



CITY COUNCIL

Meeting Agenda

REGULAR MEETING
31 2014

MONDAY, MARCH

COUNCIL CHAMBERS

4:30 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

D. ROLL CALL

2. PUBLIC COMMENT – AGENDA MATTERS:

*Citizens have the opportunity to address the Council only on the legislation listed on this agenda, by **registering with the City Clerk one half (1/2) hour before the meeting begins**. 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 shall speak at the beginning of the meeting and shall limit their remarks to 5 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.

3. APPROVAL OF AGENDA

A. AGENDA: Special Meeting of March 31, 2014

4. Consent Agenda Legislation

A. Resolution – directing the City Solicitor to issue an RFP to retain the services of special legal counsel to assist with the water lease issue (**Council Staff**)

5. Ordinances for Introduction

A. Ordinance – dissolving the Reading Area Water Authority, approving the Certificate of Termination of the Authority, and authorizing all actions necessary to effectuate the same. **(Law/Council Staff)**

B. Ordinance – amending the Administrative Code which authorizes all departments, offices, and agencies to undertake the RFP process **(Law/Council Staff)**

6. Adjourn

R E S O L U T I O N N O. ____ 2014

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

Directing the City Solicitor to issue a Request for Proposal for the retention of independent legal counsel to assist City Council with matters pertaining to the Reading Area Water Authority.

Adopted by Council _____, 2014

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

BILL NO. _____-2014
AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, DISSOLVING THE READING AREA WATER AUTHORITY, APPROVING THE CERTIFICATE OF TERMINATION OF THE AUTHORITY, AND AUTHORIZING ALL ACTIONS NECESSARY TO EFFECTUATE THE SAME.

Pursuant to the Authority contained in the Pennsylvania Municipalities Authorities Act, 53 Pa.C.S. §5622, the Council of the City of Reading, Berks County, Pennsylvania, does hereby enact and ordain as follows:

Section 1. The City Council of the City of Reading hereby directs and orders that the Reading Area Water Authority (RAWA) be dissolved.

Section 2. RAWA is directed to take all necessary actions necessary to effectuate its dissolution, including, but not limited to the following:

- A. RAWA is directed to dissolve and cease any further activity other than set forth herein and as required to effectuate the instant dissolution;
- B. RAWA is directed to transfer all of its assets and regulatory permits to the City;
- C. RAWA is directed to satisfy any and all outstanding debts and obligations of the Authority, doing so subject to the approval of City Council; and
- D. RAWA is directed to approve and execute a Certificate of Termination as set forth in form and substance appended hereto as Exhibit "A" in accordance with the Municipalities Authorities Act, 53 Pa. C.S §5619.

Section 3. City Council hereby approves the Certificate of Termination of the Authority in the form appended hereto as Exhibit "A."

Section 4. Upon the enactment of this ordinance and compliance with all executory provisions herein, City Council is hereby authorized to file said Certificate in the Office of the Secretary of the Commonwealth of Pennsylvania.

Section 5. Upon receipt of said Certificate, the Secretary of the Commonwealth shall note the termination of the existence of RAWA on the Authority's record of incorporation and return the Certificate with approval to City Council. Upon receipt thereof, City Council is hereby authorized to record the Certificate in the Office of the Recorder of Deeds of Berks County.

Section 6. Upon recordation of the Certificate with the Berks County Recorder of Deeds, all property of RAWA shall pass to the City and RAWA will be effectively terminated.

Section 7. The City of Reading City Solicitor, Managing Director, City Auditor, Administrative Services Director and City Clerk are all, individually and collectively, authorized to take any further action necessary to effectuate the dissolution of RAWA and the transfer of RAWA's assets to the City.

Section 8. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 9. If an sentence, clause, section or part of this Ordinance is found to be unconstitutional, illegal, or invalid, for any reason, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the legislative intent of City Council that this Ordinance would have been enacted had such provisions not been included.

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

ENACTED and **ORDAINED** by the City of Reading City Council, Berks County, this _____ of April, 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: _____

EXHIBIT "A"

**CERTIFICATE OF TERMINATION OF THE READING AREA
WATER AUTHORITY, BERKS COUNTY, PENNSYLVANIA**

THIS CERTIFICATE ("Certificate") is made this ____ day of _____, 2014 by the Reading Area Water Authority, Berks County Pennsylvania (RAWA)

WHEREAS, pursuant to Bill No. ____2014, RAWA was directed to take all actions necessary to effectuate its dissolution;

WHEREAS, pursuant to Municipalities Authorities Act, 53 Pa C.S. §5619, RAWA hereby submits this Certificate, requesting and advising that the City of Reading City Council terminates its existence; and

WHEREAS, pursuant to the Municipalities Authorities Act, 53Pa C.S. §5619, the City of Reading City Council is authorized to approve this Certificate by Ordinance.

NOW THEREFORE, RAWA, intending to be legally bound hereby certifies as follows:

1. RAWA hereby submits this Certificate requesting its termination pursuant to City of Reading Bill No. ____2014 and the Municipalities Authorities Act 53 Pa C.S. §5619.
2. The City of Reading City Council is authorized to terminate the existence of RAWA based on its prior action to create RAWA in 1994, as per Bill No. 46-1994.
3. The Chairman and Secretary of RAWA are hereby authorized to take all actions necessary to carry out the purpose of this Certificate and to effectuate the dissolution of RAWA.

IN WITNESS WHEREOF, the undersigned officers of RAWA, having been authorized by the City of Reading City Council, have hereunto set their hands and seals the day and year first written above.

READING AREA WATER AUTHORITY

Chairman

ATTEST: _____

Secretary

**BILL NO. ____-2014
AN ORDINANCE**

AMENDING THE ADMINISTRATIVE CODE, CHAPTER 5, SECTION RE3117-OO5a-Ex A – PURCHASING POLICIES TO PROVIDE CLARITY BY REPLACING ALL REFERENCES TO DEPARTMENTS AND DIVISIONS TO DEPARTMENTS, DIVISIONS, OFFICES AND AGENCIES.

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

Section 1. Amending the Administrative Code, Chapter 5, Section Re3117-Oo5a-Ex A – Purchasing Policies, by replacing all references to Departments and Divisions to Departments, Divisions, Offices and Agencies, which will clarify the intent that these policies apply equally to the entire City organization and branch of government.

Section 2. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent with this Ordinance are hereby repealed.

Section 3. 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: _____