 pm on the day of the scheduled hearing.*** Any person who fails to sign in with the City Clerk shall not be permitted to speak until all those who signed in have done so. Those testifying must limit their comments to 3 minutes. No person who has previously spoken during the public hearing on a particular item may speak again unless all other persons desiring to give testimony at the public hearing have spoken. A person speaking for a second time shall limit his comments to not more than 1 minute.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2014

_____
President of Council

Attest:

_____
City Clerk

(Council Staff)
Submitted to Mayor: _____
Date: _____
Received by the Mayor's Office: _____
Date: _____
Approved by Mayor: _____
Date: _____
Vetoed by Mayor: _____
Date: _____

BILL NO. _____-2014
AN ORDINANCE

AMENDING THE ADMINISTRATIVE CODE, SECTION 5-204 MEETINGS TO PROVIDE CLARIFICATION.

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

Section 1. Amending § 5-204 C Special Meetings, D. Emergency Meetings and G. regarding postponement of meetings of the Administrative Code as follows:

§5-204. Meetings.

C. Special meetings. Special meetings may be called by the President of the Council or upon the written request of a majority of the members of the Council. A written notice shall be ~~mailed or~~ delivered ***by electronic communications*** to each Council member at least 24 hours before a special meeting is held. Such notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Council. Special meetings may also be called by citizens' petition as referenced in the Charter, § 1112.

D. Emergency meetings. The Mayor may call a***n*** ~~special~~ ***emergency*** meeting of Council for the purpose of taking action on an emergency by contacting the President or Vice President of Council ***who shall then notify the remaining members of Council about the purpose of the meeting and the time and location of the meeting.*** ~~and further.~~ No action shall be taken at the emergency meeting ~~provided~~ ***unless*** a quorum of Council is present ~~of Council~~ as provided in the Charter. In the event five Council members determine that the emergency meeting is ***unnecessary*** ~~called by the Mayor~~, the meeting shall not be held ~~and/or shall be adjourned without any action.~~

E. Executive sessions. The Council may hold executive sessions as permitted by law. No official action shall be taken by the Council on any matter in executive session as provided for by the Sunshine Act, 1998, P.L. 729, No. 93 (65 Pa.C.S.A. § 701 et seq.), as amended.4
F. In the absence of the President, the Vice President shall exercise the duties of the President. In the absence of both the President and the Vice President, the Council shall appoint a President pro-tem who shall have all the powers of the President.

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G. In the event a regular or special meeting needs to be postponed because of a weather emergency or similar circumstances, the Council President may determine the date and time of the postponed meeting. Reasonable efforts to fulfill the notice requirements (see Subsections A and C above) shall be made, but broadcast announcements and telephone calls to members~~, along with posting on the door of Council Chambers the day of the meeting,~~ shall be deemed to meet minimum requirements.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2014

_____
President of Council

Attest:

_____
City Clerk
(Council Staff)

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

BILL NO. _____-2014
AN ORDINANCE

AMENDING THE ADMINISTRATIVE CODE SECTION 5-809 DEPARTMENT OF POLICE, SECTION B 2 TO PROVIDE CLARIFICATION.

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

Section 1. Amending Administrative Code § 5-809 B 2 as follows:

§5-809. Department of Police

§ 5-809. Department of Police. [Amended 11-13-2001 by Ord. No. 39-2011; 12-28-2009 by Ord. No. 73-2009]

A. Function. The Department of Police shall be responsible for the protection of persons and property within the City by maintaining law and order.

B. Department Director.

(1)Whenever the Chief of Police (or Acting Chief) is absent due to vacation, illness or injury, the current Chief (or Acting Chief) shall designate one of the police Department's Command Staff to head the department and staff until the Chief of Police returns to duty.

(2) Whenever the position of Chief of Police (or Acting Chief) is vacant due to the removal, resignation, retirement, ~~permanent disability,~~ or death, the Managing Director shall appoint one of the Police Department's Command Staff to the Acting Chief position, as is required in § 5-401 of this chapter, until such time as the Mayor nominates a replacement to City Council and City Council approves the nomination.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2014

_____
President of Council

Attest:

_____
City Clerk
(Council Staff)

FUND TRANSFER

TO:	**Members of City Council**
FROM:	**Christian F. Zale** **City Controller**
PREPARED BY:	**Christian F. Zale** **City Controller**
MEETING DATE:	**January 13, 2014**
AGENDA MEMO DATE:	**December 27, 2013**
RECOMMENDED ACTION:	**Fund Transfer**

BACKGROUND:
Trash 2014 receivables are distributed to the City by RAWA on the 15th of each month per current (April 9, 2013) MOU; however, expenditures occur throughout the month. Because of this "timing" difference, payment of Trash expenditures from its fund becomes a challenge.

BUDGETARY IMPACT:
None

PREVIOUS ACTION:
None

RECOMMENDED BY:
City Controller

RECOMMENDED MOTION:
Approve the request.

BILL NO. _____ - 2014

AN ORDINANCE

AN ORDINANCE AUTHORIZING THE TRANSFER FUNDS FROM THE GENERAL FUND TO THE TRASH/RECYCLE FUND.

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

SECTION 1. Authorizing the transfer of $850,000.00 from the General Fund (01) to the Trash/Recycle Fund (56).

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 _____, 2014

_____
President of Council

Attest:

_____
City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

FUND TRANSFER

TO:	**Members of City Council**
FROM:	**Christian F. Zale** **City Controller**
PREPARED BY:	**Christian F. Zale** **City Controller**
MEETING DATE:	**January 13, 2014**
AGENDA MEMO DATE:	**December 27, 2013**
RECOMMENDED ACTION:	**Fund Transfer**

BACKGROUND:
Recycle 2014 receivables are to be distributed to the City by RAWA on the 15th of each month per current (April 9, 2013) MOU; however, an October 2013 court decision curtailed the collection of Recycle fees. Because of this ruling, payment of Recycle expenditures from its fund becomes a challenge.

BUDGETARY IMPACT:
Possible unbudgeted spending paid by General Fund; about one fourth ($550,000) of 2014 budget Recycle spending $2,298,519.

PREVIOUS ACTION:
None

RECOMMENDED BY:
City Controller

RECOMMENDED MOTION:
Approve the request.

BILL NO. _____ - 2014

AN ORDINANCE

AN ORDINANCE AUTHORIZING THE TRANSFER FUNDS FROM THE GENERAL FUND TO THE TRASH/RECYCLE FUND.

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

SECTION 1. Authorizing the transfer of $550,000.00 from the General Fund (01) to the Trash/Recycle Fund (56).

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 _____, 2014

_____
President of Council

Attest:

_____
City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

ORDINANCE 2014-____

AN ORDINANCE MODIFYING THE 2014 POSITION ORDINANCE, TRANSFERRING ONE CLERICAL POSITION FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT, PROPERTY MAINTENANCE DIVISION, TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES, CITIZENS SERVICES CENTER DIVISION AND AMENDING THE RESPECTIVE BUDGETS ACCORDINGLY.

WHEREAS prompt and competent constituent service is a priority of the Council of the City of Reading; and

WHEREAS the Citizens Service Center, operated by the Department of Administrative Services, has become an increasingly important nexus in serving constituents.

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

SECTION 1: The 2014 Position Ordinance is hereby modified, transferring one full-time clerical staff member from the Property Maintenance Division of the Department of Community Development to the Citizens Service Center of the Department of Administrative Services.

SECTION 2: The Director of Administrative Services is hereby authorized to amend the 2014 General Fund Budget line items to facilitate this transfer.

SECTION 3: This Ordinance shall be effective ten (10) days after passage.

Approved January 27, 2014:

_____
Council President

ATTEST:

_____
City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor:

Date: _____

Approved by Mayor:

Date: _____

Vetoed by Mayor:

Date: _____

ORDINANCE 2014-____

AN ORDINANCE MODIFYING THE 2014 POSITION ORDINANCE, TRANSFERRING ONE CLERICAL POSITION FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT, PROPERTY MAINTENANCE DIVISION, TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES, CITIZENS SERVICES CENTER DIVISION AND AMENDING THE RESPECTIVE BUDGETS ACCORDINGLY.

WHEREAS prompt and competent constituent service is a priority of the Council of the City of Reading; and

WHEREAS the Citizens Service Center, operated by the Department of Administrative Services, has become an increasingly important nexus in serving constituents.

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

SECTION 1: The 2014 Position Ordinance is hereby modified, transferring one full-time clerical staff member from the Property Maintenance Division of the Department of Community Development to the Citizens Service Center of the Department of Administrative Services.

SECTION 2: The Director of Administrative Services is hereby authorized to amend the 2014 General Fund Budget line items to facilitate this transfer.

SECTION 3: This Ordinance shall be effective ten (10) days after passage.

Approved January 27, 2014:

_____
Council President

ATTEST:

_____
City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor:

Date: _____

Approved by Mayor:

Date: _____

Vetoed by Mayor:

Date: _____

R E S O L U T I O N NO._____2014

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

Approving the Conditional Use application submitted by Peter Anthony, owner/applicant, 150 W 38th St, Exeter, 19606, to replace the commercial space located in the first floor of the property with one (1) rental unit.

Adopted by Council_____, 2014

_____
Francis G. Acosta
President of Council

Attest:

_____
Linda A. Kelleher CMC
City Clerk

(Council Staff)

IN RE: APPLICATION OF	: BEFORE THE CITY COUNCIL
PETER ANTHONY	:
FOR A CONDITIONAL USE	: OF THE CITY OF READING,
PERMIT TO REPLACE THE	: PENNSYLVANIA
COMMERCIAL SPACE ON THE 1st	:
FLOOR OF 918 LANCASTER AVE,	:
READING, BERKS COUNTY, PA	:
WITH ONE RENTAL UNIT	:

DECISION OF THE CITY OF READING
CITY COUNCIL ON A CONDITIONAL USE APPLICATION

AND NOW, this 13th day of January 2014, after a hearing held on December 17, 2013, upon the application Peter Anthony, owner/applicant, 150 W 38th St, Exeter, 19606, of 918 Lancaster Avenue, notice of such hearing having been first sent, posted and advertised in accordance with the provisions of the Pennsylvania Municipalities Planning Code and the City of Reading Zoning Ordinance, as amended, the City of Reading City Council (hereinafter "Council") renders the following decision:

FINDINGS OF FACT

City Council finds the following facts:

1. The Applicant Peter Anthony, owner/applicant, (hereinafter applicant), 150 W 38th St, Exeter, 19606, of 918 Lancaster Avenue.

2. Applicant is the property owner for the fee simple owner of the property of 918 Lancaster Avenue (hereinafter Subject Property) at the time of application and at the time of the hearing.

3. The Subject Property is located in the Commercial Highway (CH) Zoning District as that term and district is defined by the City of Reading Zoning Ordinance, as amended, (hereinafter referred to as "Zoning Ordinance").

4. Applicant is seeking a Conditional Use permit to replace the first

floor commercial space with one rental unit as per the Zoning Ordinance per §600-810 B 3 Zoning Districts CC, §600-804 B 3 Zoning Districts R-3 and §600-1203 Conditional Use.

5. The Applicant attended the hearing.

6. The Solicitor for the City entered the agenda with all attachments and recommendations from the City's Zoning Administrator and Planning Commission on to the record without objection from the Applicant.

7. The Applicant stated that the Property has a first floor commercial space and a residential rental space on the 2nd floor. He stated that he purchased the property in 1992 to use as his realty office. After he closed his realty business, he attempted to rent the space out to other businesses; however, due to the overabundance of commercial space in the area he has been unable to attract businesses to the first floor area. He stated that after unsuccessfully trying to rent the space to businesses he decided to use the unit for residential purposes. He described the layout of the unit and stated that the only change was the removal of the commercial counter-top.

8. The City Planner stated that the Planning Commission reviewed the application at their November 26th meeting. He stated that all residential uses are permitted in the CH zoning district. He explained that originally this building was solely a residential property and was at some point converted to commercial on the first floor and residential on the second floor. He stated that the Commission recommends approving this application, adding a condition requiring a Building/Trades inspection.

9. The Zoning Administrator testified that the proposed use complies with the Zoning Ordinance. He stated that the commercial retail space was added in 1982 and in 1992 the use changed to realty office space.

10. The Zoning Administrator stated that the first floor unit has 670 sq. ft. of living space, which complies with the Zoning Ordinance. He noted that the property has three (3) off-street parking spaces, which meets the Zoning Ordinance requirements.

11. The Zoning Administrator stated the Zoning Ordinance no longer allows for new efficiency units and that prior to the prohibition of efficiency units, this unit would not qualify due to its size limitations. The Zoning Administrator recommended denying the application and requiring the expansion of the first floor efficiency unit to an apartment unit.

DISCUSSION

The Applicant is seeking a Conditional Use Permit convert the first floor commercial space to a one unit residential rental. The building is located in an CH zoning district.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Subject Property is located in the CH Zoning District.

2. Hearing was held on December 17, 2013.

3. Applicant requests a Conditional Use for the conversion of the first floor commercial space to a one unit residential rental at the Subject Property.

4. The burden of proof for an application for a Conditional Use is upon the Applicant.

5. City of Reading City Council is permitted to grant Conditional Uses, with conditions and other relief as set forth in the Zoning Ordinance of the City of Reading and Pennsylvania Municipalities Planning Code upon compliance with the requirements therefore set forth in the Zoning Ordinance.

6. Applicant did not file an application for other relief from the City of Reading Zoning Hearing Board.

DECISION

After reviewing the Applicant's request in detail, City Council enters the following decision:

The application of Peter Anthony, owner/applicant, 150 W 38th St, Exeter, 19606, of 918 Lancaster Avenue for a conditional use permit for the conversion of the first floor commercial space to one unit residential rental is hereby approved with the following conditions:

1. The property shall meet all applicable Building, Trades and Fire Code requirements and obtain a Certificate of Occupancy prior to the issuance of the Conditional Use permit.

This is the decision of the City of Reading City Council by a vote of ___ to ___.

R E S O L U T I O N NO._____2014

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

Appointing _____ as City Clerk for a two (2) year term.

Adopted by Council on_____, 2014

_____
President of Council

Attest:

_____
City Clerk

R E S O L U T I O N NO. _____2014

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

That Council adopts its Policy Handbook as attached and such resolution shall be considered adopted on the effective date of Bill No. 6-2014 as per Sections 219 and 221 of the City of Reading Charter.

Adopted by Council _____, 2014

_____
Francis G. Acosta
President of Council

Attest:

_____
Linda A. Kelleher
City Clerk

City of Reading

City Council

Policy & Operations

Updated December 2013

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INTRODUCTION

This document will serve as a handbook for the responsibilities undertaken by the City Council, the Governing Body of the City of Reading. The information in this document will serve merely as an overview. Further research and preparation is needed for a fuller understanding and knowledge of Council duties. Understanding the purpose of city government allows for clarity and understanding by all members of Council and citizens alike.

PURPOSE

A major goal of the City Council is to enact responsible legislation for the prudent and ethical operation of the City Government, to assist in the planning of the City's revitalization and future, and to maintain free and open discussions with the City Administration and City residents to ensure democracy and good government for the City of Reading, Pennsylvania.

The City Council establishes City policy to provide for the exercise of all duties and obligations imposed upon the City by the Home Rule Charter and applicable State and Federal laws and to secure the general health, safety and welfare of the City and its citizens. The Council adopts resolutions and enacts ordinances as necessary to execute any of the City's powers.

The City Clerk acts as the director of the legislative branch. The City Clerk, along with the Deputy Clerk and other support staff, performs general oversight and coordination of the legislative action of City Council and makes recommendations to City Council on policy, regulations, practices and issues concerning the City of Reading.

The City Council approves the Mayor's appointments of the Managing Director, Department Directors, Solicitor, and Zoning Administrator. Council also makes appointments to the City's Boards, Authorities and Commissions, as specified by the Home Rule Charter and the Third Class City Code. Council is also responsible for the enactment of the City's annual operating budget and capital program and the hiring and promotion of police and fire fighters.

Council's Structural Evolution

In January 1996, the City of Reading made the transition from the Commission Form of Government to a Mayor/Council form of the Home Rule Charter. The new form of Government was approved by voter referendum on November 7, 1993.

Under the Home Rule Charter, the City of Reading is divided into six districts, with each district electing one Council member. District-elected Council members are to represent the voice of their constituents and act as a body to make decisions in the best interest of the entire City. The President of Council is elected at-large. The President of Council is the presiding officer of Council and has the same voting powers as the other six Council members. The President interacts with the Mayor and other governmental entities and represents the voice of Council.

When the Home Rule form of government began in 1996, Council received administrative support from the City Clerk's Office. In addition to general administrative support, the City Clerk assists Council with the drafting of legislation, legal research, and public relations. After evaluating the needs of the seven member Council and the staffing of other Council offices, Council moved to add the functions of policy making to the administrative duties of the City Clerk and moved to add 2 additional employees to the staff.

In 1998, City Council elected to use the Committee structure. The Administrative Code provides for six Council Committees. Council currently operates with five committees – Nominations and Appointments, Standards of Living, Finance, Audit and Budget, and Housing and Economic Development. The committee setting allows members to more closely explore City issues and successfully work towards mutual goals. Each Committee meets on a Monday, one time per month. Committees may also meet more frequently when necessary. Three Council members serve on each committee but the meetings are structured to allow all members of Council to attend as they desire. The President of Council is an ad hoc member of all Committees. Committee meetings are advertised and open to the public.

Council established the Charter Review Commission (CRC) in November of 2001, a group of 12, to review the Charter and make recommendations on amendments to the Charter. The City of Reading Home Rule Charter mandates that the CRC report to Council and the Mayor within 6 months of their formation. This group returned a report suggesting two amendments. The first amendment proposed changing the Mayor/Council government structure to a Manager/Council structure. The second amendment proposed the creation of a Transition Committee and a Charter Review Board that would assist the Administration and Council with interpretations on gray areas of the Charter. The amendments went on the General Election Ballot in November 2002. Only the second amendment was approved by the voters.

In 2013, the second CRC was convened. Their report is due to Council in January 2014.

In addition, changes may be made to the Charter by the voters through referendum or by Council through enactment of ordinance authorizing referendum placing items on the ballot or through an initiative proceeding by a citizen or the CRC.

POWERS OF THE CITY

Role of the Charter. *§5-201 of the Codified Ordinances.*
The role of the Charter in interpreting this Administrative Code shall be as follows: In the event there is any inconsistency or conflict in the Charter and the provisions of this Administrative Code the provisions of the Charter shall take precedence. (*Ord. 17-1996*, 6/24/1996, §2.01)

Grant of Power. *§102 of the City Charter.*
The City shall have the power to exercise any power or to perform any function not denied by the Constitution of the United States, by the Constitution of Pennsylvania, by act of the General Assembly of Pennsylvania or by this Charter.
(*Charter*, 11/3/1993, §102)

Exercise of Powers. *§103 of the City Charter.*
All powers of the City shall be exercised as provided by this Charter, or if the Charter makes no provision, as provided by ordinances or resolutions of the City Council. (*Charter*, 11/3/1993, §103)

General Powers and Duties. *§208 of the City Charter.*
All powers of the City not otherwise provided for in this Charter shall be exercised in a manner to be determined by Council. Council shall provide for the exercise and performance of any such other powers and duties in a manner consistent with the terms of this Charter.
(*Charter*, 11/3/1993, §208)

COUNCIL – THE LEGISLATIVE BRANCH

Composition. *§201 of the City Charter.*
There shall be seven members of Council. Six shall be nominated and elected by district and one, the President of Council, shall be nominated and elected at large by the qualified voters of the City. (*Charter*, 11/3/1993, §201) Qualified voters of the City who have resided continuously in the City one (1) year prior to the date of the primary election for that office shall be eligible to hold office. Residency must be retained during the term of office. (*Charter*, 11/3/1993, §202)

Election and Terms. *§203 of the City Charter.*
The Council terms shall be 4 years and begin at noon on the first Monday of January next following the municipal election. In the year the Mayor is elected three (3) district Council persons and the City Auditor shall be elected. In the next municipal election the President of Council and three (3) district Council persons shall be elected. (*Charter*, 11/3/1993, §203)

COUNCIL POLICY - INAUGURATION

Members of Council are elected during the General Municipal Election. By Charter the terms of Council begin at noon on the first Monday in January. Following tradition, this first Monday is a day of inaugural celebration. The following procedures guide the event:

1. Immediately following the election, the Councilors-elect will meet with the City Clerk and other Council Staff to review event arrangements.
2. All Current and newly elected members of Council and Councilors-elect shall provide the City Clerk with:
   a. The names and addresses of guests they wish to invite no later than the fourth week in November. Invitations are mailed out through the City mail by the second week in December.
   b. Councilors-elect will need to provide the name of the official they would like to have administer the oath of office. Officials eligible to administer the oath are any elected judge, Magisterial District Judge or notary public.
   3. All arrangements for the ceremony, including but not limited to:
   -Location
   -Entertainment
   -Refreshments
   -Program Participants
   All arrangements will be made by the City Clerk. The City Clerk will consult on arrangements with the Councilors-elect and attempt to accommodate special requests.

Compensation. *204 of the City Charter and §91-101 Codified Ordinances*
From and after the first Monday of January, 2004, the following salaries shall be paid to each of the hereinafter designated elected officials of the City in accordance with the following schedule; provided, however, that such salaries shall apply only to such elected officials assuming office on or after the first Monday of January, 2004. Council may raise, by ordinance, the salary of Council, but such ordinance will not take effect until the date of the commencement of the terms of Council members elected at the next regular municipal election, provided that such election follows the adoption of such ordinance by at least 6 months. (*Charter*, 11/3/1993, §204)

Mayor - the Mayor of the City of Reading shall be compensated at an annual salary of:

1 $68,100.00 for the period beginning the first Monday in January, 2008, and ending the first Sunday in January, 2009.
2 $69,600.00 for the period beginning the first Monday in January, 2009, and ending the first Sunday in January, 2010.
3 $71,100.00 for the period beginning the first Monday in January, 2010, and ending the first Sunday in January, 2011.
4 $72,600.00 for the period beginning the first Monday in January, 2011, and annually for each year thereafter. *(Ord. 29-2007, 4/23/2007)*

President of Council - the City Council President for the City of Reading shall be compensated at an annual salary of $5,500 per year.

Councilors - the District Councilpersons for the City of Reading shall be compensated at an annual salary of $5,000 per year.

City Auditor - the City Auditor of the City of Reading shall be compensated at an annual salary of:

1 $53,100.00 for the period beginning the first Monday in January, 2008, and ending the first Sunday in January, 2009.
2 $54,600.00 for the period beginning the first Monday in January, 2009, and ending the first Sunday in January, 2010.
3 $56,100.00 for the period beginning on the first Monday in January, 2010, and ending the first Sunday in January, 2011.
4 $57,600.00 for the period beginning the first Monday in January, 2011 and annually for each year thereafter.
(*Ord. 74-1989*, 6/28/1989, §1; as amended by *Ord. 14-2001*, 5/29/2001; and by *Ord. 9-2003*, 4/14/2003, ; *and by Ord. 29-2007, 4/23/2007)*

Note: *City Council currently does not receive any other compensation (cell phone, automobile, lap tops, permanent office space or individual administrative support) or insurance benefits. However when preparing the Council Office Budget Council can budget for lap tops, cell phones, or other equipment Council deems necessary to enhance their delivery of service. Business cards, letterhead and some other office supplies are provided by Council Staff. Before taking office newly elected officials must complete new employee paperwork in the Human Resources Department. Council Staff can assist in making those arrangements.*

Vacancies *§205 of the City Charter*
The office of Council member shall become vacant upon death of the member, resignation, or removal from office in any manner authorized by law or forfeiture of office. (*Charter*, 11/3/1993, §205)

A vacancy in the Council shall be filled by a majority vote of the remaining members of Council. If the Council fails to act within 30 days following the occurrence of the vacancy the Court of Common Pleas of Berks County shall, upon petition of three members of Council or 10 qualified voters of the City, fill the vacancy in such office by the appointment of a qualified resident of the City. In the case of a vacated district seat the person appointed to fill that seat either by Council itself or the Court of Common Pleas must be a resident of the district. The individual appointed will remain in office until the first Monday in January following the next municipal election. At such municipal election a qualified person shall be elected to serve from the first Monday of January following the election for the remainder of the term of the person originally elected to such office or, if such term would otherwise expire on the first Monday following, for a new full term. (*Charter*, 11/3/1993, §207)

Forfeiture of Office *§206 of the City Charter*
A member of Council shall forfeit office if the member:

1 Lacks at any time during the term of office any qualification for the office prescribed by this Charter or by law.
2 Violates any express prohibition of this Charter.
3 Fails to attend three consecutive regular meetings of the Council without being excused by Council.
4 Is convicted of any crime classified as a misdemeanor of the second class or higher, under the laws of the Commonwealth of Pennsylvania or the United States, or be convicted of any comparable crime under the laws of any other state in the United States. In all cases of forfeiture, the member shall be entitled to notice and a hearing before Council in accordance with administrative procedures to be established by Council. (*Charter*, 1/3/1993, §206)

COUNCIL POLICY - FILLING OF VACANCIES

In the event a Council, Mayor or Auditor seat becomes vacant, notification should be provided to the body (in writing) and to the public and media. Council Staff will prepare an application form, similar to that used for the Boards, Authorities and Commissions, and prepare an ad to run in the local newspaper and on the City's web site. Council Staff will work with the President of Council, or the Vice President in the event of the Council President's resignation, to determine when the application period will end and set the interview schedule. Applicant interviews will occur in a public session. Each applicant will be interviewed individually. Applicants waiting for their interview shall wait in an area away from the interview area.

Council Staff shall prepare the appointment resolution to be adopted by Council at a Regular Meeting or Special Session before the close of the 30 day period prescribed by the Charter. The oath of office will be administered by the City Clerk after the appointment resolution is adopted.

City Clerk. *§225 of the Charter.*
Within 30 days of taking office, City Council shall appoint an officer of the City who shall have the title of City Clerk. The City Clerk shall give notice of Council meetings to its members and the public, take the minutes of all City Council meetings, keep the journal of its proceedings, shall have the power of a notary public, shall serve as secretary to the Council and perform such other duties as are assigned by the Administrative Code [Chapter 1, Part 1], the Council or State law. The term of City Clerk shall be 2 years with option to be re-appointed for successive terms. The City Clerk shall serve at the pleasure of Council.

Duties *§5-601 of the Administrative Code.*
The duties of this position will include but are not limited to the following: serves as Director of the legislative branch, performs general oversight and coordination of the legislative action of City Council, makes recommendations to City Council on policy, regulations, practices and issues concerning the City of Reading, serves as liaison between City Council and other officials, acts as representative of Council at meetings and events when so directed by City Council, explains City Council procedures and answers questions on City Council business from the public, press and administration, and performs varied public relations activities for City Council and the City of Reading to promote City issues and initiatives. The City Clerk also hires and oversees all members of Council Staff. (Ord. 17-1996, 6/24/1996, §6.01; as amended by Ord. 28-1998, 10/26/1998, §1)

COUNCIL BUSINESS

Organization Meeting; Presiding Officer of Council. *§5-203 of the Codified Ordinances.* The organization meeting of the Council shall be the first meeting in each year following a municipal election. At the organization meeting, Council shall elect a Vice President, and members of Council's Standing Committees and other such officers as the Council may deem appropriate to serve a 2 year term. [Ord. 52-2013] [*Ord. 7-2001*] (*Ord. 17-1996*, 6/24/1996, §2.03; as amended by *Ord. 7-2001*, 4/9/2001, §1)

Meetings. *§5-204 of the Codified Ordinances.*

Public Notice. Provisions governing public notice of meetings shall be provided by Sunshine Act of 1986, P.L. 38, No. 84, as amended.

Note: *Council Staff prepares an annual meeting notice covering regular business meetings, work sessions and committee meetings for the new fiscal year. Notices for Special Meetings, Public Hearings, and any other meetings where a majority of the body of Council is present are prepared by Council Staff and advertised on an as needed basis at least 24 hours before such meeting is held, in accordance with the Sunshine Act.*

Regular Meeting. Council shall hold a regular meeting at least twice each month in the evening on a day and place as the Council may prescribe by rule.

Note: *Councilors who are absent from a regular business meeting may participate by speaker telephone and vote on legislation only if they join the meeting prior to the start of the public comment period.*

Special Meetings. Special meetings may be called by the President of the Council or upon the written request of a majority of the members of the Council. Notice shall be delivered to each Council member at least 24 hours before a special meeting is held. Special meetings may also be called by citizens' petition as referenced in the Charter.

Emergency Meetings. The Mayor may call a special meeting of Council for the purpose of taking action on an emergency provided a quorum of Council is present as provided in the Charter. In the event five council members determine that the emergency meeting is unnecessary, the meeting shall not be held and/or shall be adjourned without any action.

Executive Sessions. The Council may hold executive sessions as permitted by law. No official action shall be taken by the Council on any matter in executive session as provided for by the Sunshine Act of 1986, P.L. 388, No. 84, as amended.

Note: *Executive Sessions may only be called for the following reasons:*

1. *To discuss any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promotion, or disciplinary action. Executive sessions cannot occur during the appointment or selection process to fill a vacancy in a publicly elected office.*
2. *To discuss matters related to collective bargaining agreements, labor relations and arbitrations.*
3. *To consider the purchase or lease of property.*
4. *To consult with an attorney or other advisor regarding ongoing litigation or with issues on which litigation is expected to be filed.*
5. *To review or discuss business which, if conducted in public, would violate a lawful privilege or lead to the disclosure of information related to: investigations, litigation or violations of the law.*

Citizens Rights to Call a Special Meeting of City Council. *§112 of the Charter.*
The qualified voters of the City of Reading, upon filing a signed petition with the City Clerk, may require the City Council to hold a special meeting.

The petition filed with the City Clerk must contain the signatures and addresses of 200 duly qualified voters of the City and the purpose for which the meeting is being called. Upon receipt of such petition and a 2 day review/certification period of the petition by the City Clerk, the President of City Council must convene the special meeting on an evening within 14 days of the certification.

The public notification process will adhere to the special meetings provisions of this Charter.

Citizens' Right to be Heard. *§213 of the Charter.*
Public comment is permitted at the regular meetings of Council which occur on the second and fourth Mondays of each month. ~~and shall be the first order of business.~~ Public comment is not permitted at the City Council work sessions or committee meetings.

Note: *Public Comment is divided into two components - comment on agenda matters and comment on non-agenda matters. Comment on agenda matters is limited to 5 minutes at the beginning of the meeting* ***before any legislative action*** *and comment on non-agenda matters is limited to 3 minutes at the end of the meeting. Council may suspend the public speaking rules to allow all public comment at the beginning of the meeting.*

Citizens desiring to address the Council at its regular meetings may do so by registering with the City Clerk before 5 pm **or by 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. Citizens desiring to address the Council at its special meeting may do so by ~~registering with the City Clerk ½ hour before the meeting is called to order by the President of Council or the presiding officer~~ providing notice verbally or in writing ***by providing their name, address and*** the subject matter to be discussed to the City Clerk any time before 5 pm on the day of the scheduled meeting **or by 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 made from the speaker's podium and be directed to Council as a body and not to any Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be either removed from the meeting or may be barred from speaking before Council, unless permission to continue speaking is granted by a majority vote of Council. There will be no demonstration at the conclusion of anyone's presentation.

Citizens may not ask questions of Council members or other elected or public official in attendance. Council members, elected or public officials may respond to comments made by citizens at the conclusion of the public comment period or during the Council comment period.

Agenda. *§5-206 of the Codified Ordinances.*
The proposed agenda for a regular or special meeting of the Council shall be prepared by the City Clerk in consultation with the President or committee of Council created for that purpose.

The proposed agenda for an emergency meeting of the Council shall be prepared by the City Clerk in consultation with the President.

The proposed agenda for any regular meetings shall be forwarded to all members of the Council at least two (2) days prior to the stated meeting and shall be posted on the City's web site two (2) days prior to the meeting. Sufficient copies of the agenda must be available prior to the beginning of the meeting. The title of any ordinance or resolution to be considered shall be published as part of the agenda. The published agenda may be amended at the meeting by a super-majority of members present (a super-majority is equal to 5 members). No matters other than those on the agenda as amended shall be acted upon by the Council. (*Ord. 1-2007*, 1/22/2007)

COUNCIL POLICY - MEETING & AGENDA PROCEDURE

The body of Council meets in some form every Monday evening starting at 5 p.m. using the following schedule:

First Monday: Nominations & Appointments 4 pm
Standards of Living 5 p.m.
Housing and Economic Development – immediately following

Second Monday: Committee of the Whole 5 p.m.
Regular Business Meeting 7 p.m.

Third Monday: Finance, Audit, Budget 5 p.m.
Strategic Planning immediately following

Fourth Monday: Committee of the Whole 5 p.m.
Regular Business Meeting 7 p.m.
Note: During December, we do not hold the 2nd regular business meeting during the 4th week of December, due to the holiday season. Council Staff will make the necessary arrangements for this 2nd regular business meeting)

Council can elect to take a short recess during the summer months, when legislation is generally light. It is suggested that this recess occur during the last 2 weeks in July.

The meetings on the second and fourth Mondays are televised on the BCTV MAC Channel 99. Business attire is suggested. The meetings on the first and third Monday are more casual than the others as they are not televised by BCTV. For these meetings business-casual attire is suggested. *NOTE: These meetings are replayed many times throughout the month to provide Reading citizens with ample opportunity to be informed and educated on Council's activities.*

On average there are four or five months per year that have 5 Mondays. These extra Mondays can be used to either "catch-up" on issues that need additional attention or schedule special meetings. However at times, Council elects to take the extra Monday off.

Meeting agendas define the work plan for meetings and provide all of the available support documentation. Council staff makes every effort to provide a comprehensive document, which presents the best information available in a meaningful way. Agendas are prepared every week and distributed no later than the Thursday prior to the Monday meeting. Agendas are prepared for committee meetings, work sessions, regular meetings, special

meetings and hearings. The procedures are similar for all three, with some crucial differences.

◊ **Committee Agenda Procedure:**

1. Any member of Council may request to have an issue discussed at a committee meeting.
2. In order for an item to be listed on the agenda permission will be needed from the appropriate committee chair no later than the Wednesday before the meeting is to occur.
3. It will be the responsibility of the requesting member to supply a rationale memo and appropriate supporting documents.
4. Upon receipt of written confirmation from the committee chair, the City Clerk will schedule that issue for the appropriate committee agenda.
5. Council staff will make arrangements with the Managing Director to have necessary representatives from the Administration available.
6. A majority vote of the committee will be necessary to place items on the regular meeting agenda.

◊ **Regular Meeting Agenda Procedure:**

1. Issues and legislation not cleared through a committee must be approved by the Council President before they are placed on the regular meeting or work session agenda. The Council President's approval must be obtained no later than the Wednesday before the meeting is scheduled to occur.
2. Final approval is at the discretion of the President of Council.
3. If the President of Council withholds approval, the issue can be forwarded to the appropriate committee for consideration.
4. If the President of Council approves, he or she will instruct the City Clerk to place the item on the committee of the whole, or regular meeting agenda where appropriate. The City Clerk will schedule the issue or legislation as quickly as possible.

◊ **Committee of the Whole Agenda Procedure:**

1. Issues and legislation that require the attention of the body of Council are referred to the Committee of the Whole by the President of Council, City Clerk or Managing Director no later than the Wednesday before the meeting is scheduled to occur.
2. Final approval is at the discretion of the President of Council.
3. If the President of Council withholds approval, the issue can be forwarded to the appropriate committee for consideration.
4. If the President of Council approves, he or she will instruct the City Clerk to place the item on the committee of the whole, regular meeting agenda, or work session agenda where appropriate. The City Clerk will schedule the issue or legislation as quickly as possible.

Consent Agenda
The Consent Agenda is designed to provide efficient approval of non-controversial legislation that does not require discussion/debate with the adoption of the meeting agenda. Consent Agenda legislation will pertain to housekeeping matters such as contract awards (approved by motion) or resolutions that have minimal overall impact. Ordinances cannot appear on the Consent Agenda as the enactment of ordinances must occur with a "voice vote." The City Clerk will read the list of Consent Agenda legislation aloud at the meeting before action is taken, which allow Council to remove a piece of legislation for separate discussion and save the President of Council from having to read off the list after the Consent Agenda is adopted.

1. Legislation placed on the Consent Agenda will be adopted when the meeting agenda is approved.
2. Any member of Council may request an item be removed from the Consent Agenda for further discussion. If an item is removed, it will be treated as a resolution and acted upon during the appropriate part of the agenda.

CONDUCT OF BUSINESS

Conduct of Business. *§5-206 of the Codified Ordinances.*
At the time appointed for any meeting of the Council, the President shall take the Chair and call the meeting to order. If a quorum – 4 Councilors - is present, the President shall proceed with the order of business prescribed for the meeting. If, upon the call of the roll, a quorum is not present, the President shall order a recess for a reasonable period of time and if a quorum has not developed by that time, the President shall declare the meeting adjourned or recessed. **Note:** *A Council Meeting may not be called to order if the City Solicitor or his representative is not present.*

In the absence of the President, the Vice President shall exercise the duties of the President. In the absence of both the President and the Vice President, the Council shall appoint a President pro-temp who shall have all the powers of the President.

In the event a regular or special meeting needs to be postponed because of a weather emergency or similar circumstances, the Council President may determine the date and time of the postponed meeting. Reasonable efforts to fulfill the notice requirements shall be made but broadcast announcements and communication with members shall be deemed to meet minimum requirements. (*§5-204 of the Admin Code*)

Rules of Procedure. *§5-208 of the Codified Ordinances***.**

The standard reference of Council shall be Robert's Rules unless stated differently by Council. Business is conducted by acting on motions. Once a matter has been moved and seconded, no other matter shall be taken up until action has been taken on the main issue.

Rule No. 1. Disclosure of Interest. A member who has personal or private interest in any question, measure, bill proposed or pending before the Council shall disclose that fact to Council and shall not vote thereon. If such interested person shall vote without disclosing his interest in such question, measure or bill, Council may avoid the enactment or transaction or not, as it deems best. Please refer to the City's Code of Ethics, Section 6 Prohibitions, Conflict of Interest.

Note: *The conflict shall be submitted to the City Clerk on the prescribed conflict of interest form before the vote explaining the rationale of the abstention.*

Rule No. 2. Proposed Amendments to These Rules. Amendments to these rules must be presented in writing at a non-legislative meeting of the Council held at least 1 week prior to the date when the same are to be finally considered. Amendments shall be adopted by the affirmative vote of the majority of all members of Council.

Rule No. 3. Suspension of Rules. These rules may be suspended by the affirmative vote of the majority of all members of Council present, but the suspension shall not extend beyond the adjournment. No rule of Council, which is also subject of legislative enactment, shall be suspended.

Rule No. 4. Legislation.

1. No rule, matter, bill or resolution shall be considered by Council unless a written memorandum, brief, resolution or bill is delivered to the City Clerk before noon on the Wednesday preceding the meeting where the matter or legislation is to be considered, introduced or enacted/adopted by Council. The City Clerk shall furnish to the Mayor and all members of Council copies of all proposed resolutions and ordinances by posting the agendas on the website.

2. Legislation referred to or being considered by a Council Committee must be returned to the full body of Council for consideration with either a positive or negative recommendation. If the legislation is not returned in this manner, any three Council members may request that the full body, at a regular business meeting, consider the legislation.

Rule No. 5. Duties of the Presiding Officer. The President of Council shall decide all questions subject to appeal by any two members of Council and have general supervision of the meeting. He shall determine the appropriate committee to which legislation and

other matters shall be referred. The President of Council shall be the designated representative of the body and shall communicate the intentions of Council, with respect to professional service, contracts, legislative action and other matters, as needed.

Rule No. 6. Reconsideration. A motion to reconsider a question shall be entertained only at the next legislative meeting following the one at which vote was taken. No second motion to reconsider the same motion shall be entertained.

Rule No. 7. Motions to be Entertained. All motions must be moved and seconded. When a question (or main motion) is under consideration, no motion shall be entertained except for:

1 Adjournment.
2 Previous question (2/3 vote).
3 Lay on the table.
4 To postpone.
5 To commit.
6 To amend.
7 End debate.
8 Call for the question.

Rule No. 8. Rules of Debate. Prior to debate, a bill or resolution must be placed on the table by a first and second motion of the body. The sponsor of the bill or the referring committee will have the first opportunity to make a statement. After which, each member of Council shall be entitled to make one statement on the proposed legislation. President of Council may also invite the Mayor and Managing Director to comment. All first statements shall be no longer than 3 minutes in length.

Second statements or comments shall be entertained after each member present has been given the opportunity to speak one time and shall be no longer than 2 minutes in length. In the event no other Council member wishes to address the issue and no one moves to end debate or call for the question, debate will be allowed to continue. In general, it is expected that the body will make their remarks concise and focused on matter or issue proposed. Amendments or statements not relating to the question shall not be made. All such matters not relating to agenda items will be entertained after the Council business portion of the agenda.

President of Council or presiding officer may, at his discretion, choose to limit debate time on each agenda item to 10 minutes, as stated in Roberts' Rules of Order.
Members wishing to speak shall request recognition from the presiding officer. At which time other Council members shall not engage in dialogue or interrupt except for the following:

1 Call for the orders of the day (when they are not being conformed to).
2 Raising a question of privilege.
3 Point of order (calling the member who has the floor to order or calling his attention to the fact that he is not observing the rules).
4 Call for a separate vote on one or more subjects that are included in a single motion.
5. Request or inquiry that requires an immediate response.[*Ord 7-2001*]

The body may override the presiding officer's decision on any procedural rule through the passage of a motion. [*Ord. 7-2001*]

The President shall deal firmly with enforcing these rules and the rules guiding participation including, but not limited to, commotion, frivolous behavior or delaying debate and motions. The President shall see that Council debate is confined to the merits of the question and that personal comments and/or statements are avoided. [*Ord. 7- 2001*]

In the absence of the President, the Vice President shall serve as the presiding officer. If both the President and Vice President are absent, the meeting shall not be called to order unless the President has designated a member of Council, in writing, to serve as the presiding officer of that session. [*Ord. 7-2001*]

No legislative or special legislative session in the Reading City Council shall be called to order in the absence of the City Solicitor or a staff attorney from the Council office to provide proper legal advice and avoid possible serious or potentially devastating consequences. [*Ord. 7-2001*] (*Ord. 17-1996*, 6/24/1996, §2.17; as amended by *Ord. 7-2001*, 4/9/2001, §2)

Official Actions of the Council. *§5-211 of the Administrative Code*
Official actions of the Council shall be taken by ordinance, resolution or motion, as provided in the Charter. An ordinance is defined as law, a rule made by authority or decree, while a resolution is policy or an expression of opinion.

Actions of Council other than Ordinance Adoption. *§5-211 of the Administrative Code*
Other business of Council may be undertaken by adoption of resolutions, enactment of proclamations, or the approval of motions which shall require a simple majority vote of Council unless otherwise required by law.
Note: *Council may adopt resolutions, motions or proclamations by voice vote or by roll call vote, at the discretion of the members.*

Public Hearings. Any person who fails to sign in with the City Clerk shall not be permitted to speak until all those who signed in have done so. Those testifying must limit their comments to 3 minutes. No person who has previously spoken during the public hearing on

a particular item may speak again unless all other persons desiring to give testimony at the public hearing have spoken. A person speaking for a subsequent time shall limit his comments to not more than 1 minute. (*Ord. 17-1996*, 6/24/1996, §2.09; as amended by *Ord. 10-1998*, 3/23/1998, §1; by *Ord. 29-2002*, 6/24/2002, §1; and by *Ord. 1-2004*, 1/26/2004, §1) Codified Ordinances § 1-119

Committees of the Council. *§5-210 of the Codified Ordinances.*
The Council may, at any time, provide for standing or ad-hoc committees to assist with the carrying out of its functions. Any such committee shall thereafter report to the Council at the regularly stated meetings of that body. [*Ord. 7-2001]*

Committees of Council may include:

1 Finance, to include community development funds, capital improvements, audits and budget.
2 Public Property/Public Works to include parks, buildings, vehicles, streets and sewage.
3 Public Safety to include fire, police, codes, health and traffic.
4 Administrative Oversight to include legal and personnel.
5 Research Committee to research issues requested by Council.
6 Rules Committee to establish rules of conduct for Council.

Note: *Council currently uses 5 Committees: Nominations and Appointments, Standards of Living, Housing and Economic Development, Finance, Audit and Budget, and Strategic Planning.*

Each committee shall consist of a minimum of three members of Council. Each member shall serve as appointed unless excused by a majority of the members of Council. [*Ord. 7-2001*]

Council members shall submit their committee preferences to the City Clerk in November of a municipal election year. The President of Council will assign Council members to committees and assign committee chairs on a biennial basis. The recommendation of the President will be approved by resolution of Council at the first regular meeting of Council following a municipal election. [*Ord. 7-2001*]

Ad-hoc committees may be appointed from time to time by motion of Council. The number of committee members and its duties shall be stated in the motion of appointment. [*Ord. 7-2001*]

All members of Council will be informed of the committee meeting schedule and will be provided with committee agendas and any attachments thereto. All members of Council not of a given committee may attend any committee meeting and are encouraged to participate [in] committee discussions, but may not vote on any matter considered [*Ord.7-2001*]. (*Ord. 17-1996*, 6/24/1996, §2.10; as amended by *Ord. 7-2001*, 4/9/2001, §4)

Action Requiring an Ordinance. In addition to requirements provided by law or the Charter, §215 through 224, acts of the Council shall be by ordinance which:

1 Adopt or amend the codes or establish, alter, or abolish any unit of the City.
2 Provide for a fine or other penalty or establish a rule or regulation for which a fine or other penalty is imposed.
3 Levy taxes and provide for service charges, permit fees and assessments.
4 Grant, renew or extend a franchise.
5 Adopt and amend the annual budget and capital program budget (see Charter, §905, §912 and §913).
6 Repeal or amend any ordinance.
7 Adopt procedures for purchasing of products, goods, or services, for the making of contracts and for the sale or lease of personal or real property of the City. (See Charter, §915).
8 Adopt other actions which are legislative in nature.
9 Authorize the borrowing of money.
10 Purchase, convey or lease lands or buildings.
11 Adopt zoning, subdivision or other land use controls.

Ordinance Requiring Prior Public Notice and Hearing. No final action shall be taken on the following types of ordinances and amendments thereto without public hearing thereon and at least 10 days published notice in a newspaper of general circulation in the City:

1 Zoning ordinance and amendments thereto.
2 Adoption of the zoning map and amendments thereto.
3 Subdivision regulations.
4 Land development and land use regulations.
5 New taxes, or increases in the rate of existing taxes.
6 Adopt and/or amend the annual budget and capital program.

Ordinance Form and Procedure.
Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject which shall be clearly expressed in its title. The enacting clause shall be "The City of Reading, Pennsylvania ordains . . . ." Any ordinance which repeals or amends an existing ordinance shall set out the full ordinance, sections or subsections to be repealed or amended, and shall indicate matter to be omitted by enclosing it in brackets or by strike-out type and shall indicate new matter by underscoring or by italics.

An ordinance may be introduced by any member of the Council at any regular or special meeting of the Council without vote. After introduction of any ordinance, a copy shall be distributed to each Council member and to the Mayor, and a reasonable number of copies shall be filed in the office of the City Clerk and in such other public places such as the Council may designate by resolution. (See the Charter, §216 and 217.)

A minimum of 14 days must intervene between introduction and passage of an ordinance unless Council finds and declares a public emergency posing a sudden, clear and present danger to life or property.

Five affirmative votes (Supermajority) shall be required to:

- Override a mayoral veto.
- Approve capital projects.
- Remove the Solicitor

Emergency Ordinance. *§220 of the Charter.*
An emergency ordinance may be adopted to meet a public emergency posing a sudden, clear and present danger to life or property. An emergency ordinance shall be introduced in the form and manner prescribed for ordinance generally, except that it shall be plainly designated as an emergency ordinance and shall describe in clear and specific terms the nature of the emergency. Every emergency ordinance shall automatically stand repealed as of the 91st day following the date on which it was adopted, but this shall not prevent re-enactment of the ordinance if the emergency still exists.

An action on any ordinance shall be at a public meeting of Council and shall be by majority vote of the Council as a whole, and attested by the City Clerk who shall affix the municipal seal and insert the dates of the Council actions. [*Ord. 24-1996*]

Submission to Mayor and Veto Power. *§221 of the Charter.*
Before any ordinance takes affect it must first be submitted to the Mayor for approval. The Mayor shall sign the ordinance within 10 days, but if not approved, shall return it to Council stating objections. Council shall at its next meeting, reconsider the ordinance and may override the Mayor's veto by the affirmative vote of five members of City Council. If the Mayor fails within 10 days after any ordinance is submitted to him to sign the ordinance and/or return it to Council, such ordinance shall be considered adopted at the expiration of the 10 day period. The veto power of the Mayor shall not apply to ordinances adopted by initiative or referendum.

Effective Date of Legislation. *§219 of the Charter.*
Every adopted ordinance except emergency legislation shall become effective at the expiration of 30 days after passage by Council and approval by the Mayor, or repassage by

Council over the Mayor's veto, or at a date specified therein, but not less than 10 days after adoption.

Actions of Council other than Ordinance Adoption.
Other business of Council may be undertaken by adoption of resolutions, enactment of proclamations, or the approval of motions which shall require a simple majority vote of Council unless otherwise required by law.
(*Ord. 17-1996*, 6/24/1996, §2.12; as amended by *Ord. 24-1996*, 8/26/1996, §1)

Penalties. *§5-212 of the Codified Ordinances.*
Except where specific penalties are provided elsewhere by ordinance or other applicable law, any person or entity who shall violate any ordinance or any provision of any code or other regulation adopted by reference in an ordinance shall, upon adjudication and finding of a violation, pay a civil penalty not to exceed $1000 for each offense, plus costs of prosecution and attorney's fees where authorized; all such penalties shall be collected as provided by law.

Continuing Violations. Each day any violation continues shall constitute a separate offense and the person or entity responsible for such violation shall be punished as provided above for each separate offense.

Abatement of Nuisances. In addition to the penalties and other remedies herein provided, any condition caused or permitted to exist in violation of any ordinance will be deemed a public nuisance and may be abated by the City with the costs of such abatement borne by the person or entity owning the property upon which condition exists. Such costs will be collected for the use of the City as debts by law are collected or by a municipal claim or lien filed as provided by law. Each day that such condition continues shall be regarded as a separate offense.

Action at Law or in Equity. In addition to the enforcement of provisions herein provided, the City may institute an appropriate action or proceeding at law or in equity against a person or entity responsible for violation of any ordinance and request either or both of the following remedies:

1. To cease, correct or remove the violation.
2. To enforce the penalty provisions of the ordinance or seek other remedies as are just and reasonable.

Cumulative Penalties. Whenever the Administrative Code or any ordinance provides alternative penalties or remedies they shall be cumulative. The imposition of any such penalty or remedy shall not prevent the city from invoking any other penalty or remedy provided therefore.

COUNCIL PROCEDURE - DISTRICT OR TOWN MEETINGS

Councilors should try to hold at least one District meeting each year. These meetings help keep Councilors in touch with the pulse of the community and encourage communication. These meetings can be used to address specific community concerns or to highlight new city programs. District meetings are usually held in a building convenient to the targeted community, such as a church, a school, a field house, etc. Council staff can assist in making the necessary arrangements, advertisements and coordination with the Administration.

PROCEDURE - HARB APPEAL HEARINGS

The Historic Architectural Review Board (HARB) meets on the third Tuesday of the Month to consider applications for exterior improvements to properties located within the City's 5 historic districts: Centre Park, Callowhill, Prince, Penn's Commons, and The Heights.

HARB has the power and duty to approve or deny the appropriateness of the erection, reconstruction, alteration, restoration, demolition or razing of any building in whole or in part, which can be seen from a public street or way within the historic districts. Alteration of buildings within historic districts is prohibited until a certificate of appropriateness is obtained. The Pennsylvania Historic and Museum Commission mandates the guidelines for preservation. HARB must make decisions based on those guidelines. If the property owner does not agree with the decision of HARB, they may appeal to the body of Council.

The appeal process begins with a letter to the property owner informing him/her of the time and location of the hearing, arranged by the Historic Preservation Specialist and the City Clerk. The property owner must then contact the City Clerk and express his/her desire to move forward with the appeal. After proper advertisement, Council holds an appeal hearing. The Historic Preservation Specialist provides support documentation regarding the decision made by HARB. Testimony is taken from the Historic Preservation Specialist, the property owner and any other parties having interest in the property. Council then is asked to consider the adoption of a resolution that will either uphold, or overturn the decision made by HARB or remand the issue to HARB.

PROCEDURE - CONDITIONAL USE HEARINGS

The City of Reading Zoning Ordinance works to foster improved living conditions and quality of life; it helps maintain and establish the desired character of neighborhoods and provides for the preservation of natural resources and needed recreational open space. Zoning plays many roles in the development of a community which cumulatively results in the protection of the health, safety and general welfare of all residents within the community. Zoning is intended as a regulatory arm of the local government regarding land use, building

intensity, and population density. It is not used to regulate the social, economic, or religious composition of the community. Zoning does not enforce private deed restrictions nor restrict or regulate land ownership.

Under the Zoning Ordinance, City Council hears applications for uses falling under the Conditional Use section. Conditional uses are those uses which require individual review of their location, design, and intensity in order to ensure their appropriateness on a particular parcel of land, the compatibility of the use with adjacent uses, and the neighborhood.

Before approving a Conditional Use application Council should consider if the location is appropriate and not in conflict with the Comprehensive Plan, that the public health, safety, morals, and general welfare will not be adversely affected, that adequate off-street parking facilities will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values. These conditional uses or temporary zoning instances protect the integrity of the underlying zoning while permitting certain land uses that otherwise would not be allowed. For example: If the underlying zoning of a particular neighborhood is residential, the conditions should be justifiable to protect against the intrusion that a nonresidential use will create. Once the specific conditions of the use are established, their purpose should be to protect the primary use of the neighborhood by limiting the use.

Zoning Ordinance
§600-1201. Criteria and Limitations.
No conditional or special exception use shall be permitted if it:
A. Substantially increases traffic congestion along a street or creates a traffic safety hazard.
B. Creates an undue concentration of population.
C. Impairs an adequate supply of light and air to adjacent property.
D. Creates a significant threat to the public health and safety.
E. Is detrimental to the appropriate use of adjacent property through the generation of significant nuisances or hazards.
F. Does not meet the requirements of this chapter.

The following are Conditional Uses
1. Adult Businesses -book and video stores, movie theaters, cabarets and massage parlors.
2. Boarding, Rooming and Lodging Houses.
3. Bottle Clubs.
4. Conversions of single family dwellings to multi-family use
5. Fire and ambulance stations
6. Bus shelters
7. Junkyards.
8. Public Utilities.

9. Residential Care Facility including group care facilities and group care institutions,
10. Sexually Oriented Businesses
11. Student homes
12. Taverns, Bars, and Pubs.
13. Treatment center

Applications for Conditional Uses are handled by the Zoning Administrator. The $1,000 application fee covers the cost of the advertisements, stenographer and staff time. The Zoning Administrator works with the City Clerk to arrange a hearing date. The City Clerk forwards the Conditional Use application to the City Planning Commission for their review and subsequent recommendation. At the hearing, Council takes testimony from the applicant, the Zoning Administrator, the City Planner, and other interested parties. Council will make their ruling by passing a resolution at a regular or special meeting of Council within 45 days of the hearing. This ruling must be based on and contain rationale from the Zoning Ordinance §27-1201. General Criteria and Limitations above.

PROCEDURE – AMENDMENT OF CHARTER & CODIFIED ORDINANCES

The City of Reading Home Rule Charter may be amended by the members of Council via ordinance and/or the electorate of the City through Referendum to have an item placed on the election ballot. The proposed ordinance enacted by City Council or Referendum must contain the question for the ballot and a simple explanation. City Council may amend any part of the City's Codified Ordinances through the enactment of an ordinance. All ordinances must be introduced at a Regular Meeting of Council and layover for a minimum of fourteen (14) days.

COUNCIL POLICY – PROPERTY TAX EXONERATION

Occasionally a property owner applies for exoneration from property taxes. This request is usually made to the Administrative Services Director and Managing Director and then forwarded to the Council Office. The applicant must complete the Tax Exoneration application form and provide a copy of his tax exemption certificate from the County Assessment Office along with exoneration approvals from the School District and County and other documents required by the application and the Administration will provide documentation on the affected parcels, their assessed value, and the tax assessed, along with the total of delinquent taxes. This information will be included with the agenda if a hearing is recommended by Council Staff or the Administration. At the hearing Council will take testimony from the property owner and the Administration. Council will approve or deny the application for exoneration at a subsequent regular business meeting. (**Note**: *RSD policy is to exonerate taxes for one year only*.)

PROCLAMATIONS AND COMMENDATIONS

Citizens, businesses, and organizations can be honored with a Proclamation or Commendation at Council Meetings or by Councilors at events. Proclamations are formal public statements or announcements and are generally issued by the Mayor. Commendations are official awards given to show high approval or expressing favorable opinion and are generally given by Council. Proclamations can also be issued by Council if they are adopted in the manner used to adopt resolutions. Council staff keeps a schedule of Commendations and Proclamations that are regularly presented by the Mayor and Council and staff can easily prepare others to help you honor people, businesses, events, etc. Please try to provide us with at least 4-5 days notice and the information listed on the application form posted on the website.

PROCEDURE - CITIZEN ISSUES AND COMPLAINTS

Complaint Procedure

The ultimate purpose of city government is to provide efficient public services to citizens. When service is not provided in a timely manner, or to the level expected, it is the responsibility of citizens to report the problem. The City administration makes every effort to provide efficient public services. Breakdowns in communications between citizens and the administrative offices can occur and citizens often call their elected City Councilors to intervene.

When complaints are received they should be forwarded to Council Staff. The complaint will be recorded in the complaint log, a database accessible to the Council Office and used to track the complaints received. The complaint is then forwarded either to the Citizen Services Center and/or to the appropriate department either by e-mail or memorandum. If resolution isn't obtained in a timely manner reminders are sent. Council Staff provides updates on the complaint as information is received from the applicable department. Once a complaint has been satisfied, the date and time are noted in the database.

PROCEDURE - BCTV PROGRAMMING

BCTV Programming for City Council

Each member of Council participates in programs aired on the BCTV Municipal Access Channel (MAC) Channel 99. In Your District is aired live each Thursday of the month, beginning at 8:00 p.m. Members of Council appear on the program on a rotating schedule, with BCTV staff responsible for the schedule. Each member of Council may determine in advance the length of the program; either a half hour or a full hour.

In Your District is done in an interview format. A member of the community will serve as host, questions will be topical in nature, and home viewers may also call in and ask direct questions. Hosts are scheduled by BCTV; however, requests can be made for specific hosts. BCTV will make every effort to honor the requests.

COUNCIL POLICY - ADOPTION & AMENDMENT OF PLANS

Comprehensive Plan and Recreation Plan Amendment
The Comprehensive Plan and Recreation Plan are strategic documents, drafted to serve as formal statements of policies regarding the City of Reading's future. They are intended to provide a framework for discussion, both public and private on a wide range of issues, including: resource allocation, neighborhood stability, health and safety, economic development, park use, recreational maintenance and improvement. The intent of both documents, as stated in their respective opening paragraphs, is to serve as a guide to address the changing human and physical environments of the community.

◊ Comprehensive Plan

The current Comp Plan was developed by City Staff, the City Planning Commission, the Comprehensive Plan Advisory Committee and Task Forces. The Advisory Committee was composed of representatives from the City, Planning Commission, Reading School District, local colleges and agencies that provide social services to the at-large Reading community. The Task Forces were organized by members of the Advisory Committee and focused on the eight topics listed below.

The plan is composed of chapters, each providing analysis and recommendations on specific issues. The chapters cover:

1. Objectives concerning future development
2. Land Use
3. A plan to meet the current and future housing needs of residents
4. Transportation
5. Community Services and Facilities
6. Statement that the existing and proposed development is compatible with contiguous municipalities
7. A plan to protect natural and historic resources
8. A plan for the reliable supply of water

The Comp Plan is an extremely important planning document, setting forth land use policies, storm water management plans, energy conservation guidelines, and a host of other policies, which serve to direct the development of the community over the length of the plan. While a municipality is not legally obligated to follow the plan (the plan can be amended or outright

disregarded at the whim of decision makers), every effort should be made to adhere to the plan. Failure to do so, inevitably leads to haphazard planning and a lack of needed continuity. The Pennsylvania Municipal Planning Code (MPC) is the governing legislation, by which a Comp Plan is prepared, adopted, and amended.

The MPC requires a review of the Comp Plan at least every ten years. The Comp Plan shall be sent to the governing bodies of contiguous municipalities, as well as the County Planning Commission for review and comment. As the Comp Plan is required to be reviewed every ten years, assessing the Plan and work on amendments should begin by year eight of the Plan's ten year cycle. Council, as the governing body, is responsible for adopting the Plan.

Council shall adopt and may amend the Comp Plan as a whole or in part. By law, Council will be required to hold one public meeting on the adoption of the Comp Plan. Throughout the review Council should consider the comments made by all relevant parties: Administration, City and Berks County Planning Commissions, School District, and Citizens.

◊ Park and Recreation Plan

The City of Reading Park, Recreation and Open Space Plan (PROS) was developed by a consultant, with community input solicited through public meetings, written surveys and interviews with selected members of the community. The PROS plan was developed to:

1. Provide a detailed inventory of City parks, playgrounds, open space areas and facilities.
2. Identify service areas for each of the City's parks and playgrounds based on the proximity of sites to neighborhoods.
3. Identify improvements of existing park areas and recreation facilities and potential locations for acquisition of additional park land.
4. Offer a ten year plan and budget to complete identified improvements.
5. Provide recommendations for development and expansion of recreation programs.
6. Evaluate the staffing and the allocation of funds for the park operation and maintenance functions and provide recommendations for improving operational efficiency.
7. Provide potential trail and greenway opportunities.
8. Identify outside revenue sources to augment recreation programs budgets.
9. Identify partnership opportunities with regional entities.

The PROS plan is an excellent planning and reference tool. It provides a complete inventory of the City's park and recreation facilities. A detailed description of each park or facility is provided, noting: facility name, adjacent properties, landmarks and land uses; types of possible facility uses and facility condition. Each facility is evaluated, with positive as well as negative attributes being noted and then prioritized in terms of need.

As with the Comp Plan the document is not binding, but should be followed in the interest of maintaining continuity. During the formulation of the Capital Budget, the PROS plan should be one of the primary references, as the plan has outlined the physical condition of the City's recreation facilities and has prioritized their need. Like the Comp plan, the PROS plan is a ten year plan, which Council adopts by Resolution.

PROCEDURE FOR PLAN(S) DEVELOPMENT:

Both the Comp plan and PROS plan are decennial documents; however, due to their length, the time involved in their revision is extreme. As such, the review and revision process should start approximately two years prior to the expiration of the plan. It is the responsibility of Council to initiate the review:

1. Two years before the expiration of the plan Council will adopt, by Resolution, the necessary directives to the appropriate commissions, agencies, authorities, departments and staff, to prepare amendments to the Comp and PROS plans.
2. While it will be the responsibility of the respective staffs to develop a plan for review and amendment, this plan shall be submitted to Council for approval.
3. Council can create Advisory Committees to undertake the review processes and assure the needs of the community are satisfied through the review. The Advisory Committee would work with various City staff to facilitate the development of a review and amendment plan. The committee shall consist of six members: three appointed and approved by Council and three appointed by the Mayor.
4. After approval of the plan by Council, progress reports will be provided to Council by the appropriate staff, at a schedule to be determined by Council.
5. Council will approve both final plans by Resolution.

◊ **Redistricting Process**. *§5-214 of the Codified Ordinances.*

After each decennial census Council shall, within 60 days after the receipt of the census information from the Federal Government, appoint a Redistricting Advisory Commission. Each Council member shall appoint one person from his/her respective district. The President of Council shall select one member to represent the at-large community. The Planning Commission will be asked to assign two current members to the Advisory Commission. The Berks County Planning Commission may also be asked to assist.

This Redistricting Advisory Commission shall review and compare the new and old census information with the current Council District configuration. This group shall prepare and present a redistricting proposal(s) to the full body of Council in no less than 120 days after their appointment

The district proposals shall give strong consideration to the combination of neighborhoods that are continuous but that share similar quality of life issues. This configuration will support the principle of electing representatives that can easily represent the voice of the community they represent. The Advisory Commission shall also consider the Federal redistricting laws.

Council shall hold a minimum of one public hearing to get public input on the redistricting proposal(s), within 45 days of their receipt of the proposals from the Redistricting Advisory Commission and shall adopt by ordinance a redistricting plan, either new or status quo, at their next regular business meeting.(Ord. 17-1996, 6/24/1996; as added by Ord. 23-2002, 5/28/2002, §2)

ADMINISTRATIVE DEPARTMENTS

The Administrative branch of City government has 6 Departments. The following **departments are mandated by the Charter**: 1) Department of Public Works and 2) Department of Administrative Services. The following **departments are created and authorized by the Administrative Code:** 1) Department of Police, 2) Department of Community and Economic Development, 3) Department of Fire and Emergency Services and 4) Department of Law.

Department Directors. *§5-803 of the Codified Ordinances.*
All Department Directors shall be appointed by the Mayor with the approval of Council as stipulated in the Charter. They shall be selected solely on the basis of education, training, and experience, professional, executive and administrative abilities pertinent to the function, duties, and operations of their respective departments and as prescribed by law. Department directors, with the exception of the City Solicitor who reports to the Mayor, serve under the Managing Director's direction and supervision and Council.

***Note**: Council must also confirm the appointment of the Zoning Administrator, approve the hiring and firing of Police Officers and Fire Fighters and approve the promotion of Police officers and Fire Fighters.*

Acting Department Directors appointed by the Managing Director may serve no more than 180 days. Council may agree to extend said term for an additional 90 day period by resolution upon request by the Mayor and upon satisfactory proof that the Mayor and/or Managing Director have made a diligent effort to recruit and hire a Department Director.

An Acting Department Director who has been appointed to serve as Department Director but who fails to be confirmed by vote of Council shall continue to serve as Acting Director no longer than a period of 30 days from the date of the negative vote by Council, unless Council agrees to extend for another 90 day period(s) as set forth in the preceding subsection.

No appointed person shall serve as Acting Department Director or Temporary Manager unless employed by the City of Reading prior to such appointment or approved by City Council resolution. Council shall, within 30 days, approve the Acting Director/Manager appointment or the appointment shall be deemed approved.

Whenever the Acting Department Director or Temporary Manager is absent due to vacation, illness or injury, the person filling that position shall designate a qualified employee from the existing department staff to head the department until the Acting Department Director or Temporary Manager returns to duty. (See also §5-803, "Temporary Reassignment.")

Whenever the Department Director position is vacant due to removal, resignation, retirement, permanent disability or death, the Managing Director shall appoint a qualified employee from the department [to] the Acting Director position, as is required in §5-401(F) of this Chapter, until such time as the Mayor nominates a replacement to City Council and City Council approves the nomination. (See also §70-708, "Temporary Reassignment.")

All Department Directors shall have an annual performance review within 45 days of their anniversary date, or 1 year after their previous increase date, completed by the Managing Director and reviewed by the Mayor. No Director will receive more than one pay increase per year in any calendar period. The performance evaluations shall be made available for Council Members to review. Any salary increase for Department Directors shall be based on the performance evaluations and the criteria specified in the salary range policies, where applicable, for each position. The Solicitor shall have an annual performance review completed by the Mayor and Members of Council. Any salary increase for the Solicitor shall be based on the performance review and the criteria specified in the salary range for the Solicitor position. [*Ord. 15-2002*]
(*Ord. 17-1996*, 6/24/1996, §8.03; as amended by *Ord. 51-1996*, 1/13/1997, §1; and by *Ord. 24-2000*, 11/27/2000, §1; by *Ord. 38-2001*, 11/13/2001, §1; and by *Ord. 15-2002*, 4/22/2002, §2)

Compensation of Heads of Departments, Offices and Agencies. *§706 of the Charter.*
The compensation of all heads of departments, offices and agencies under the direction of the Mayor shall be proposed by the Mayor and approved by ordinance *(includes salary increases*). Compensation of all other employees shall be set in accordance with the uniform pay plan established by City Council in the Personnel Code. All such heads of departments, offices and agencies need not be residents of the City at the time of appointment, but after appointment shall reside in the City. City residency shall be required within 12 months of being appointed.

Removal. The Mayor shall have the power at any time to remove the head of any department, office or agency immediately under the Managing Director's direction and supervision, but the Mayor shall, within 14 days, notify City Council in writing of the removal and the reason for it.

Note: *Salary ranges for Department Directors and the Managing Director are set by Ordinance; salaries of all Directors are approved by ordinance within the ranges approved in the Salary Range Ordinance. Salaries and annual salary increases for other City employees are defined in the fiscal year budget.*

Powers and Duties – Managing Director. *§406 of the Charter.*
The Managing Director shall be the chief administrative officer of the City, responsible to the Mayor for the administration of all City affairs placed in the Managing Director's charge

pursuant to this Charter. In addition to other powers and duties prescribed by this Charter, the Managing Director shall:

1 Execute and enforce the provisions of this Charter and all ordinances, resolutions, and motions of City Council;
2 Direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by this Charter or by law;
3 Appoint, suspend, or remove any City employee, except as otherwise provided by this Charter or by law;
4 Prepare and submit to the Mayor on an annual basis a five-year financial plan and a budget;
5 Supervise and direct the negotiation and administration of any collective bargaining agreements with City employees;
6 Submit to the Mayor a complete report of the finances and administrative activities of the City within 30 days of the end of each fiscal year;
7 Assure that the laws of the Commonwealth relating to the affairs and government of the City are faithfully executed and enforced;
8 Present to the Mayor from time to time such information concerning the business and affairs of the City as the Managing Director may deem necessary, or as City Council by motion may request; and recommend such measures for legislative action as are believed to be in the best interests of the City; and
9 Perform such other duties as are specified in this Charter or may be required by the Mayor or City Council.

Department of Public Works/City Engineer. *§606 of the Charter & §5-807 of the Administrative Code.*

The Department of Public Works is mandated by this Charter. The Mayor shall appoint and fix the compensation of the head of the Department of Public Works/City Engineer. He shall be a professional civil engineer registered in Pennsylvania. The Department of Public Works shall be responsible for the design, construction, operation and maintenance of those physical structures and facilities that are owned and maintained by the City. Additionally, it will provide such City functions as streets maintenance, sewage, parks, waste disposal, environmental protection, water authority services, recreation services and traffic management. Finally, this department will provide engineering services for its own activities as well as the activities of other departments.

Department of Administrative Services. *§607 of the Charter.*

There shall be a Department of Administrative Services. A Director of Administrative Services shall be appointed by the Mayor with confirmation of Council (as per §603). As a minimum requirement, the Director of Administrative Services shall have a Bachelor's degree in public administration, finance, economics, political science or other related field and a minimum of eight (8) years related experience. The Director of Administrative Services

shall be responsible for the administration of the City of Reading personnel and finance departments and their functions as set forth in the Administrative Code.

§5-805 of the Administrative Code
The Department of Administrative Services shall be responsible for the administration of City's financial management, human resources, information technology, and purchasing functions. In addition, the Department shall direct the operation of the Citizen's Service Center.

Specific financial management responsibilities assigned to the department Include: budget preparation, insurance management, pension administration, and the receipt, accounting, expenditure, investment, custody, and control of the City's funds except to the extent that such activities are expressly charged by the law, Charter, or ordinance to any other City unit.

Specific human resources responsibilities assigned to the Department include: recruiting, recommending, hiring, assignment, reassignment, bidding, training, performance evaluation, discipline and discharge of all employees. Furthermore, the Department shall be responsible for the administration of all employee benefit programs, risk and safety programs, workers compensation, labor negotiations, insurance analysis, and civil service programs.

Economic Development Manager. *§5-808 of the Administrative Code.*
The Economic Development Manager shall be responsible for the preparation of short and long-range planning, economic and community development programs. The minimum qualifications for this position are a bachelor's degree in a related field, or its equivalent, plus three years experience in community planning/ development. A master's degree in a related field is preferred. The Manager shall also be responsible for the various duties and exercise the powers as prescribed by the "Pennsylvania Municipalities Planning Code," 1968, P.L. 805, No. 247, as amended, 53 P.S. §10101 et seq, preparation, review and maintenance of the Comprehensive Plan of the City including data collection, mapping and analysis development of the annual CDBG Budget (Action Plan),development of the capital improvement program, coordinate community, economic and other development projects within the City.

Department of Police. *§5-809 of the Administrative Code.*
The Department of Police shall be responsible for the protection of persons and property within the City by maintaining law and order. Whenever the Chief of Police (or Acting Chief) is absent due to vacation, illness or injury, the current Chief (or Acting Chief) shall designate one of the Police Department's Captains to head the department and staff until the Chief of Police returns to duty. Whenever the position of Chief of Police (or Acting Chief) is vacant the Managing Director shall appoint one of the Police Department's command staff to the Acting Chief position, as is required in §5-401 of this Chapter, until such time as the

Mayor nominates a replacement to City Council and City Council approves the nomination. [Ord. 39-2001]

Duties of Police Chief. The duties and responsibilities of the Chief shall include personally and through subordinates, but not be limited to the following: protect persons and property by maintaining law and order, enforce all criminal laws and ordinances, maintain records and files of crimes and criminals, develop and conduct community relations and education programs, direct other law enforcement personnel with less than full police powers such as school-crossing guards and park rangers, and coordinate the emergency management services.

Police Powers. Police employed by the City of Reading shall be ex-officio constables of the Commonwealth and shall and may, within the City or upon property owned or controlled by the City or by an authority of the City within the Commonwealth, exercise the powers and prerogatives conferred on police officers by law. Police, when acting as constables, shall have the authority to serve and execute all criminal processes for the violation of municipal ordinances which may be issued, and the fees and costs collected in such capacity shall be paid into the City treasury.

Department of Fire and Rescue Services. *§5-810 of the Administrative Code.*
The Department of Fire and Rescue Services shall be responsible for the protection of persons and property within the City against fire and other hazards. The Department of Fire and Rescue Services shall be headed by a Director termed a Chief who shall be responsible to the Managing Director for the performance of the department and for all other responsibilities and obligations that the Managing Director may from time to time assign consistent with the law, Charter or ordinance. The duties and responsibilities of the Chief personally and through subordinates shall include, but not be limited to the following: provide rescue services as appropriate, identify, remove and control fire hazards and other hazardous conditions, enforce laws, ordinances, rules, and regulations relating to fires and fire hazards, develop and conduct community relations and education programs and operate the Reading-Berks Fire Training Center in cooperation with the County of Berks.

Fire Marshal. *§603 of the Charter*
The Fire Marshal shall be responsible for the fire investigation, record keeping, fire prevention and Fire Code enforcement for the City. The Fire Marshal shall be appointed by the Mayor as per §603 of the Charter. §603 of the Charter provides: the Fire Marshal is a member of the Fire Department and reports to its Chief. However, the Fire Marshal shall provide investigative reports to the Mayor, Managing Director and the Chief. The duties and responsibilities of the Fire Marshal shall include the following but not be limited to the following: initiate and administer a fire prevention program for the City, enforce the Fire Code in conjunction with the Property Maintenance Office. Investigate cause and origin of fire as required by the Commonwealth of Pennsylvania Fire Marshal law, maintain records as

required by the fire prevention code and the department. (Ord. 17-1996, 6/24/1996, §§8.64 - 8.71; as amended by Ord. 30-1996, 9/23/1996, §1; and by Ord.14-2001, 5/29/2001)

Department of Law. *§5-811 of the Codified Ordinances.*
The Department of Law shall be responsible for representing the City on all legal questions arising in the conduct of municipal business. The Solicitor, as head of the Legal Department, shall serve as chief legal advisor to the Mayor, the Council and all City departments and agencies and shall represent the City in all legal proceedings and shall perform such other duties prescribed by law, by the Charter, by the City Administrative Code or by action of Council. In the event either the Mayor/Administrator or City Council requires legal representation in an area of conflict, each party shall have the ability to select their own legal counsel independent of the City Solicitor.

The Department of Law shall be headed by the City of Reading Solicitor who shall be responsible to the Mayor and City Council for the performance of the Department, and for all other responsibilities and obligations that the Mayor or Council may from time to time assign consistent with the law, Charter or ordinance. The City Solicitor may be removed by super-majority vote (five votes) of Council by resolution. [*Charter* §310]

Qualifications of the Solicitor. Charter §604 speaks to general qualifications. Section 801 of the Charter says that the City Solicitor shall be a member of the Bar of the Supreme Court of Pennsylvania and experienced in municipal law. §604 of the Charter provides: the Solicitor, as head of the Legal Department, shall serve as chief legal advisor to the Mayor, the Council, and all City departments and agencies; and shall represent the City in all legal proceedings and shall perform such other duties prescribed by law, by this Charter, by the City Administrative Code or action of Council. It is the intent of this Charter that only one person shall be the legal advisor of the City except as may be otherwise required by law.

The duties and responsibilities of the City Solicitor shall include, but not be limited to, the following: prepare, review, and revise ordinances or resolutions when so requested by the Mayor or Council, attend Council meetings and/or hearings, provide legal opinions upon any legal matter or question, provide legal advice when requested by department heads who are planning and/or preparing documents and/or positions, litigate all legal actions and claims brought by or against the City except in those cases in which other legal counsel is retained, approve for legality all contracts, agreements or other legal documents to be executed by authorized City officials, shall provide a written quarterly report to Mayor and Council on the status of all legal matters on which the Department of Law, directly or through temporary legal counsel, representing the City. Except as otherwise provided by City Council, shall be responsible for the supervision of all temporary legal counsel, excluding independent legal counsel for the Mayor or City Council, including approval of their billings.

The City Solicitor or his legal designee, shall provide legal counsel to all boards, authorities and commissions not having a regular legal advisor. The Solicitor or his designee shall attend any meetings of boards, authorities and commissions when requested. [*Ord. 22-1998*] (*Ord. 17-1996*, 6/24/1996, §§8.72 - 8.75; as amended by *Ord. 22-1998*, 6/22/1998, §§1-3)

The Mayor, with the approval of Council, shall have the power to engage other temporary solicitors to represent the City as the need may be. Such appointments shall be temporary and shall be for the purpose of representing the City in specific individual legal matters. Such representation shall be secured by requests for proposal.

Independent Legal Counsel. *§5-213 of the Codified Ordinances.*
In the event either the Mayor/Administration or City Council require legal representation in an area of conflict, each party shall have the ability to select their own legal counsel independent of the City. (*Ord. 17-1996*, 6/24/1996, §2.13; as added by *Ord. 22-1998*, 7/13/1998, §4)

Fiscal Provisions. *§5-806 of the Codified Ordinances & §901 of the Charter.*
The fiscal year of the City shall be the calendar year. If not prohibited by law, the Council may, by ordinance, adopt a different fiscal year, specifying an orderly procedure for financial and budgetary controls in making such transition.

COUNCIL POLICY – APPOINTMENT OF DIRECTORS

Council is responsible for confirming, by resolution, the hiring of the Managing Director, City Solicitor, all Department Directors, and the Zoning Administrator. As such it is the duty of the Mayor and Managing Director to bring forward their candidates for Council consideration. If Council fails to confirm or reject the candidate within sixty (60) days, the candidate will assume the position.

1. Upon the selection of a candidate, the Managing Director (or Mayor for appointment of a Managing Director) notifies the Council Office and provides the office with copies of the candidate's resume, references, letters of recommendation and all other relevant supporting material, a written explanation as to why the candidate was selected, the proposed level of compensation the candidate will receive, as well as include a copy of any contractual agreements offered to the candidate;
2. Council staff will be responsible for scheduling the candidate to appear before all of Council for an interview. Staff will coordinate the interview with the Managing Director;
3. The interview may be conducted in a Committee of the Whole setting, during which time each member of Council will be provided an opportunity to ask questions of the candidate;

4. Council shall not take action on any confirmation until at least the first regular meeting following the interview.

The interview is intended to provide Council the opportunity to discuss a candidate's paper qualifications and gauge his/her effectiveness, interpersonal skills, organizational fit, willingness to adhere to the Home Rule Charter and commitment to the City of Reading. Appointing a new director is a hallowed responsibility; members of Council have an obligation to their constituents to ask insightful, probing questions of a candidate and be willing to reject a candidate if they fail to meet the highest professional and personal standards. Possible questions to ask a candidate during the interview:

1 Why are you thinking of leaving your current position?
2 What are some of your professional goals?
3 How do you plan on achieving these goals?
4 How do you evaluate your success?
5 What qualities do you feel a successful manager should possess?
6 How familiar are you with our community? Its strengths? Its weaknesses?
7 If hired will you agree to become a resident of the City of Reading as required by the Home Rule Charter?
8 What do you see as Council's role in the governing process?
9 Tell us 3 things you have achieved or programs you have started in your current position.

CITY OF READING
PURCHASING POLICY AND PROCEDURES

The purpose of this procedure is to outline the steps that must be taken by all City departments to purchase all materials, supplies, equipment and contractual services (herein referred to as "items") under $10,000 with the exception of:

1 Books and subscriptions
2 Business meeting expenses
3 Charitable contributions
4 Dues
5 Items Under fifty ($50) dollars that can legitimately be purchased via petty cash (see Administrative Regulation "Petty Cash Funds").
6 Postage
7 Tuition
8 Travel - meals, lodging, transportation
9 Utility services

The purchasing procedure for these excepted items is covered in Administrative Procedure, entitled, "Payment for Items and Services without a Purchase Order" *Chapter 5 Attachment A page 23*.

Dollar Limits Covering Vendor Solicitation. With the exception of professional services, the purchasing manager will follow these guidelines concerning the dollar limits covering vendor solicitation.

1 Purchase under $500 - Price quotes will be sought by the division head.
2 Purchases between $501 and $10,000 - a verbal or written solicitation which involves an oral or written price statement from a vendor to the purchasing manager for a particular commodity or service. A written record of quotes will be maintained.
3 Purchases of $10,000 and higher - a formal solicitation through advertising which requires vendors to submit sealed bids accompanied by a bid surety (see Administrative Procedure "Bid Solicitation, Evaluation & Award Procedure"). It shall be the option of the Executive Branch to advertise for bids to purchase those items that may be exempted under the City Charter Section 915 and the Administrative Code *Chapter 5 Attachment A page 13.*

Time Requirement. Users should allow sufficient time, normally 7-10 days, for purchase under $10,000 and 2-1/2 weeks or more for items requiring bids over $10,000. All divisions should carefully plan their purchases so rush situations are not created.

Note: Emergency Purchasing procedures are detailed in the Administrative Code *Chapter 5 Attachment A page 17*.

BLANKET ORDER PURCHASE:
A blanket order purchase is a special type of purchase order issued by the purchasing manager and designed to reduce the administrative effort and costs of placing recurrent orders for necessary items or services, such as heating fuel or repairs to office equipment. Blanket orders normally call for an undetermined quantity of a product to be delivered or a service to be provided on a continuing basis from a single vendor. In some cases, the quantity may be estimated at an agreed upon unit price. Only one blanket order at a time may be issued to a specific vendor, from a standard account. A single blanket order may however cover one or more types of items or services. A blanket order may be issued any time during a calendar year, unless otherwise determined by the Administrative Services Director. Blanket orders will be invalid after December 31st of the year issued. All blanket order in excess of $50,000 must be approved by Council unless issued in accordance with a contract previously awarded by Council. *Chapter 5 Attachment A page 19*

Types of Blanket Orders. Two types of blanket orders exist:
Regular Blanket Orders (B) - referred to as merely blanket orders, are established with a vendor for a fixed dollar amount, but do not necessarily indicate the specific items or services to be purchased, their quantity, or unit price. The description is to state generally what is to be purchased, i.e. "various automotive replacement parts such as but not limited to filters, spark plugs, belts." Statements such as "Supplies as may be needed from time to time" are unacceptable.

Blanket Orders with Price Agreements (BA) - Blanket orders with price agreements are regular blanket orders where the unit price of the items or services are agreed upon with the vendor for a stated period of time, i.e. fuel oil for the year. Items and prices should be clearly stated in the description along with date of quote or contract award and period of agreement.

BIDDING PROCESS

Bidding Process. *§915 of the Charter.*
Whenever the estimated cost of any construction, erection, installation, completion, alteration, repair of, or addition to, any project subject to the control of the City shall exceed $10,000, it shall be the duty of the City to have such work performed pursuant to a contract, awarded to the lowest responsible bidder (subject to subsection (2)(d) hereof), after advertisement for bids. Every such contract shall contain a provision obligating the contractor to the prompt payment of all material furnished, labor supplied or performed, rental for equipment employed, and services rendered by public utilities in or in connection with the prosecution of the work, whether or not the said material, labor, equipment or service enter into and become component parts of the work or improvement contemplated.

Such provision shall be deemed to be included for the benefit of every person, co-partnership, association or corporation who, as subcontractor or otherwise has furnished material supplied or performed labor, rented equipment or services in or in connection with the prosecution of the work as aforesaid, and the inclusion thereof in any contract shall preclude the filing by any such person, co-partnership, association or corporation of any mechanics' lien claim for such material, labor or rental of equipment.

Whenever the estimated costs of any purchase of supplies, materials or equipment or the rental of any equipment, whether or not the same is to be used in connection with the construction, erection, installation, completion, alteration, repair of, or addition to, any project subject to the control of the City, shall exceed $10,000, it shall be the duty of the City to have such purchase or rental made pursuant to a contract awarded to the lowest responsible bidder (subject to subsection (2)(d) hereof), after advertisement for bids, such advertisement to be inserted in a newspaper of general circulation in Berks County.

The City shall not evade the provisions of subsection (1) or (2) as to advertising for bids by purchasing materials or contracting for services piecemeal for the purpose of obtaining prices under $10,000 upon transactions which should, in the exercise of reasonable discretion and prudence, be conducted as one transaction amounting to more than $10,000. This provision is intended to make unlawful the practice of evading advertising requirements by making a series of purchases or contracts, each for less than the advertising requirement price, or by making several simultaneous purchases or contracts, each below said price, when, in either case, the transactions involved should have been made as one transaction for one price.

Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts that exceed $4,000 but are less than the amount requiring advertisement and competitive bidding or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. **Written price quotations and written records of telephonic price quotations and memoranda shall be retained for a period of 3 years**.

The City shall require as a condition of the award of any contract, pursuant to subsection (1) or (2) of this Section, that the contractor give to the City any bond or letter of credit (including bonds for the performance of the contract, and for the prompt payment by the contractor for material, supplies, labor, services and equipment) which are prescribed by law for contracts awarded by cities of the third class.

Notwithstanding anything to the contrary contained in this Section, City Council may, in those cases where an individual or company with headquarters in the City submits a bid which is within 10% of the lowest bid, award the contract to said individual or company. In acting pursuant to this provision, City Council shall find that such an award will be in the best interests of the citizens of the City. The City Council must show just cause for the awarding of such contracts to locally owned companies who provide local labor, materials or produced goods.

All contracts shall be on file in the office of the City Auditor and shall be available for public inspection during normal business hours.

Administrative Code Exhibit A Purchasing Policy
All purchases over $10,000 require bid solicitations except those listed below:

1 Public utility service under tariffs on file with the Pennsylvania Public Utility Commission.
2 Any items purchased through Federal or Commonwealth programs that have different bidding requirements mandated by a grant program.
3 Purchases made through intergovernmental cooperation as governed by 1972, P.L. 762, No.180, 53 P.S. 481 as amended and Act 31 of 1971 the Commonwealth's cooperative purchasing program, a Commonwealth law of general application.

Bid solicitations or RFP's are not mandatory for the items listed above however; requests by department directors to bypass the bid solicitation or RFP procedure must have valid justification. All such requests shall receive approval by the Managing Director on a case by case basis.

Administrative Code Chapter 5 Exhibit A Bid Award.
It is the policy of the City to make awards to the vendor who meets the specifications for the items or services to be purchased at the lowest cost. Factors such as delivery time, quality, operating and maintenance costs, service, etc., as well as initial price, should be taken into consideration in determining the lowest cost vendor.

The department director shall review all bids and make a recommendation to the purchasing manager by completing the “Recommendation to Award Contract" form. If the purchasing manager does not agree with the recommendation of the department director, the award will be referred to the purchasing committee for determination.

The Director of Administrative Services shall review the recommendation to ensure an award is compatible with the budget.

The Managing Director shall approve all recommendations.

The Mayor shall have final approval of contracts under $50,000.

City Council shall award or reject all contracts in the amount of $50,000 or higher.

A purchase order shall be initiated after the contract award; however, it shall not be issued until the contract documents have been finalized.

The successful vendor after receiving the contract documents has ten (10) working days to sign and return with the necessary bonds.

If the selected vendor fails to deliver a bond or items bid within the time limits specified, the purchasing manager may choose to recommend rescinding the award and re-advertise for bids. In such event, the delinquent bidder shall be responsible for the costs of rebidding and the amount of any increase in the contract price thereby resulting. The purchasing manager shall properly document the action, the reasons for the action and retain the vendor bid surety not as a penalty, but as liquidated damages for inability to comply with the contractual agreement.

Bid Award.

- The Mayor shall have final approval of contracts under $50,000.
- City Council shall award or reject all contracts in the amount of $50,000 or higher.

In general Council approves Award of Contracts by motion under the Consent Agenda.

Transfers

As of March 13, 2001, City Council must, by resolution, approve any salary increase that has not been approved in or included in the budget for the fiscal year and falls outside the labor contract for union employees. [*Ord. 11-2001*]

That during the course of each fiscal year, the transfer of all monies including, but not limited to, transfers between departments and transfers in and out of any City fund, account or line item either attached in part or unattached to a departmental budget, causing a modification of $10,000, must be approved by Council ordinance***. The ordinance must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred, within the time frame defined in the Agenda Packet Policy.*** [*Ord. 16-2001*]

PURCHASING OF PROFESSIONAL SERVICES

Chapter 5 Attachment A page 37. The purpose of this regulation is to outline the process involved for preparing specifications, letting of Request for Proposals (RFP's), awarding contracts and payment of bills for professional services.

For the purpose of this regulation the term "professional" is defined as those persons or firms marketing services requiring advanced academic or technical training skills. Examples of professional services include work done by the following contractors but is not necessarily limited to these services:

1 Accountants
2 Architects
3 Attorneys
4 Bond Underwriters
5 Engineers
6 Insurance Consultants, Agents, and/or Brokers
7 Investment Advisors
8 Physicians

Professional service contracts are not to be confused with standard contracts which seek a price or costs for particular work detailed in specifications. Professional contracts seek expertise through an RFP and pricing or cost may not be of "primary" importance.

A professional contract, while it is based upon work performed in response to task specifications and the need for a finished product as outlined by the City and agreed to by a contractor, it is one that by its very nature cannot be awarded solely based upon the selection of the lowest bidder.

Factors other than price alone must be carefully weighed in the review of proposals and the award of such contracts. These factors include the professional qualifications/certifications, special skills, experience, and familiarity of the contractor with the work requested, all of which have an impact on the quality of the product/service to be delivered.

PREPARING REQUESTS FOR PROPOSALS (RFP'S) FOR CONTRACTS GREATER THAN $10,000.

When to prepare an RFP. Unless otherwise determined by the Managing Director, any purchase of professional service in amounts exceeding $10,000 must be made by written contract and initiated by an RFP. Competitive proposals increase the ability to fully evaluate both the benefit and costs of the services being sought.

Notwithstanding any other provisions to the contrary if the Managing Director so determines, no RFP shall be required for an employee engaged in providing professional services to the City who terminates employment with the City and shall than be engaged as

an independent contractor. In addition, no RFP shall be required for an independent contractor whose engagement terminates, if the Managing Director desires to continue the engagement by the City.

For all contracts expected to exceed $10,000 including those which are multi-phased (e.g., feasibility study and design), person(s) designated by the Managing Director shall prepare an RFP specifically for the extent of the work effort that can be defined at that particular time. The RFP should solicit information pertaining to the contractor's qualifications and costs (including appropriate hourly rates, etc.) for as many phases as appropriate. Costs and qualification information should then be utilized to select the contractor. For any subsequent phases of the contract that have not been specifically defined in the initial RFP, a new RFP should be drafted and circulated to secure competitive proposals from interested contractors.

CONTRACTS LESS THAN $10,000:
The department director or person designated by the Managing Director to handle the assignment, shall request written proposals from at least three (3) firms. Proposals shall include the fee either in the form of a unit cost and/or total maximum cost to be charged. After analysis, a written report and recommendation shall be presented to the purchasing manager, Administrative Services Director and Managing Director for final approval.

If requested, unsuccessful firms shall be given an explanation as to the reasons for the selection.

The department director should take precautions to project the total cost of professional service contracts that are multi-phased. An RFP must be prepared for those multi-phased contracts, the total cost of which could exceed $10,000.

SELECTION OF PROFESSIONAL SERVICE CONTACTS GREATER THAN $10,000
The proposals of those firms responding to an RFP are reviewed by a selection committee designated by the Managing Director. The selection committee shall consist of the purchasing manager, the department director and at least one other designated person.

The selection process shall be based on the objective criteria contained in the RFP and not necessarily on the lowest bid. Examples of the evaluation criteria include: size and experience of the firm on similar projects, client references, demonstrable understanding of the requested work, the ability and/or commitment to meet the prescribed completion schedule, and the cost estimates.

The selection committee shall, according to the level of importance, determine a maximum number of points attainable for each criteria. The committee members shall independently evaluate each firm being considered and assign points accordingly.

The recommendation of the selection committee shall be to the firm with highest total points.

The selection committee has the responsibility to negotiate the most favorable cost, terms and conditions to the City of Reading. The negotiating process may involve one or more RFP responses, and may continue until the actual award of the contract.

A meeting with the selection committee will be available for a firm who is dissatisfied after not being recommended for award of the contract. The selection committee shall submit a written report on the process and its recommendation, to be reviewed with the Managing Director and the Administrative Services Director.

Prior to formal acceptance, the RFP and the proposal shall be submitted to the solicitor's staff for review.

The Managing Director and the selection committee will prepare a recommendation for the Mayor to present to City Council for final approval where such approval is required by the Charter or by the Administrative Code.

The Managing Director shall advise the purchasing manager to formally notify the successful firm.

RENEWAL OF PROFESSIONAL SERVICE CONTRACTS:
The City shall have the option to renew a professional services contract for one (1) year beyond the established contract period, based upon a continuation of the current contract price or the re-negotiation of a new price.

REVENUE SOURCES

There are three main streams of revenue to generate the needed funds to operate municipal governments and provide services to citizens (local taxes, intergovernmental revenues and internal operational revenue). Taxes are "enforced contributions" for municipal services which cannot be rationally allocated to individual users. These include services like police and fire protection, parks and general administration. Such services benefit the entire community and are paid for by all local taxpayers in a tax system somewhat scaled to the ability to pay.

An equitable tax or charge applies equally to all persons subject to the tax or charge. Real estate taxes are sometimes inequitable because the assessed valuations (and therefore, taxes) for a house built ten years ago is often lower than the assessed valuation for an equivalent house built today. Although the tax rate may be equal, the base on which the tax rate is applied is not uniform. Unequal enforcement of tax collection also represents a way your revenue program may be inequitable. Following through with all measures allowed by law to collect unpaid taxes is essential to a tax program which treats all citizens of your municipality equally.

Your tax program should be set up to automatically benefit from growth. As your municipality grows or needs change, higher levels of municipal services are usually required. A desirable tax structure results in the new growth paying its own way by bringing in increased revenues as the value of real estate, incomes and population increase.

School districts, counties, and municipalities (cities, boroughs and townships) are not allowed to make up their own taxes; they are only allowed to choose between the taxes authorized for them by the Commonwealth. The number (and usefulness) of the taxes authorized varies across the different jurisdiction types.

Local taxes are authorized for local jurisdictions under several different laws; each jurisdiction has its own legal code that outlines how it operates, how it is governed, and which taxes it can levy. The City of Reading falls under the parameters for Third Class Cities in the Tax Enabling Act, also known as Act 511.

Act 511 authorizes a variety of different taxes for municipalities and school districts. These include the earned income tax, amusement tax, mercantile tax, per capita tax, occupation tax, and local services tax. Many of these Act 511 taxes often are referred to as "nuisance taxes," typically because individually they don't generate much revenue, and yet they are a nuisance to collect (and a nuisance for taxpayers to understand and not confuse).

Most of the Act 511 taxes have to be shared equally between school districts and municipalities if both levy it. For example, the maximum earned income tax rate for school districts and municipalities is 1 percent. If only the local school district levies the earned income tax, the school district can collect the entire 1 percent. If only the municipality levies the earned income tax, the municipality gets to collect the entire 1 percent. But if *both* the school district and municipality levy the earned income tax, they are required to *share* the 1 percent-- they each get 1/2 percent. Under Home Rule, any City increase does not need to be shared with the School District. Home Rule municipalities are also able to increase tax rates beyond Act 511 caps.

It is interesting to note that several local taxes are authorized both under the jurisdictional code, and under Act 511, *with different tax rates.* School districts and municipalities can choose under which law they want to levy the tax, and thus which tax rate cap they are subject to. If a borough, for example, levies the occupation tax under the borough code, the maximum tax rate for the occupation tax is 30 mills. If a borough levies the occupation tax under Act 511, the maximum tax rate is $10 (if they choose to levy it as a "flat rate"), or *no limit* if they choose to levy it as a milage.

E. THIRD CLASS CITIES

Potential Tax Sources	**Legal Limit**[4]
GENERAL PURPOSE TAX LEVIES	
Real Estate	25 mills[5]
Residence	$5
License	$100
Act 511 Taxes Per Capita Occupation (Flat Rate) Occupation (Millage) Occupational Privilege Earned Income Deed Transfer Mechanical Devices Amusement Business Gross Receipts	 $10 $10 no limit $10 1 percent 1 percent no limit 10 percent 1 mill wholesale 1 ½ mills retail no limit other businesses
SPECIAL PURPOSE TAXES	
Bonded Debt and Sinking Fund	no limit
Recreation	no limit
Library	no limit
Shade Trees	1/10 mill

Support Bureau of Charity	10 mills
Community Colleges	(6)
Distressed Pension System Recovery Program	no limit
Municipalities Financial Recovery Program	no limit

4. Home rule municipalities may set rates higher than the limits provided in state law for property taxes and for personal taxes levied on residents. They may not create new subjects for taxation. Third class cities adopting home rule charters as of July 1, 1992 include: Carbondate, Chester, Clarion, Coatsville, Farrell, Franklin, Greensburg, Hermitage, Lebanon, McKeesport, Warren and Wilkes-Barre.

5. Five additional mills available with court appeal.

6. Local sponsors may levy any tax permitted by law to support a community college. The tax cannot exceed 5 mills of the market value of real estate, except for first class cities and first class school districts where it cannot exceed one mill of the market value of real estate.

The City also has various fines and fees for licenses, rentals, permits, etc. that contribute to the revenue stream such as trades permits and licenses, rental fees for the field houses and certain equipment, etc. The City also uses Enterprise Funds, which are funds established to account for operations that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs of providing goods and services to the general public on a continuing basis be financed or recovered primarily through user charges. The City currently has 3 Enterprise Funds…Sewer, Recycling/Solid Waste, and Water.

FINANCE & BUDGETS

CDBG BUDGET (Community Development Action Plan)

CDBG BUDGET

The Community Development Block Grant (CDBG) program is the primary component of the CDBG Action Plan. The Community Development Action Plan is as important to the City as the General Fund Budget. The plan budgets or allocates the City's portion of federal dollars for the year. The plan is developed by the Community Development Department in consultation with the Administration and through solicitation of public input and internal and external agency funding requests. Funds are allocated according to strict national objectives and Department of Housing and Urban Development (HUD) guidelines. HUD provides separate allocations and caps for CDBG, HOME, ESG, and Administration. The combinations of these program allocations make up the Action Plan that is approved by Council resolution on or before November 15 annually. The following is a brief explanation of the program areas:

1. **CDBG-**Title 1 of the Housing and Community Development Act of 1974 created a system of unified block grants. Under the current system communities of over 50,000 residents are entitled to receive funding directly from HUD. The purpose of CDBG is to encourage broadly conceived community development projects benefiting low to moderate income residents.

2. **ESG**- The Emergency Shelter Grants are designed to provide homeless persons with shelter and basic support services. The grant may be used to assist with the operational costs of the shelter facility, and for the administration of the grant. ESG also provides short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure, or utility shutoffs.

3. HOME- Is a flexible block grant program intended to help communities expand the supply of decent, safe, affordable housing for primarily low income families. While not as large an allocation as CDBG, HOME monies play a crucial part in the development of Reading. One requirement of HOME monies is that at least fifteen percent (15%) must be provided to an acceptable CHDO (Community Housing Development Corporation); a private, non-profit development corporation that meets a series of qualifications prescribed in the HOME regulations and has been designated by the City.

4. **ADMINISTRATION**-Approximately four percent (4%) of the total CD allocation may be used to cover the administrative costs of programs. Salary of Community Development Staff and monitoring activities are supported through this allocation.

The CDBG Action Plan must be adopted by Council at the first meeting in November, as the plan must be submitted to the HUD by November 15. It is important to keep in mind the CDBG Budget provides relief to the overly burdened General Fund by covering costs of City operations and programs where applicable. CDBG dollars can also be used to support fundable social services agencies. Before the change to the Home Rule form of government in 1996, a major part of the City's CDBG allocation was used to fund social service agencies that provide service to low/moderate areas of the City. In 1997 City Council directed the Administration to begin reducing allocations to social service agencies and begin funding eligible City programs and services such as community policing and codes enforcement. Council also directed the Administration to begin drafting the Action Plan in conjunction with the Berks County Office of Community Development. Collaboration between the County and City staff reduces the double dipping effect, whereby a fundable agency is supported by either City or County funds, not both.

COUNCIL POLICY - CDBG BUDGET ADOPTION *(ACTION PLAN)*

1. The Community Development Director in conjunction with the Managing Director will present the proposed budget in the form of an action plan to Council in August of each year. At the discretion of Council the Action Plan can be amended. Amendments should be discussed with the Community Development Director to determine their fundability.

2. Amendments should be presented by Council and the Administration at the beginning of October. Council staff will be available to provide whatever assistance is required. The Action Plan is adopted by Resolution, rather than by ordinance. The resolution must be adopted no later than the first regular meeting in November to comply with HUD's November 15th deadline.

3. Any part of the Action Plan (CDBG, HOME, ESG) is amendable at any time during the budget year. If an amendment is desired, the Community Development Director should be notified of the proposed amendment. The fundability of the amendment must be verified like any other CDBG program.

GENERAL FUND BUDGET

Submission of Balanced Budget and Capital Program. *Charter Section 902.*
On or before 90 days prior to the ensuing fiscal year the department heads will submit a proposed budget and capital program to the Managing Director. On October 1st of each year the Mayor will submit to the City Council a balanced general fund budget, capital improvement program budget, position ordinance, property tax ordinance and other

ordinances that will increase or decrease taxes, fines and fees and an accompanying message. The proposed balanced budget and capital program shall be in such form as the Mayor deems desirable, unless otherwise required by Council.

Budget Message. *Charter Section 903.*
The budget shall be accompanied by a message which shall include:

1 An explanation of the expenditures and revenues in the proposed budget, indicating and explaining major changes from the current year and the prior year.
2 An outline of proposed programs and an explanation of new, expanded, or abolished programs or functions.
3 A summary of the City's debt position.
4 Such other material that will inform the Council and the public of municipal goals.

Budget Organization and Content. *Charter Section 904.*
The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year in accordance with all generally accepted accounting principles and, except as required by this Charter, shall be in such form as the Mayor deems desirable or the Council may require. In organizing the budget, the Mayor shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. The budget shall contain, among other things, the following:

1 It shall begin with a general summary of its contents.
2 It shall show in detail all estimated income, indicating the existing and proposed tax levies, as well as other assessments, fees and charges.
3 It shall show all proposed expenditures, including debt service, for the ensuing fiscal year.
4 It shall show the number of proposed employees in every job classification (full-time, part-time, temporary and seasonal as per Charter section 904).
5 It shall be so arranged as to show comparative figures for actual and estimated income and expenditures for the current fiscal year and actual income and expenditures of the preceding 4 fiscal years.
6 It shall indicate proposed expenditures during the ensuing fiscal year, detailed by offices, departments and agencies, in terms of their respective work programs and the methods of financing such expenditures.
7 It shall indicate proposed capital expenditures during the ensuing fiscal year, detailed by office, departments and agencies when practicable, and the proposed method of financing each such capital expenditure. The Mayor will include this separate capital program section in the annual Budget and submit to Council with appropriate supporting information as to the necessity for such programs.
8 It shall indicate anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility giving detailed income and expenditure

information shall be attached as appendices to the budget. The total of proposed expenditures shall not exceed the total of estimated income. The estimated income shall mean the total of estimated revenue plus the prior fiscal year's fund balance. If a deficit exists, a plan to eliminate that deficit must be included in the budget.

City Council Action on Budget. *Charter Section 905.*

Notice and Hearing. Council shall publish in one or more newspapers of general circulation in the municipality the general summary of the budget with a notice stating:

1 The times and places where copies of the budget message and budget document are available for inspection by the public.
2 The time, place, and date, not less than 15 days or more than 30 days after such publication, for a public hearing on the budget. The public hearing shall not be on the date of a regular Council meeting.
3 The proposed budget 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.

Amendment Before Adoption. *Charter Section 905.*
After the public hearing, the City Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income and thereby allowing for line item changes by the City Council. If the amended budget increases, decreases, or readjusts funding requirements by more than 5% or adds or deletes a program, the budget shall be returned to the Mayor immediately for comment and resubmission to the Council within 3 normal City work days. Council shall provide for another public hearing to be held within 5 days after the Mayor has resubmitted the budget.

Adoption. *Charter Section 905.*
Council must adopt an annual budget by no later than December 15 of the fiscal year currently ending. If Council fails to adopt a budget by December 15 then the Mayor's original proposed balanced budget shall become the official budget of the City for the ensuing fiscal year. Within 30 days after the adoption of a budget ordinance, the Director of Administrative Services shall file a copy of the budget with the appropriate state agency.

Revised Budget. *Charter Section 906.*
Notwithstanding any other provisions of this Article, when the fiscal year of the City is the calendar year, in any year following a municipal election year the Council may, within 45 days after the start of the fiscal year, revise the budget and tax levies adopted by the previous Council. The procedures for adopting a revised budget shall be in accordance with §905 and

§906, with the time periods adjusted to 45 days after the start of the fiscal year. Ordinances adopting a revised budget shall be effective as of the start of the fiscal year and shall rescind and replace the budget ordinance of the previous Council. It is the intent of this Charter that a new Council, in the year following a municipal election, shall have the power to revise the budget and tax levies adopted by the previous Council.

Amendments After Adoption. *Charter Section 908.*
Emergency appropriations may be made by the Council to meet a public emergency posing a sudden, clear and present danger to life or property. Such appropriations may be made by emergency ordinance in accordance with the provisions of §220 of this Charter.

Supplemental appropriations may be made by the Council by ordinance upon certification by the Mayor that there are available for appropriation revenues in excess of those estimated in the budget.

Transfer of appropriations may be made in accordance with the provision of the Administrative and Fiscal Codes in accordance with the provisions of §908 of the Charter.

CAPITAL PROGRAM

Submission.
Administration of the Budget and Capital Program. *Section 910 of the Charter.*
The Mayor shall be responsible for and with the assistance of the Managing Director shall supervise the administration of the annual and capital budgets.

Submission to City Council. *Section 911 of the Charter.*
The Mayor shall prepare and submit to the City Council a 5 year capital program no later than the final date for submission of the budget.

The Mayor, with the assistance of the Managing Director, Director of Administrative Services and the Economic Development Manager and in accordance with the provision of the Municipalities Planning Code, (PA 209.1 MPC) shall be responsible for developing administering the capital budget. The Mayor shall prepare and submit to the City Council a 5 year capital program no later than the final date for submission of the budget.

Contents of Capital Program. *Section 911 of the Charter.*
The capital program shall include:

1 A clear general summary of its contents.
2 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.
3 Cost estimates and recommended time schedules for each improvement of other

capital expenditure.

4 Method of financing, upon which each capital expenditure is to be reliant.
5 The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

All capital projects must be included in the capital program budget. The above shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition. Capital project bonds required for financing capital projects shall be secured by competitive bidding.

Capital Improvement Program Committee (CIPC). *§5-806 Codified Ordinances*
The CIPC shall advise the Mayor and Council on the selection and prioritization of capital projects and shall contain the Director of Administrative Services, the Director of Community Development, the Director of Public Works, the Fire Chief, the Police Chief, the City Auditor and one member of Council. The CIPC shall prepare a report to the Mayor. The report will be submitted to City Council for approval.

Capital Projects Approved. *Section 911 of the Charter.*
Proposed capital projects in the capital programs must be considered on their own individual merits by the Director of Administrative Services, the City Auditor, and the proposer of the project. The procedures to approve the individual capital projects are:

Preliminary Feasibility Study. The capital project preliminary feasibility study shall include:

1 A clear general summary of its purpose and justification.
2 The cost estimates and time schedule for the Capital Project including the cost of the post project completion audit.
3 The method of financing and sources upon which this capital project is reliant.
4 The annual cost of operating and maintaining the project to be constructed or acquired. 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.

Final Proposal and Financing. The final capital project proposal and financing shall include:

1 A clear general summary of its purpose and justification.
2 The cost estimates and time schedule for the capital project including the cost of the post project completion audit.
3 The method of financing and sources upon which this capital project is reliant.
4 The annual cost of operating and maintaining the project to be constructed or acquired.
5 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. The final Council approval of capital projects will require five votes to approve.

Capital Project Reporting. *Section 911 of the Charter.*
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 Director of Administrative Services and the Project Manager to the City Council in such a form that it is available to the public.

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).

Cost Project Completion Audit. 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.

City Council Action on Capital Program. *Section 912 of the Charter.*
Notice and Hearing. Council shall publish in one or more newspapers of general circulation in the municipality the general summary of the capital program with a notice stating:

1. The times and places where copies of the capital program message and capital program document are available for inspection by the public.
2. The time, place, and date, not less than 15 days or more than 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.
3. 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.

Adoption. *Section 912 of the Charter*
Council must adopt an annual capital program by no later than December 15 of the fiscal year currently ending. If Council fails to adopt a capital program by December 15 then the Mayor's original capital program shall become the official capital program of the City for the ensuing fiscal year.

COUNCIL POLICY BUDGET REVIEW & ADOPTION

The budget review process is designed to provide an open, inclusive and most importantly an objective process, by which to allocate the resources of the City of Reading. It is important for Council and the Administration to work cooperatively in both preparation and review of the budget; however, to borrow an old expression: Council controls the purse strings. The budget is to be prepared by the Administration, but it is not finalized until approved by Council. Adopting the budget is one of Council's most important responsibilities.

In order for Council to digest the enormous amounts of information presented by the Administration, a separate committee of Council may be created for the purpose of reviewing the budget. The President of Council may create the committee, although any member of Council may propose a resolution establishing the committee. If a resolution is proposed it must be passed by a majority of Council.

The Budget Committee shall be composed of the following:

- Chair, a member of the Council Finance Committee designated by the President of Council
- a minimum of two (2) additional Councilors
- Managing Director
- Director of Administrative Services or his designee
- Council Staff
- Other Administrative personnel deemed necessary by the Director of Administrative Services
- Ex Officio: Council President

Process: The Chair will be responsible for defining the specific process to be followed; however, certain criteria must be met.

1. Following an initial meeting between all of Council and the Administration (the Budget Summit), the committee shall schedule a separate meeting with the Managing Director to agree upon the process to be followed;
2. Any member of Council is invited to attend meetings, but may only participate if they are a member of the committee;
3. A review of the General Fund budget must be completed by the committee and a summary prepared for review by the body of Council;
4. The committee shall prepare an initial list of priorities, amendments and suggestions, to serve as a framework for subsequent discussions with the Administration;
5. The committee will be responsible for articulating the position of the body of Council during all discussions with the Administration related to budget;

6. A majority of Council may elect to override the positions of the committee if it is determined to be necessary;
7. The Chair must provide reports, either verbal or written to the entire body of Council on a regular basis throughout the budget process; the President of Council or a majority of Council may decide to set a schedule for reports;
8. The Chair will serve as a point of contact between the Administration and the body of Council, all requests for information must be relayed to the Chair, who will further relay the request for the information.

Benefits of this Approach: A process will provide for a more orderly review of the budget, the establishment of tangible goals and firm deadlines and better communication and participation in the budget setting and prioritizing process.

As per the Charter, the Administration must submit both proposed budgets to Council no later than October 1. The City Clerk then places an ad in the paper giving the taxpayers a summary of the budgets and notice of the 2 Public Hearings, one on the General Fund Budget and one on the Capital Improvement Plan Budget. These hearings must be held on separate nights and cannot be held on the evening of a regular Council meeting. The Public Hearing must be held no less than 15 days after or more than 30 days after the placement of the ad.

Both budgets, the position ordinance (which authorizes all City employment positions for the ensuing fiscal year), the property tax ordinance and any other tax or fee ordinances that support the revenue increases proposed by the Administration in the budget are introduced at a Special Meeting scheduled on the night the budget is submitted to Council by the Administration. Increases to the Act 511 taxes require special advertisement and layover period and a public hearing. All tax increases also require a public hearing as per Charter §215 - §224.

Proposed amendments to both budgets must be introduced no later than 2 weeks prior to their adoption. To comply with the timelines mandated by the Charter both budgets must be adopted by Council no later than the last Monday in November. This provides time for the Mayor's approval process and any necessary public hearings or special meetings needed to ensure the budget is adopted by Council and approved by the Mayor by December 15.

TAX RATE

Appropriation and Revenue Ordinance. *Section 907 of the Charter.*
For 1996, this Charter shall provide for collection of income from real estate taxes which, in total amount, does not exceed 105% of the real estate tax income actually collected by the City during 1995. For those years following 1996, it shall provide for collection of income from real

estate taxes which, in total amount, does not exceed 105% of the real estate tax income actually collected in the previous year. Any collection of income from the real estate tax by the City in excess of the amounts allowed by this Section shall not be expended but shall be retained for use in the subsequent year and be used in the next year subsequent to reduce the amount of income needed by the City in said subsequent year. With the approval of the Court of Common Pleas, upon good cause shown, or by Referendum or Charter review, the City may increase the amount of income collected, notwithstanding the provisions of this Section. ***Note****: The 105% has been superseded by court cases in Allegheny and Lackawanna County.*

The Director of Administrative Services in conjunction with the Managing Director shall calculate a suggested real estate tax rate. The Director of Administrative Services and the Managing Director shall present this suggested real estate tax rate to the Mayor for his/her review. The approved real estate tax rate will be presented in the budget for Council approval.

Borrowing. The City of Reading may, by ordinance of City Council, borrow an amount of money in anticipation of current revenues *(TRAN - Tax Revenue Anticipation Note).* The amount borrowed may not exceed the amount of anticipated revenues. The anticipated revenues may be pledged to pay such loan or loans. The City will issue notes or other forms of obligation, executed by the Mayor and attested to by the City Clerk under the seal of the City of Reading to secure such loans. The revenue anticipation borrowing shall mature and be payable during the current fiscal year in which the money is borrowed. No such borrowing shall constitute an increase of indebtedness within the meaning of the State of Pennsylvania Constitution or any application law or the Charter. Such notes may be sold at either public or private sale under appropriate terms and conditions satisfactory to the City of Reading.

COUNCIL POLICY ON BOND & DEBT FINANCING APPROVAL

The purpose of establishing these guidelines is to improve the process for approving bond and debt financing and providing thorough information to City Council.

- At all times possible the Administration will present Council with proposed bond or debt financing sixty (60) to ninety (90) days prior to date of final approval.

- At that time the Administration will review the proposal and its impact on the City with the full body of Council.

- Over the next thirty (30) days Council will have the opportunity to ask any questions as a group or individually on the proposed bond or debt financing. The

Administration will answer questions or meet with Council, individually or as a body, as needed.

- Thirty (30) days prior to final approval the Administration and Council will discuss the bond or debt financing at a second meeting.

The Administration will take precautions to avoid beginning the bond or debt financing approval process during October and November, when Council is attending to the adoption of the General Fund, Capital and CDBG Budgets. In the case where debt financing or refinancing will be required during or immediately after the budget cycle, the Administration will begin the approval process no later than September 1 to provide for the necessary adoption vote before November 1. The Administration shall also seek pre-approval from Council, when available. There may be times when budget deficits will be identified by the Administration during the Budget cycle which will cause the need to begin the debt approval process during budget discussions. *(Resolution 57-2007, approved on April 10, 2007)*

CITIZEN'S RIGHTS AND PARTICIPATION – *Article XI of the Charter*

General Provisions. *§1101. of the Charter*
The Council shall protect and promote the right of the citizens of the City of Reading to participate in a positive and constructive manner in the government of the City. Administrative Code Chapter 1, Part 11 provides regulations for the initiative and referendum process. Any citizen of the City may participate in the government of the City by:

A. Seeking elective office of the City as prescribed by this Charter and voting for candidates for elective office.
B. Serving on boards, commissions, authorities or other agencies of the City government when requested by the appropriate officials.
C. Attending and being heard at public meetings of the Council and other boards, commissions, authorities and agencies of the City government.
D. Addressing suggestions to the Council and others to provide guidance for their actions.
E. Exercising the right of initiative, referendum, and recall of elected officials as provided in this Charter or as otherwise may be provided by law***. Note: The PA Court system has found recall to be unconstitutional***.

Initiative and Referendum *Charter §1102*
Initiative. The qualified voters of the City shall have the power to propose ordinances to the Council. If Council fails to adopt such an ordinance, the initiative process may be commenced giving the qualified voters of the City the opportunity to adopt or reject said ordinance at a City election.

Referendum. The qualified voters of the City shall have the power to require reconsideration by the Council of any adopted ordinance. If the Council fails to repeal an ordinance so reconsidered, the Referendum process may be commenced giving the qualified voters of the City the opportunity to approve or reject said ordinance at a City election.

Initiative and Referendum; Commencement of Proceedings; Petitioners Committee; Affidavit. *Charter §1103*
Any five qualified voters of the City may commence initiative or referendum proceedings by filing with the City Clerk an affidavit stating they will constitute the Petitioners' Committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the Committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. In case of referendum, such an affidavit must be filed within 10 days of the adoption of the ordinance. Within five days after the affidavit of the Petitioners' Committee is filed and validated, the City Clerk shall issue the appropriate petition blanks to the petitioners.

Initiative and Referendum; Petitions *Charter §1104*
Petitions must be signed by 2,000 qualified voters of the City and shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature must be in ink or indelible pencil and shall include the address and date. Petitions must have the full text of the ordinance proposed attached.

Each petition shall have a notarized affidavit executed by the circulator attached stating that he/she personally circulated the petition and all signatures were affixed in his/her presence and are valid.

Referendum petitions must be filed within 35 days after the filing of the affidavit. Initiative petitions must be filed within 65 days from the date of filing with the City Clerk.

The full details of initiative and referendum can be found in the Charter Article XI

BOARDS, AUTHORITIES, AND COMMISSIONS

Establishment. – *§1001 of the Charter*
By Ordinance.
City Council shall encourage the participation of citizens in their government through the establishment of boards and commissions to carry out City business.

Such boards and commissions shall be established by ordinance including a clear statement of whether they shall be advisory in nature or they shall have power and authority under City ordinance or State or Federal code.

City Council may not change the powers or authority of any board or commission except by ordinance.

City Council may by ordinance abolish any board or commission not established by State or Federal mandate or by this Charter.
(*Charter*, 11/3/1993, §1001)

Membership. *§1002 of the Charter*
Appointments. City Council shall approve all appointments for each board and commission. Broad citizen participation shall be encouraged in recruiting appointees and making appointments. No appointee of any board or commission shall hold any other elected public office or any compensated position for the City.

Vacancies. Any vacancy caused by death or resignation shall be filled promptly pursuant to the procedure set forth in §309(B). The person so appointed shall serve for the unexpired term of the person vacating such position.

Qualifications. As a general rule, members of boards and commissions shall be residents of the City. At the discretion of Council, persons not residents of the City, but who have a significant property or business interest in the City, may be selected to serve. No person may concurrently serve on more than one board or commission.

Note: *There are several Boards or Commissions that require members to have specific skills, qualifications or knowledge. It is not always possible to find a City resident to serve. Council Staff manages a database to track vacancies and membership terms. This information is posted on the City's website and is updated monthly. When a current member's term expires Council Staff notifies the member with a letter inquiring if the member is interested in seeking reappointment. When a vacancy occurs Council Staff notifies City Council, the Mayor and Managing Director and asks their assistance in finding a qualified replacement. Council Staff also enlists the assistance of the various trades and professional union associations and various organizations to seek out applicants for the*

Boards, Authorities and Commissions. Council Staff also, at times, runs advertisements in the Reading Eagle and Council newsletter to attract applicants.

COUNCIL POLICY – APPOINTMENT PROCESS

Appointments and reappointments to the Boards, Authorities and Commissions are made either by Council or by the Mayor with Council's approval; with one exception. The Municipal Authorities Act (MAA) provides the Mayor with the ability to make appointments and reappointments to the Parking Authority without Council's approval. The MAA also allows employees and elected officials to be appointed to authorities.

Applicants are asked to complete a basic application form and submit it to the City Clerk's Office. When the application is received a basic background check is done to see if the applicant is free of fines, codes violations, delinquent taxes, and utilities. After this step is complete, the application is either forwarded to the Mayor's Office or to the Council Nominations and Appointments Committee. The Nominations and Appointments Committee conducts brief interview meetings with candidates and makes an appointment recommendation to the full body of Council. Appointments are approved by Council resolution at regular business meetings. In the event an applicant does not receive the Committee's endorsement, 3 members of Council can request that the appointment resolution be forwarded for Council action.

After the appointment resolution is adopted, Council Staff contacts the applicant to congratulate them and informs them of the need to make arrangements with the City Clerk to take the Oath of Office. A copy of the appointment resolution, the Charter, Ethics Code and legislation on the appropriate board is also supplied. The database is updated.

COUNCIL REPRESENTATION ON BOARDS, AUTHORITIES, AND COMMISSIONS

Housing Board of Appeals - To serve as the Board of Appeals for decisions made regarding the conduct of renters and/or rental licenses as it relates to DCRs and eviction proceedings

Meets as needed usually during the business day

Environmental Advisory Council - has the power to study environmental and sustainability issues at the request of City Council and make recommendations to Council on those issues. The EAC will work with City Council in an advisory capacity in an effort to help Council analyze environmental and sustainability issues and when appropriate issue recommendations on courses of action necessary to protect the health, safety and welfare of the residents of Berks County.

The EAC is currently working on several pieces of legislation regarding environmental issues.

Meets the 4th Tuesday of each month at 5 pm. Meetings last approximately 90 minutes.

Diversity Board - to serve in an advisory capacity to the Mayor and City Council by providing input on policy and processes that promote and facilitate active involvement and participation by diverse cultures such as of race, color, religion, ancestry, national origin, age, sex, familial status, and handicap within the Reading community and within City government

Meets quarterly in City Hall at 3 pm.

Solid Waste and Recycling Appeals Board - to hear appeals as necessary for citizens aggrieved by citation for solid waste related issues

This Board was never functional.

There are two seats on the Board.

Business License Appeals Board - to hear appeals as necessary for the revocation of licenses issued to businesses operating within the City of Reading

Council representation depends on the District in which the business is located and changes based on the appeal.

Local Redevelopment Authority - to advise City Council about the best reuse of the military facility located on Kenhorst Boulevard and monitor the ongoing reuse of the decommissioned site

Meets as needed to administer the BRAC process. Meeting length varies.

Has historically been filled by Council President, District 1, and District 4

Blighted Property Review Committee - To implement provisions of the Urban Redevelopment Law of 1945, as amended by Act 94 of 1978, further amended by Act 113 of 2002, promoting reuse and reinvestment in properties in the City of Reading. The BPRC holds hearings to determine or certify properties as blighted to begin movement through the process to induce owners to make improvements but which may result in the City's taking of the property

Meets the 3rd Thursday of the month at 6 pm. Hearings last approximately 60 minutes.

Recreation Commission - to provide a mechanism to adequately and efficiently maintain community recreation services and facilities and to organize, manage and supervise recreational and educational programs, with a primary focus and emphasis on programs for youth, within the political boundaries of the City and the School District. Inter-governmental board between the City and the School District. The Commission employs an Executive Director and staff to oversee programming.

Meets the 2nd Tuesday of the month at 7 pm. Meeting length varies depending on topics for discussion.

There are two seats on the Commission

Audit Committee - The Act 47 Recovery Plan Initiative CA 02 requires the City to establish a process for coordinating and responding to external audits. This Committee will provide independent review of the municipality's financial reporting processes, internal and external audits, formal responses to audits and oversight of City management's actions to achieve compliance. The Committee will ensure that City management property develops and adheres to standard operating procedures for its fiscal affairs, upholds the integrity of independent external audits and the objectivity and comprehensiveness of internal audits

Meets quarterly during the business day. Meetings generally last 90 minutes.

Council is represented by the Finance Committee chair

Reading Area Transportation Study (RATS) Coordinating Committee – Metropolitan planning organization for transportation issues in Berks County

Meets monthly during the business day. Meeting length depends on topics for discussion

Council is represented by the Council President and one alternate

Berks County Criminal Justice Advisory Board – discusses ongoing issues in the criminal justice field, best practices, grant opportunities, policy issues, etc. It is comprised of members of various law enforcement agencies, the DA's office, mental health, Judges, County detectives, the Warden, Public Defender, Probation officials, COCA, a few State officials, the Courts, etc.

Meets last Thursday of every other month at 8:30 am.

Capital Improvement Program (CIP) Committee – Administration of the Capital Improvement Program – Review and make recommendations for proposed capital improvements and purchases

Meets during the business day as needed to prepare the CIP budget.

Berks Community Action Program - reduce poverty by coordinating local, state, private, and federal resources to assist low-income individuals and families

Meets monthly during the business day. Meeting length depends on topics for discussion

Council is represented by the Council President or his designee

READING PARKING AUTHORITY

STATED MISSION - To build, manage, supply and supervise parking facilities within the City of Reading and maintain these facilities as clean, safe, convenient, accessible, and reasonably priced
ESTABLISHED - 1953 as Authority, 1962 as Working Authority, 1971 as Staffed Authority, Municipal Authority Acts of 1935 and 1945
NUMBER OF SEATS - 5
APPOINTMENT BY - Mayor, 53 Pa. C.S. Sec. 309
LENGTH OF TERM - 5 years
MEETING DATES - 4th Wednesday of the month at 5:30 p.m, at 613 Franklin Street
ACCOUNT. TO CITY - Financial accountability due to City guaranteed bonds
REVENUE SOURCE - Parking fines and fees - 100%
CITY RESP. FOR DEBT - City of Reading guarantees all outstanding and future bond issues
*NUMBER OF STAFF - **44***
STAFF COMPENSATION - Board of Directors
CITY LIAISON - Executive Director of the Parking Authority

READING AREA WATER AUTHORITY

STATED MISSION - To operate and maintain the regional water system of the City of Reading in a manner which assures an adequate and safe drinking water supply to the residential and business customers of the Water System; to maintain through an ongoing capital improvement program so that rates can remain reasonable and so that no large rate increases are required in the future; and to cooperate with the City of Reading to maximize the benefits of the Water System to the city and its residents and taxpayers

ESTABLISHED - May 1994, pursuant with the Municipal Authority's Act of 1945. The Reading Water Authority was formed and organized by Ordinance 46-94, passed May 5, 1994, pursuant to the Municipal Authorities Act of May 2, 1945 (P.L. 382) as amended
NUMBER OF SEATS - 5
APPOINTMENT BY - Council, 53 Pa. C.S. Sec. 309
MEETINGS - Last Thursday of the Month at 4:00 p.m. in the Water Authority offices. Workshops are held the second Tuesday of the month at 4:00 p.m. in the Water Authority offices.
LENGTH OF TERM - 5 years
ACCOUNT. TO CITY - To pay an annual system lease of $6,670,000, or $555,833.33 per month to City of Reading
REVENUE SOURCE - Water customers and sewer billing along with trash and recycling billing
STAFF COMPENSATION - All expenses paid by RAWA. There are no general funds used.
CITY LIASON – RAWA Exec Director, RAWA Solicitor

READING DOWNTOWN IMPROVEMENT DISTRICT AUTHORITY

STATED MISSION - For the purpose of making business improvements and providing administrative services
ESTABLISHED - January 11, 1995, Res. Number 134-94, Municipality Authorities Act of 1945, P.L. 382, as amended
NUMBER OF SEATS - 7
APPOINTMENT BY - Mayor with approval by Council, P.L. 105
LENGTH OF TERM - 5 years
MEETING DATES - 4th Monday of every month 12:00 p.m. at 645 Penn Street
BUDGET - $687,145/year
REVENUE SOURCE - Assessment based on the properties within DID; Percentage of accessed value (per City taxes)
CITY RESP. FOR DEBT - None
NUMBER OF STAFF - 2
STAFF COMPENSATION - Board of Directors
LIASON – DID Executive Director

BERKS COUNTY CONVENTION CENTER AUTHORITY

STATED MISSION- To oversee the operation of the Sovereign Center and Sovereign Performing Arts Center
NUMBER OF SEATS - 7
APPOINTMENT BY - Council and the County Commissioners, 53 Pa. Sec. 13111 (a)(1) - 7 members, 3 from City, 3 from County, seventh member selection is alternated between City & County
LENGTH OF TERM – 4 years

MEETING DATES - 3rd Wednesday of every other month starting January at 7:00 a.m. in the CEI Communications Conference Room in the Sovereign Center
REVENUE SOURCE - Hotel Tax
*NUMBER OF STAFF - **None***
CITY LIAISON - Solicitor to the Convention Center Authority

READING HOUSING AUTHORITY

STATED MISSION - To provide decent, safe, and sanitary housing
ESTABLISHED - 1939 - State of PA authorized
NUMBER OF SEATS - 5
APPOINTMENT BY - Mayor with approval of Council
LENGTH OF TERM - 5 years
MEETING DATES - 4th Tuesday of the month, workshop at 4:00 p.m., meeting at 5:00 p.m. WCA building in winter/June to September at different developments
ACCOUNT. TO CITY - None - independent agency
REVENUE SOURCE - HUD
CITY RESP. FOR DEBT - None
NUMBER OF STAFF - 85
STAFF COMPENSATION - Reading Housing Authority Board from HUD funds
CITY LIASON - Housing Authority Executive Director

READING REDEVELOPMENT AUTHORITY

STATED MISSION- To promote the health, safety and welfare of the inhabitants of the City of Reading and exist and operate for the public purposes of the elimination of blighted areas through economically and socially sound redevelopment
ESTABLISHED - Pre 1960's, Urban Redevelopment law of May 24, 1945, PL.
991
NUMBER OF SEATS - 5
APPOINTMENT BY - Mayor with approval by City Council Act 385, P.L. 991-19455
LENGTH OF TERM - 5 Years
MEETING DATES - The 3rd Wednesday of the month at 5:30 p.m. in the Redevelopment Conference Room
ACCOUNT. TO CITY - Independent of City but City Council must approve land sales before Authority can proceed with contracts
BUDGET - No official budget - Authority reimburses City for administrative costs
REVENUE SOURCE - State & Federal Grants, Sale of Land
CITY RESP. FOR DEBT - City responsible
CITY LIASON – Redevelopment Authority Executive Director

BOARD OF HEALTH

STATED MISSION - To prevent or diminish the introduction or further spread of infectious or contagious diseases and too prevent, abate or remove conditions found to be detrimental to the public health
ESTABLISHED - November 12, 1996
NUMBER OF SEATS - 5, 2 alternates
APPOINTMENT BY - Council
MEETING DATES - 1st Tuesday of the month at 4:00 p.m. in the Penn Room
LENGTH OF TERM - 5 years
BUDGET - as appropriated by Council
CITY LIASON – Health Officer, Deputy City Clerk

CHARTER BOARD

STATED MISSION - To enforce the provisions of the Home Rule Charter of the City of Reading
ESTABLISHED - November 4th, 2002
NUMBER OF SEATS - 5
APPOINTED BY - Mayor with Council approval
LENGTH OF TERM - 5 years
ACCOUNT. TO CITY - Issue binding opinions, conduct investigations, refer cases for prosecution, impose administrative fines, and consult with independent counsel.
MEETING DATES - As needed
BUDGET - As appropriated by Council to enable Board to perform duties assigned
REVENUE SOURCE - General Fund.
CITY LIASON - None

§1-599.23. Powers and Duties of Charter Board
Charter Enforcement Powers - The Board shall have the following powers and duties with respect to Charter enforcement. It shall:

1. Hear and decide all complaints alleging violations of the Charter and Administrative Code, except that its jurisdiction shall not extend to cases arising under the Ethics Code or the Personnel Code of the City of Reading.
2. Impose penalties and administrative fines and refer matters to law enforcement, regulatory, or other authorities with jurisdiction over these matters.
3. Initiate preliminary investigations on its own motion, through the Investigative Officer.
4. Appoint an Investigative Officer to conduct investigations and to issue Findings Reports where appropriate.
5. Hold hearings, issue subpoenas and compel the attendance of witnesses, administer oaths, take testimony, require evidence on any matter under investigation before the Board, and issue orders, including but not limited to adjudications and penalties.

6 Adopt rules and regulations to administer, implement, enforce and interpret the Charter Board Ordinance.
7 Have all other powers necessary and appropriate to effectuate the purposes set forth herein and in Amendment I of the Charter.

Charter Advisory Powers - The Board shall have the power to issue advisory opinions on matters concerning the interpretation of the Charter and Administrative Code. The enumeration of this power shall in no way diminish any of the foregoing enforcement powers of the Board.

Charter Educational Powers - The Board shall have the following powers and duties with respect to Charter education. It shall:

1 Direct and administer, with professional assistance, the required orientation of all newly elected City officials at the commencement of their initial full term of office.
2 Be responsible, proactively and on an ongoing basis, for educating the public and members of City government as to their rights, duties, and obligations under the Charter and Administrative Code. (*Ord. 46-2005*, 7/25/2005, §III)

ANIMAL CONTROL BOARD

STATED MISSION - To promote the public health, safety, and general welfare of the citizens of the City of Reading and to ensure the humane treatment of animals by regulating the care and control of animals within the City
ESTABLISHED - October 12, 1998 as Bill No. 30-1998
NUMBER OF SEATS - 5 Board Members and 2 alternate members
APPOINTED BY - Mayor with approval by Council
LENGTH OF TERM - 3 years
ACCOUNT. TO CITY - Animal Control Agent of City
MEETING DATES - mid June/July and mid January/February at 7:00 p.m. in City Council Chambers or as needed.
BUDGET - None
REVENUE SOURCE - None
NUMBER OF STAFF - Animal Control Agency Staff
CITY RESP. FOR DEBT - N/A
CITY LIASON - Police Chief or designee

FIRE AND BUILDING CODE BOARD OF APPEALS

STATED MISSION: - To hear and decide appeals as a result of the determination of the Fire Marshal on building codes
ESTABLISHED - January 1, 1996
NUMBER OF SEATS - 5 Board Members and 2 alternate members
APPOINTMENT BY - Mayor appointment with Council approval, 53 Pa. C.S. Sec. 39402

LENGTH OF TERM - 5 Years
ACCOUNT. TO CITY - Appeal mechanism
MEETING DATES - As needed
BUDGET - Undetermined
REVENUE SOURCE - Undetermined
NUMBER OF STAFF - Fire Marshal
CITY RESP. FOR DEBT - N/A
CITY LIASON - Chief Building Inspector

BOARD OF ETHICS

STATED MISSION - To administer and enforce the conflict of interest provision of the Charter (Section 1201) and the various prohibition sections of the Code of Ethics.
ESTABLISHED - 1996 in Bill No. 47-1996, amended in 1997 as Bill No. 16-1997, amended in 2000 as Bill No. 7-2000.
NUMBER OF SEATS - 5
APPOINTED BY - Mayor with Council approval
LENGTH OF TERM - 3 years
ACCOUNT. TO CITY - Issue binding opinions, conduct investigations, refer cases for prosecution, impose administrative fines, and consult with independent counsel
MEETING DATES - As needed
BUDGET - As appropriated by Council to enable Board to perform duties assigned
REVENUE SOURCE - General Fund
CITY LIASON - Deputy City Clerk

HISTORICAL ARCHITECTURAL REVIEW BOARD

STATED MISSION - To exercise the functions, duties, responsibilities, and activities set forth in the City of Reading Historic District Ordinance
ESTABLISHED - 1978 - Pa Act 167
NUMBER OF SEATS - 13
APPOINTMENT BY - Council, Cod. Ord., Chapter 4, Section 111
LENGTH OF TERM - 5 years
MEETING DATE - the third Tuesday of the month at 7:00 p.m. in the Planning Conference Room
ACCOUNT. TO CITY - Accountable to City Council
BUDGET REVENUE SOURCE - CDBG funds
CITY RESP. FOR DEBT - City is responsible to pay for Member's training session
CITY LAISON - Historic Preservation Specialist

BOARD OF TRUSTEES OF THE READING PUBLIC LIBRARY

STATED MISSION - To serve all residents of the City of Reading, and the County of Berks by providing high demand library materials (fiction & non-fiction) in a variety of formats:

needed resources for life long learning, the needs of elementary and high school students, current information, and a strong support for culture and local history.
ESTABLISHED - 1889 - PA Library Code of May 23, 1987 (1763 as Library Company)
NUMBER OF SEATS - 15
APPOINTMENT BY - 5 by Council, 5 by Reading Library Company and 5 by County Commissioners.
LENGTH OF TERM - 5 years
ACCOUNT. TO CITY - Annual report to City and County
MEETING DATES - 3rd Monday of the month at 4:00 p.m., at 113 South 4th Street
BUDGET -
REVENUE SOURCE – City, County and State funded
CITY RESP. FOR DEBT - City could be responsible for accounts payable
NUMBER OF STAFF - 14 Full time, 40 part time
CITY LIASON - Executive Director

HVAC BOARD

STATED MISSION - To insure public health, safety and welfare insofar as, they are affected by the installation and maintenance of mechanical systems
ESTABLISHED - Bill No. 38, November 24, 1971, amended Bill No. 80, October 8, 1986, amended Bill No. 10-91, amended Bill No. 31-99, amended Bill No. 25-02, amended April 26, 2004 as Bill No. 22-2004
NUMBER OF SEATS - 9
APPOINTMENT BY - Council
LENGTH OF TERM - 6 years
MEETING DATE - 2nd Tuesday of the month for the months of January, April, July and October, at 4:00 p.m. in the Trades Office
ACCOUNT. TO CITY - Reports to Chief Building Inspector
BUDGET - None
REVENUE SOURCE - Building, new construction, demolition, heating, plumbing and electrical.
CITY RESP. FOR DEBT - Insurance.
CITY LIASON – HVAC Inspector

PLUMBING BOARD

STATED MISSION - To establish reasonable rules and regulations (code) and to examine applicants for competency license
ESTABLISHED - April 9, 1941 as Bill No. 11-1941, amended as Bill No. 15-2001, amended April 26, 2004 as Bill No. 25-2004
NUMBER OF SEATS - 7
APPOINTMENT BY - Council, 53 Pa C.S. Sec. 39402

LENGTH OF TERM - 6 years
MEETING DATE - 2nd Wednesday of the month for the months of January, April, July and October, at 4:00 p.m. in the Trades Office
ACCOUNT. TO CITY - Totally responsible to City for rules and regulations
BUDGET - None
REVENUE SOURCE - Licensing and permit fees go to Building/Trades
CITY RESP. FOR DEBT - No debt incurred
CITY LIASON - Plumbing Inspector

ELECTRICAL BOARD OF EXAMINERS

STATED MISSION - To determine the fitness of applicants for licenses and to investigate and report on all proposed suspensions or revocations of licenses, and to administer test and investigate complaints against license holders
ESTABLISHED - September 15, 1954 - Ordinance Article 1705, Bill No. 35-54, amended July 31, 1999 as Bill No. 10-99, amended April 26, 2004 as Bill No. 21-2004
NUMBER OF SEATS - 7
APPOINTMENT BY: - City Council, 53 Pa. C.S. Sec. 39861.2
LENGTH OF TERM: - 6 years
MEETING DATE - 2nd Monday of the month for the months of January, April, July, and October, at 4:30 p.m. in the Trades Office
ACCOUNT. TO CITY - Reports to Chief Building Inspector
BUDGET - None
REVENUE SOURCE - None
CITY RESP. FOR DEBT - No debts may be incurred
CITY LIASON - Electrical Inspector

FIRE CIVIL SERVICE BOARD

STATED MISSION - To test for and compile initial hiring and promotion lists for the Department of Fire and Rescue Services
ESTABLISHED - No date available - 53PACS, 39861 to 39877
NUMBER OF SEATS - 3
APPOINTMENT BY - Council, 53 Pa. C.S. Sec. 39861.2
LENGTH OF TERM - 4 years
MEETING DATE - 2nd Monday of the Month at 4:00 p.m. in Penn Room
ACCOUNT. TO CITY - Through funding
BUDGET - Included in City Budget
REVENUE SOURCE - City Budget
CITY RESP. FOR DEBT - Yes
NUMBER OF STAFF - 1 part-time secretary
STAFF LIASON – Fire Chief

POLICE CIVIL SERVICE BOARD

STATED MISSION - To test for and compile initial hiring and promotion lists for Police Department
ESTABLISHED - No date available – 53 Pa C.S., 39401 to 39410
NUMBER OF SEATS - 3
APPOINTMENT BY - Council, 53 Pa. C.S. Sec 39402
LENGTH OF TERM - 4 years
MEETING DATE - 1st Thursday of the month at 12:00 p.m. in the Penn Room
ACCOUNT. TO CITY - Through funding

BUDGET - Included in City budget
REVENUE SOURCE - City budget
CITY RESP. FOR DEBT - Yes
NUMBER OF STAFF - 1 part-time Secretary
STAFF LIASON - Police Chief

ZONING HEARING BOARD

STATED MISSION - To establish a precise and detailed plan for the use of land in the City of Reading and is enacted to promote and to protect the public health, safety, morals, comfort, convenience, and general welfare of the people in accordance with the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended, and to implement and foster the land development and use policies indicated in the adopted City of Reading Comprehensive Plan.
ESTABLISHED - Established 1957 as Bill No. 007-1957, 53 Pa C.S. Sec. 10901 to 10912.1 (Municipal Planning Code) City of Reading Zoning Ordinance
NUMBER OF SEATS - 5
APPOINTMENT BY - Council, 53 PA. C.S. Sec. 10903
LENGTH OF TERM - 5 years
ACCOUNT. TO CITY - City has standing to appeal decision of Board
MEETING DATES - 2nd Wednesday of every month, at 5:30 p.m. in Penn Room (if necessary)
BUDGET - From Planning budget
REVENUE SOURCE - Goes to City General Fund
CITY RESP. FOR DEBT - Yes
CITY LIASON - Zoning Administrator

MINORITY BUSINESS PROCUREMENT ADVISORY BOARD

STATED MISSION - To advise administration on issues and policies concerning enhance participation, to the maximum extent feasible, in employment practices at all levels, included but not limited to apprenticeship programs, training programs, etc. for MBEs, DBEs, WBEs, and the lower to moderate income residents, etc. within the distressed areas as mandated by city, state and federal governments regulations
ESTABLISHED - September 12, 2005, Ordinance 56-2005
NUMBER OF SEATS - 7
APPOINTMENT BY - Mayor, with approval of Council
LENGTH OF TERM - 2 years
MEETING DATES - First week of each month
ACCOUNT. TO CITY
BUDGET - None
REVENUE SOURCE - None
CITY RESP. FOR DEBT - No

NUMBER OF STAFF - None
STAFF COMPENSATION - No
STAFF LIAISON - None

FIREMEN'S PENSION FUND

To register all members and to administer the collection and distribution of the fund and to make reasonable rules and regulations necessary to effectuate the provisions of the law. The Board is composed of a combination of Administrative representatives and representatives of the IAFF.

OFFICERS AND EMPLOYEES RETIREMENT BOARD

To register all members and to administer the collection and distribution of the fund and to make reasonable rules and regulations necessary to effectuate the provisions of the law. The Board is composed of a combination of Administrative representatives and representatives of the AFSCME Unions.

POLICE PENSION FUND ASSOCIATION BOARD

To register all members and to administer the collection and distribution of the fund and to make reasonable rules and regulations necessary to effectuate the provision of the law. The Board is composed of a combination of Administrative representatives and representatives of the FOP.

CITIZENS ADVISORY BOARD (CAB)

§23-301. Creation and Name. *of Administrative Code*
Council hereby establishes and creates a Citizens Advisory Board to be known and referred to herein as the CAB.

§23-302. Purpose and Functions.
The purpose of the CAB is to act as a communication vehicle between City government and City residents on City-wide policies and issues related to neighborhood quality of life and economic health programs as well as assisting in an advisory capacity with any other community issues or programs which the Mayor and Council deem citizen participation necessary and beneficial.

The CAB shall formally replace the Mayor's Policy Advisory Board established by *Res.79-1974* in conjunction with the Reading Model Cities Program.

§23-303. Membership.
The CAB shall consist of 11 voting members all of whom shall be residents of the City.

The Board shall maintain a broad-based representation reflecting the overall population of the City.

Each City Council member, including Council President, will have one (1) appointment to the CAB and the Mayor shall have four (4) appointments to CAB.

The term of each member shall be for a period of 4 years excepting those staggered terms hereinafter provided at the inception of the Advisory Board.

Each member shall continue to serve until a successor is duly appointed or until some other formal action is taken by Council.

Members may be reappointed upon expiration of their terms.

A quorum of no less than six (6) members shall be necessary to make any formal recommendations to the Mayor and Council.

Any member absent from three consecutive regularly scheduled meetings shall be recommended to Council for formal dismissal.

POLICE DIVERSITY BOARD

STATED MISSION - to develop and implement municipal policies and procedures that increase the representation of Hispanics and other minority groups within the Reading Police Dept., ensure fair and equitable treatment of Police applicants and potential applicants, and foster better relations between the Police Dept. and Reading's minority community, especially those community members whose primary language is not English
ESTABLISHED - April 10, 2006, Ordinance 27-2006
NUMBER OF SEATS - 7
APPOINTMENT BY - Lawsuit settlement agreement
LENGTH OF TERM - None
MEETING DATES – as needed
ACCOUNT. TO CITY
BUDGET
REVENUE SOURCE
CITY RESP. FOR DEBT
NUMBER OF STAFF
STAFF COMPENSATION
STAFF LIAISON – Police Chief

DISRUPTIVE TENANT APPEALS BOARD

STATED MISSION - To service as the Board of Appeals for decisions made regarding the conduct of renters and/or rental licenses
ESTABLISHED - March 1, 2005, Ordinance 7B-2005
NUMBER OF SEATS - 7, with 3 alternates
APPOINTMENT BY - Mayor appointment, Council approval
LENGTH OF TERM - 3 years
MEETING DATES - As necessary
ACCOUNT. TO CITY
BUDGET
REVENUE SOURCE
CITY RESP. FOR DEBT
NUMBER OF STAFF - None
STAFF COMPENSATION - None
STAFF LIAISON - Managing Director, Property Maintenance Division Manager, Chief of Police

ENVIRONMENTAL ADVISORY COUNCIL

STATED MISSION - The EAC dually organized under these bylaws shall have the power to study environmental and sustainability issues at the request of City Council and make recommendations to Council on those issues. The EAC will work with City Council in an advisory capacity in an effort to help Council analyze environmental and sustainability issues and when appropriate issue recommendations on courses of action necessary to protect the health, safety and welfare of the residents of Berks County.

ESTABLISHED - April 9, 2007, Ordinance 25-2007
NUMBER OF SEATS - **7**
APPOINTMENT BY - Council
MEETING DATES – **4th Tuesday of each month at noon in the City Public Works Building conference room**
LENGTH OF TERM - **3 years**
CITY LIASON - Utilities Division Manager, Deputy City Clerk

HUMAN RELATIONS COMMISSION

79State Human Relations Act - see 43 P.S. §951 *et seq*
Rental Housing Discrimination - see 35 P.S. §1680.402a
Service Uniform Discrimination - see 18 Pa.C.S.A. §7323
STATED MISSION - To prohibit discrimination in housing, employment, and public accommodation in accordance with the terms of the City's Human Relation Ordinance
ESTABLISHED - 1968 - by Ordinance - Bill No. 4, 1968, Human Relations Ordinance as amended (Article 155), amended Bill No. 6-2002, March 13
NUMBER OF SEATS - 9

APPOINTMENT BY - Mayor with approval by City Council Cod. Ord. Sec. 23-504 (b)
LENGTH OF TERM - 4 years
MEETING DATES - 4th Tuesday of the month at 5:00 p.m. in the Penn Room **ACCOUNT. TO CITY -** Annual budget to City, reports, numbers and types of complaints received as well as disposition, advertised public hearing bills submitted for approval
BUDGET - $31,288 in 2001
REVENUE SOURCE - City general fund, CDBG funds, HUD (anticipated, restricted to housing cases)
CITY RESP. FOR DEBT - Unknown - City would probably be held responsible if debt were incurred
NUMBER OF STAFF - 4
STAFF COMPENSATION - HUD
STAFF LIAISON – Executive Director

BLIGHTED PROPERTY REVIEW COMMITTEE

STATED MISSION – To implement provisions of the Urban Redevelopment Law of 1945, as amended by Act 94 of 1978, further amended by Act 113 of 2002, promoting reuse and reinvestment in properties in the City of Reading
ESTABLISHED - October 23, 2006, Ordinance 65-2006
NUMBER OF SEATS – Not less than 4 or more than 7
APPOINTMENT BY – Mayor appointment with Council approval
LENGTH OF TERM – 4 years
MEETING DATES – 3rd Thursday of each month at 6 pm in the City Council office
BUDGET- As appropriated by Council
REVENUE SOURCE - None
CITY RESP. FOR DEBT – None
NUMBER OF STAFF - None
STAFF COMPENSATION - None
STAFF LIAISON – City Clerk

PENN SQUARE COMMISSION

§23-201. Creation and Name.
There is hereby created, pursuant to the provisions of the Third Class City Code, to be known as "The Penn Square Commission of the City of Reading" hereinafter referred to as "Commission." (*Ord. 10-1975*, 3/19/1975, §1; as amended by *Ord. 17-1975*, 4/23/1975, §1; as amended by *Ord. 14-2001*, 5/29/2001)17.

Penn Square Commission; Function. To maintain and supervise the use of Penn Square, Market Square, Cedar Street Park, and the Courtyard I and II, which are currently managed by DID.

§23-202. Purpose.
The purpose of the Penn Square Commission is to organize, promote and give direction to the efforts of both private and public organizations interested in fostering the civic, social, cultural and economic development within the City's new public commons in its downtown area; and to renew, preserve and enhance the economic and aesthetic value of the City's central business district.
(*Ord. 10-1975*, 3/19/1975, §2; as amended by *Ord. 17-1975*, 4/23/1975, §1; and by *Ord. 14-2001*, 5/29/2001)

§1-23-203. Powers and Duties.
The Penn Square Commission shall administer and supervise the use, operation and maintenance of Penn Square, Market Square and such other public spaces as may be designated by resolution of Council. The powers and duties of the Commission shall include, without limiting the generality of the foregoing, the establishment of use, operation and maintenance policies; the promotion of activities; solicitation of funds; the procurement and scheduling of all programs and events; the issuance of use permits; the establishment of a schedule of rental rates and charges; and the establishment of rules of conduct and safety. Provided, however, any leases or contracts in excess of one year shall be subject to the approval of Council.

The Commission, within the annual budgetary appropriations established by Council, may employ such persons and make such expenditures as may be necessary for the conduct of all business within its jurisdiction. Any such persons employed by the Commission shall be subject to the wages, hours and conditions of employment as established by Council. The Commission shall submit to Council, not later than October 1 of each year, its recommendations for the budgetary appropriations, the personnel complement, and the wage and salary classifications within its jurisdiction for the succeeding year. The Commission shall make an annual report to Council in December of each year on the operations of the Commission. (*Ord. 10-1975*, 3/19/1975, §3; as amended by *Ord. 17-1975*, 4/23/1975, §1; as amended by *Ord. 14-2001*, 5/29/2001)

PLANNING COMMISSION

STATED MISSION - To exercise the functions, duties, responsibilities, and administrative activities and powers as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended by Act 170 of 1988, as further amended by Act 208 of 1990 and Act 131 of 1992), 53 P.S. §10101 *et seq*
ESTABLISHED - 1913 by PA Municipalities Planning Code Act 247 of 1968,
Amended by Act 170 of 1988, Act 208 of 1990, Act 131 of 1992
NUMBER OF SEATS - 7
APPOINTMENT BY - Mayor with approval of Council, 53 Pa. C.S. Sec. 10203
LENGTH OF TERM - 4 years

MEETING DATES - 2nd Tuesday of the month at 7:00 p.m. in the Penn Room
ACCOUNT. TO CITY - Reports all resolutions and minutes to Council and Mayor through the Planning Division
BUDGET - None
REVENUE SOURCE - None
CITY RESP. FOR DEBT - Cannot incur debt
NUMBER OF STAFF - 1
STAFF COMPENSATION - City
STAFF LIAISON - City Planner

Planning Division of the Department of Community Development
§5-812. Establishment of Division.
There is hereby established in the Department of Community Development of the City of Reading, the Division of Planning. (*Ord. 25-1961*, 10/4/1961, §1; as amended by *Ord. 15-1968*, 3/13/1968, §1; as amended by *Ord.14-2001*, 5/29/2001)

§5-812. Office of the Planning Division Manager.
There is hereby established the Office of the Planning Division Manager who shall serve as the Planning Coordinator of the City of Reading. (*Ord. 25-1961*, 10/4/1961, §2; as amended by *Ord. 15-1968*, 3/13/1968, §1; and *Ord. 7-1966*,
2/23/1966, §2; and by *Ord. 14-2001*, 5/29/2001)

§5-812. Duties.
The duties and responsibilities of the Planning Division Manager shall be as follows:

1 To provide such technical planning services as the City shall require.
2 To provide such technical planning services as shall be required by any authority of the City, commission, board or department of the City.
3 To report to the Mayor and members of Council the progress and status of projects undertaken by all authorities heretofore or hereafter established by the City shall have their various programs coordinated in relation to the overall planning and development of the City.
4 To attend all meetings of the Planning Commission of the City and to advise and inform said Planning Commission of the progress and status of all projects of the City or any of the Authorities with reference to planning and municipal development.
5 To be responsible for reviewing and coordinating all State and Federal Applications for technical assistance necessary in carrying out the City's planning and improvement programs. [*Ord. 7-1966*]

To service as Director of any City authority, commission as amended by *Ord. 6-2002*, 3/13/2002, §C) or committee if requested to do so by the Mayor and members of Council. [*Ord. 7-1966*]

At the time of his appointment, he need not be a resident of the City or the Commonwealth of Pennsylvania, but during his tenure of office he may reside outside the City only with the approval of Council. [*Ord. 10-1966*] (*Ord. 25-1961*, 10/4/1961, §4; as amended by *Ord. 15-1968*, 3/13/1968, §1; by *Ord. 7-1966*, 2/23/1966, §1; by *Ord. 10-1966*, 3/2/1966, §1; and by *Ord. 14-2001*, 5/29/2001)

FIRST ENERGY STADIUM COMMISSION

STATED MISSION - To promote the City of Reading and Baseball, to be a liaison between the Reading Fightin' Phils and the City of Reading and to meet with other organizations who are interested in renting the stadium for charitable or profitable events
ESTABLISHED - August 19, 1953. Bill No. 23-53
NUMBER OF SEATS - 7
APPOINTMENT BY - Mayor and confirmed by Council
LENGTH OF TERM - 5 years
MEETING DATES - Last Wednesday of the month at 7:30 p.m. at the GPU Stadium RBI Room
ACCOUNT. TO CITY - Commission meeting minutes available to City
BUDGET - Capital Maintenance
REVENUE SOURCE - None
CITY RESP. FOR DEBT - No debt incurred
NUMBER OF STAFF - None.
STAFF COMPENSATION – None
STAFF LIAISON - None

SHADE TREE COMMISSION

Created by Bill No. 42, enacted Sept. 12.1973, amended by Bill No. 8, enacted Feb. 18, 1976, increasing number of members to seven
STATED MISSION: - The regulation, maintenance and promotion of shade trees in the City of Reading
ESTABLISHED - Late, 1960's - Early 1970's - by Article 917, 3rd Class City Code
NUMBER OF SEATS - 7
APPOINTMENT BY - Mayor with approval of Council Cod. Ord. Sec. 917.10
LENGTH OF TERM - 5 years
MEETING DATES - 1st Monday of every other month starting at 6 p.m. in the Planning Conference Room
ACCOUNT. TO CITY - Accountable to Mayor and City Council
BUDGET - $30,000
REVENUE SOURCE - tax of .0002 mills or 20 cents on the dollar
CITY RESP. FOR DEBT - City is responsible

NUMBER OF STAFF – City Arborist
CITY LIASON - City Arborist

LEGISLATIVE AIDE COMMITTEE

STATED MISSION - To assist Council in addressing the many issues facing Reading with research and review of new and existing legislation
ESTABLISHED - February 25, 2002, Resolution 29-2002
NUMBER OF SEATS - 8 City, 3 County
APPOINTMENT BY - Council
LENGTH OF TERM - 4 years
MEETING DATES - As necessary
ACCOUNT. TO CITY
BUDGET - None
REVENUE SOURCE - None
CITY RESP. FOR DEBT - No
NUMBER OF STAFF - None
STAFF COMPENSATION - None
STAFF LIAISON - City Clerk

PUBLIC SAFETY ADVISORY COMMITTEE

STATED MISSION – Regional approach to anti-gang initiative among seven cities in Eastern, PA
ESTABLISHED – June 2006
NUMBER OF SEATS - varies
APPOINTMENT BY - Mayor
LENGTH OF TERM - undefined
MEETING DATES - monthly
ACCOUNT. TO CITY- Mayor
BUDGET - $200,000
REVENUE SOURCE – Department of Justice
CITY RESP. FOR DEBT - No
NUMBER OF STAFF - None
STAFF COMPENSATION - None
STAFF LIAISON – Mayor

READING LOCAL REDEVELOPMENT AUTHORITY (LRA)

STATED MISSION – The City of Reading hereby establishes the City of Reading Local Redevelopment Authority to advise the City of Reading City Council about the best reuse of the military facility located on Kenhorst Boulevard and any other decommissioned military facility located within the municipal boundaries of the City.
ESTABLISHED – May 2008

NUMBER OF SEATS – Seven (7) – three (3) members of Council, one (1) member from the Planning Commission, one (1) member from the Reading Redevelopment Authority, and two citizens at large recommended by the Mayor.
APPOINTMENT BY - Council
LENGTH OF TERM – Citizens at large shall serve a five (5) year term and appointees from the Planning Commission and Redevelopment Authority shall serve a four (4) year term.
MEETING DATES – as needed
ACCOUNT. TO CITY-
BUDGET - None
REVENUE SOURCE – Department of Defense, Office of Economic Adjustment
CITY RESP. FOR DEBT - No
NUMBER OF STAFF – one (1)
STAFF COMPENSATION - None
STAFF LIAISON – City Clerk

READING RECREATION COMMISSION

STATED MISSION: **to provide a mechanism to adequately and efficiently maintain community recreation services and facilities and to organize, manage and supervise recreational and educational programs, with a primary focus and emphasis on programs for youth, within the political boundaries of the City and the School District**
ESTABLISHED: 2011 – by Ordinance 33-2011
NUMBER OF SEATS: 11
MEETING DATES: 3rd Tuesday of each month at 7 pm in the School Board meeting room
APPOINTMENT BY: Mayor with approval by City Council
LENGTH OF TERM: 3 years.
ACCOUNT. TO CITY: set budget annually by City; per student fee annually by School District
BUDGET: The City shall contribute $488,000; the School District shall contribute an amount determined by the following formula: Annual Contribution = $7.50 x ADM. ADM is the average daily membership of pupils for the preceding fiscal year as reported by the School District to the Pennsylvania Department of Education (2012)
REVENUE SOURCE: City general fund, Reading School District general fund
CITY RESP. FOR DEBT: none
NUMBER OF STAFF: all staff employed directly by Recreation Commission
STAFF COMPENSATION: none

AUDIT COMMITTEE

STATED MISSION – The Act 47 Recovery Plan Initiative CA 02 requires the City to establish a process for coordinating and responding to external audits. This Committee will

provide independent review of the municipality's financial reporting processes, internal and external audits, formal responses to audits and oversight of City management's actions to achieve compliance. The Committee will ensure that City management property develops and adheres to standard operating procedures for its fiscal affairs, upholds the integrity of independent external audits and the objectivity and comprehensiveness of internal audits.
ESTABLISHED – May 14, 2012 by Ordinance 49-2012
NUMBER OF SEATS – five
APPOINTMENT BY – City Council
LENGTH OF TERM – 3 years
MEETING DATES – Quarterly
BUDGET- None
REVENUE SOURCE - None
CITY RESP. FOR DEBT – None
NUMBER OF STAFF - None
STAFF COMPENSATION - None
STAFF LIAISON – City Auditor

CAPITAL IMPROVEMENT PROGRAM COMMITTEE

The Capital Improvement Program Committee (CIPC) is a committee composed of employees and officials to select and prioritize capital projects and to ensure that the capital improvement project (CIP) budget is administered properly. The CIPC submits an annual report to the Mayor and Council after its analysis to assist in the (CIP) budget process. *§5-806 Admin Code*

REDISTRICTING ADVISORY COMMISSION

After each decennial census, Council shall, within 60 days after the receipt of the census information from the federal government, appoint a Redistricting Advisory Commission. Each Council member shall appoint one person from his/her respective district. The President of Council shall select one member to represent the at-large community. The Planning Commission will be asked to assign two current members to the Advisory Commission.

This Redistricting Advisory Commission shall review and compare the new and old census information with the current Council District configuration. This group shall prepare and present a redistricting proposal(s) to the full body of Council in no less than 120 days after their appointment.

The district proposals shall give strong consideration to the combination of neighborhoods that are continuous but that share similar quality-of-life issues. This configuration will support the principle of electing representatives that can easily represent the voice of the community they represent. The Advisory Commission shall also consider the federal redistricting laws.

Council shall hold a minimum of one public hearing to get public input on the redistricting proposal(s), within 45 days of their receipt of the proposals from the Redistricting Advisory Commission, and shall adopt by ordinance a redistricting plan, either new or status quo, at their next regular business meeting. *§5-214 of Admin Code*

CHARTER REVIEW COMMISSION

At least every 10 years, except for the initial Charter review which shall take place under this provision no sooner than five years but no later than 10 years after the effective date of this Charter, City Council and the Mayor shall appoint a Charter Review Commission composed of 11 members, the majority of whom shall not be City officials or employees. Seven members of this Commission shall be appointed by City Council and four members shall be appointed by the Mayor. All appointees shall be current residents and registered voters of the City. The Charter Review Commission shall review the current Charter, submit a report to City Council, the Mayor, and the citizens of the City, within six months of its appointment, and recommend any proposed amendments to the Charter. All proposed amendments shall be placed on the ballot no later than the next municipal election. City Council shall provide appropriations for the reasonable expenses incurred by the Charter Review Commission. *Charter §1203*

APPENDIX

A. PERMIT REQUIREMENTS

One Stop Shop Process
The City of Reading utilizes a one stop shop approach to permitting. All the necessary staff, resources and information necessary to begin work on a construction project in the City is available in one office. The one stop shop brings together Codes, Trades, Fire and Zoning enforcement. Under such a system the applicant benefits from a smooth interaction with the City, while the City benefits from improved communication and sharing of information between powers responsible for the enforcement of important ordinances.

Building Permits
Any person or organization seeking to undertake new construction, or make alterations and additions to existing buildings must first receive a building permit. The applicant for a permit will provide an estimated permit value at the time of application. Permit valuations must include the total value of work, including materials and labor, for which the permit is being issued.

Zoning
Any person or organization seeking to undertake new construction, or make alteration and additions to existing buildings, or operate any business must first consult with the City of Reading Zoning Office. Consultation will avoid unfortunate confusion and project delay by determining if the scope of work conforms to the City of Reading Zoning Ordinance. Consultation will be held with the Zoning Administrator, whose responsibility it is to verify conformity of plans and make suggestion as to what type of relief will be needed if plans fail to meet ordinance standards.

The Zoning Office has up to thirty (30) days to approve or deny a permit after the application is deemed complete. The Zoning Office strives to ensure permits are released as soon as possible, so citizens can complete projects in a timely manner. In the event an application is denied, the applicant may either modify the project proposal to conform to zoning regulations or appeal to the Zoning Hearing Board under the Zoning Ordinance. Various uses are designated as special exceptions or conditional use and are approved or denied by the Zoning Hearing Board or City Council respectively.

Zoning permits are required for:

- New construction and additions
- Fences, porches, sheds, garages, swimming pools, decks

- Driveways, paving and parking areas
- Signs (including temporary signs)
- Changing owner/lessee of a business or creating a new business
- Creating a home occupation
- Temporary uses
- Conversions of uses (owner occupied to rental, owner occupied to business, etc)
- Roommate housing arrangements
- Bottle clubs, taverns and bars
- Group homes and boarding houses
- Day cares
- Student homes

Special Event Permit
In recognition of a diverse and growing community, the City of Reading encourages events and celebrations of all types. To ensure an event is of sufficient merit and in keeping with the standards and morals of the community, Council has passed ordinances establishing regulations, which are as follows:

- Any person wishing to hold a parade or event shall file an application with the Traffic Enforcement Division of the Police Department. Applications can be obtained at the Citizen Service Center and Traffic Enforcement office during normal business hours or on the City's website.
- A fee must be paid to cover the costs associated with processing the application. The fee for certified non-profits is $300 and for all others is $500. A security deposit is also required at the time of the application.
- Included with the permit application is a standard hold harmless agreement; the agreement must be signed by the applicant and notarized by a licensed notary.
- Final approval of the application rests with the Chief of Police.
- If the application is approved, City Risk and Safety will contact the applicant and verify the sponsoring organization is indemnified to a minimum of $1,000,000.00.

City resources such as police officers and fire department personnel can be requested. The cost of these services will be assessed to the event organizer.

Shade Tree Permit
No person shall plant, transplant, cut, trim or remove any shade tree, nor shall they cause to be planted, transplanted, cut, trimmed or removed, any shade tree without first obtaining a permit to do so. Nor shall any person fasten, or cause to be fastened, any sign, wire, rope or other materials, to, around or through any shade tree without first obtaining a permit from the Shade Tree Commission. Nor shall any person deposit, place, store or maintain any stone, brick, sand, concrete or other material which may impede the free passage of water, air or

fertilizer to the roots of any shade tree without first obtaining a permit to do so. Nor shall any person break, injure, mutilate, kill or in any other way harm any shade tree, nor move any building or other object on or over any public street or public right-of way in such a manner as to damage or injure any shade tree without first obtaining a permit to do so.

HARB (Historical Architectural Review Board) Certificate of Appropriateness
Founded in 1748 by the sons of William Penn, Reading's historic heritage holds an important place in Pennsylvania and the nation. This heritage is reflected in the many styles of period architecture located throughout Reading. To protect this heritage five distinct historic districts have been created: Prince, Callowhill, Penn's Commons, Centre Park and The Heights. Construction, alteration or modification of structures in a historic district is not permitted, unless a Certificate of Appropriateness is obtained from HARB. A Certificate of Appropriateness is an approval issued by HARB or by Council on appeal of a HARB decision, which when issued grants permission for the requested structural alterations. The following steps must be followed to obtain a Certificate of Appropriateness:

- All applications for a Certificate of Appropriateness shall be in writing and submitted no later than ten days before the regularly scheduled HARB meeting.
- Applications must be submitted by the legal owner of the property, or his/her authorized designee.
- The Historic Preservation Specialist is available to provide information and other assistance during the application process.

HARB will consider applications and make determinations based on preservation guidelines, regulations and ordinances, promulgated by the: Secretary of Interior, the PHMC and City Council. Should HARB deny a Certificate of Appropriateness, the applicant may appeal the decision to City Council.

Business Permit Application
Persons or businesses wishing to do business in the City of Reading, must first obtain a Business Permit from the Tax Administration Office. The cost of the permit is $50.00 annually. Before a permit is issued, the Tax Administration Office will verify if the proper zoning, building and health permits have been issued. Failure to obtain the proper permits will result in the denial of a business permit and prompt investigation by Codes. Businesses are also required to file a business privilege tax return and pay the required tax annually.

Solicitation Permit
Anyone who wishes to go door to door in the City of Reading must first register with the Police Chief's office. There is no cost for the permit. Permits are not required for school and youth groups, religious organizations, or candidates for elected office.