

# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING  
COUNCIL CHAMBERS**

**MONDAY, NOV 10, 2014  
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](http://www.ReadingPa.gov), under Info and Downloads/Meetings and Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.*

### **RULES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS**

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

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

### **1. OPENING MATTERS**

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

**B. INVOCATION:** Pastor Bruce Osterhout, \_\_\_\_\_

## C. PLEDGE OF ALLEGIANCE

## D. ROLL CALL

The purpose of the Executive Session on Monday, October \_\_\_\_ was related to \_\_\_\_ matters.

## 2. PROCLAMATIONS AND PRESENTATIONS

Oath of Office to the following Fire Personnel:

- Administrative Officer William Milyo
- Fire Marshall Larry Moyer
- Fire Chief William Stoudt

Council commendations will be presented to the following:

- Recognizing the 65<sup>th</sup> Anniversary of Screpesi's Sandwich Shop accepted by Eddie Ostrowski
- Recognizing Edward Terrell and Elsayed Elmarzouky for the murals located on the Queen City Diner
- Recognizing Veteran's Day, accepted by Dale Derr, Lt Col, US Air Force, Ret, Director Berks County Department of Veterans Affairs
- Recognizing the 75<sup>th</sup> Anniversary of the Fire Tower, accepted by

## 3. PUBLIC COMMENT – AGENDA MATTERS:

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

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

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

## 4. APPROVAL OF AGENDA

**A. MINUTES:** Regular Meeting of October 27, 2014

**B. AGENDA:** Regular Meeting of November 10, 2014

## 5. Consent Agenda Legislation

**B. Resolution 119-2014** – authorizing the participation in the MCDC Initiative and hereby authorizing the filing of a “self-report” with the SEC on or before December 1, 2014, in accordance with the MCDC Initiative (**Law**)

**6. ADMINISTRATIVE REPORT**

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

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

**9. ORDINANCES FOR FINAL PASSAGE**

*Pending – Further Legal Review Required*

**Bill No. 63-2014** – amending the Code Book, Chapter 600 “Zoning”, Section 600-807 entitled “C-C Commercial Core District” by amending: (1) Subsection B “Allowed Uses” to include public parking garages and parking lots owned/or operated by the City of Reading or the Reading Parking Authority, and to prohibit non-public parking garages and parking lots; and (2) Subsection C “Additional Requirements in the C-C District” to prohibit non-public parking garages or parking lots open to the general public. **(Parking Authority/Council Staff) Introduced at the July 28 regular meeting; Public Hearing 8-12-14; Ordinance Advertisement 8-11 and 8-18-2014**

*Pending – Budget and Tax Ordinances*

**Ordinance** – 2015 Real Estate Tax Rate

**Ordinance** – 2015 Commuter Tax Rate

**Ordinance** – 2015 Position Ordinance

**Ordinance** – 2015 Resident Earned Income

**Ordinance** – 2015 General Fund Budget **(Law/Council Staff)**

**Ordinance** – 2015 Capital Budget **(Law/Council Staff)**

**A. Bill No. 83-2014** – restricting parking and maintaining the requisite No Parking signs, for a distance of 44 feet, across from the entrance to 1007 Bern Street. The purpose is to improve the turning radius for large trucks entering and leaving the business at that location **(Man Dir) Introduced at the October 27 regular meeting; Advertised 11-3-14**

**B. Bill No. 84-2014** – authorizing the execution of a settlement agreement to pay the legal charges associated with the water agreement to Stevens and Lee **(Adm Serv. Dir) Introduced at the October 27 regular meeting**

**C. Bill No. 85-2014** – restricting parking and maintaining the requisite No Parking signs, for a distance of approximately 20 feet, adjacent to 1426 Perkiomen Avenue. The purpose is to improve visibility for drivers exiting the parking lot of the Southeast Branch of the Reading Public Library. **(Man Dir) Introduced at the October 27 regular meeting; Advertised 11-3-14**

**D. Bill No. 86-2014** – approving an appropriations transfer of \$650,000 from the Contracted Services line item in the 2014 Public Buildings budget to the Street Lighting budget Traffic Engineering budget to provide for street lighting for the remainder of 2014. **(Man Dir) Introduced at the October 27 regular meeting**

**E. Bill No. 87-2014** – amending the 2014 Fiscal Year Employee Position Ordinance, by decreasing the Network Administrator positions from two (2) to one (1) and creating one (1) position of Network Engineer **(Adm Services) Introduced at the October 27 regular meeting**

**F. Bill No. 88-2014** – authorizing the transfer of \$130,000.00 from the Salary line of the Fire-Emergency Medical Division (EMS) to the Fire-Administration Division Salary line, to the Fire-Suppression Division Salary line and to the Fire-Suppression Division Clothing line **(Fire) Introduced at the October 27 regular meeting**

**G. Bill No. 89-2014** – authorizing the execution an Right of Way Grant/ Easement (attached as part of Exhibit “A”) to convey unto the UGI Utilities, Inc. an easement and uninterrupted right of access upon that portion of premises located at 14<sup>th</sup> & Green Streets, Reading, Berks County, Pennsylvania, as shown on a certain diagram attached as part of Exhibit “A”. **(Law/Pub Works) Introduced at the October 27 regular meeting**

**H. Bill No. 90-2014** – authorizing the execution of the amendment to the Act 47 Recovery Plan (PFM) **Introduced at the October 27 regular meeting**

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

**A. Ordinance** - authorizing the execution of a grant of right of way and easement between the City and the Schuylkill River Greenways Association, thereby conveying unto the Schuylkill River Greenways Association a nonexclusive, perpetual access easement upon that portion of premises along the Morgantown **(Pub. Works)**

## **11. RESOLUTIONS**

**A. Resolution** – appointing Alison Rudy to the Animal Control Board **(Nom & Appts)**

**B. Resolution** – appointing Harry Brown to the Animal Control Board **(Nom & Appts)**

**C. Resolution** – reappointing Dennis Straub to the Animal Control Board **(Nom & Appts)**

**D. Resolution** – appointing Nicholas Eyrych to the Blighted Property Review Committee  
(Nom & Appts)

**E. Resolution** – authorizing the submission of the 2015 CDBG Action Plan (CD)

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

*Please see public speaking rules on second page*

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

## **14. COUNCIL MEETING SCHEDULE**

### **Monday, November 10**

*Budget Review – Council Office - 5pm*

*Committee of the Whole – Council Office – 6 pm*

*Regular Meeting – Council Chambers – 7 pm*

### **Tuesday, November 11**

*\*\*City Hall closed – Veteran’s Day\*\**

### **Thursday, November 13**

*HARB Appeal Hearing – 306 S. 5<sup>th</sup> Street – 5 pm Council Chambers*

*Budget Review – Council Office – 5:30 pm*

### **Monday, November 17**

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

*Budget Review – Council Office – 5 pm*

### **Monday, November 24**

*Committee of the Whole – Council Office – 6 pm*

*Regular Meeting – Council Chambers – 7 pm*

### **Thursday, November 27 and Friday, November 28**

*\*\*City Hall closed – Happy Thanksgiving\*\**

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

### **Monday, November 10**

*Fire Civil Service Board – Penn Room – 4 pm*

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

**Tuesday, November 11**

District 11 Crime Watch – Orthodox Presbyterian Church

**Wednesday, November 12**

Water Authority Workshop – Water Authority Office – 4 pm

Zoning Hearing Board – Council Chambers – 5:30 pm

Human Relations Commission – HRC Office – 6 pm

Center City Community Organization – Holy Cross Church – 6 pm

**Thursday, November 13**

Police Pension Board – Penn Room – 10 am

Outlet Area Neighborhood – St. Mark’s Lutheran Church – 6:30 pm

**Monday, November 17**

Library Board – 113 S 4<sup>th</sup> St – 4 pm

**Tuesday, November 18**

HARB – Penn Room – 7 pm

Charter Board – Penn Room – 8 pm

**Wednesday, November 19**

Redevelopment Authority – Redevelopment Office – 6:30 pm

**Thursday, November 20**

Blighted Property Review Committee – Council Office – 6 pm

**Monday, November 24**

DID Authority – 645 Penn St – noon

District 7 Crime Watch – Holy Spirit Church – 7 pm

**City of Reading City Council**  
**Regular Meeting October 27, 2014**

Council President Acosta called the meeting to order.

The invocation was given by Pastor Eileen Smith Levan, Nativity Lutheran Church.

All present pledged to the flag.

Council President Acosta stated that the executive session prior to the start of this meeting was held to update Council on litigation matters.

**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**

The City Clerk administered the Oath of Office to the following Fire Personnel:

- 1<sup>st</sup> Deputy Chief Thomas Kemery
- 2<sup>nd</sup> Deputy Chief Scot Landis
- Lt. Michael Glore

City Council presented commendations to the following:

- recognizing the 125<sup>th</sup> anniversary of Carpenter Technology, accepted by William Wulfsohn, President, Dave Strobel – Senior Vice President, Global Operations and CEO and William Rudolf Jr, Corporate Communications Director
- recognizing Reading Truck Body, accepted by Brian Nadel, President and CEO, Jenifer Bowden, CFO and Beth Johnson, Director of Marketing

Carpenter Technology presented Council with a specially made trophy made in celebration of Carpenter's anniversary. The trophy will be displayed in City Hall's 2<sup>nd</sup> floor showcase.

## **PUBLIC COMMENT**

Council President Acosta stated that there are eight (8) citizens registered to address Council on agenda matters and two (2) citizens of non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule was suspended.

Councilor Daubert read the public speaking rules that were adopted by Council.

**Jose Vargus, of Madison Avenue**, stated, with Council President Acosta translating, that he did some remodeling work at his home, which is in the Centre Park Historic District. He stated that the remodeling project consisted of repairs to the damaged wood and painting. He stated that the materials he used mirror the materials currently in place at other neighboring properties. He expressed the belief that the process is discriminatory as it has not been equally applied to other properties that have used the same materials he used. He requested fair and equal treatment.

**Ernest Schlegel, of Pear Street**, expressed the belief that the article in the newspaper about the press conference on Ballot Question #7 was incorrect, as the mayor did not call the press conference, Food and Water Watch called the conference. He stated that the article also overstated his reaction to the conference and that he merely asked that the press conference be held off site to allow RAWA to retain neutrality. He stated that some Councilors have a problem with the Mayor sending out a press release about the conference. He also expressed the belief that the mayor is not incorrect by advocating for Question #7 and that it is no different than advocating on a BCTV program.

**George Stichter, of Moss Street**, expressed the belief that the QoL program goes too far with fines and fees and the fines and fees created the local Tea Party and the Tea Party is here to stay. He expressed the belief that the program is bogus and difficult for citizens to pay. He stated that the City cannot take his properties. He stated that the City has until February 13<sup>th</sup> to address this and other problems. He stated that he is throwing his bill in the recycling can when he leaves the room and he told everyone to go to hell.

**Jack Zimmer, of ABC Construction**, expressed opposition to the proposed Project Labor Agreement (PLA) and he suggested that Council consider introducing the Open Contracting Ordinance. He asked the City Clerk to distribute the copies provided to her. He expressed the belief that the Open Contracting Ordinance creates a fair and level playing field for all contractors and labor groups.

**Eric Unger, of Vision Mechanical**, expressed opposition to the PLA. He stated that the PLA would negatively impact the 35 plumbers who are employed at Vision and who are licensed

to work in Reading. He described the many projects Vision completed within Reading including the Miller Center and the projects for the Reading School District. He stated that under the PLA his employees would not be permitted to work on these projects. He expressed the belief that the PLA is not economic development friendly and it is bad for the local work force.

**Patrick Dolan, of Dolan Construction**, stated that he is a business owner and a City resident and he listed some of the projects his business completed within the City. He stated that his company has 35 employees. He asked Council to consider the Open Contracting Ordinance as it ensures an open and fair process for all organizations. He stated that he is not opposed to labor organizations and that he only seeks a level playing field. He stated that the PLA will drive construction costs up; however, the Open Contracting Ordinance will drive costs down. He stated that the City cannot afford development projects with increased costs. He expressed the belief that the PLA will not drive economic development in Reading and it will harm those who are truly the local work force. He noted that union labor only represents 20% of the local work force. He encouraged Council to review and consider both ordinances carefully before making a decision.

**Alan Shuman, of Shuman Development Group**, stated that he opposes the PLA. He expressed the belief that the proposed PLA should not be enacted unless the terms are modified to increase fairness. He expressed the belief that the ordinance as drafted is unusable and will expose the City to litigation. He stated that as drafted, the ordinance will require projects underway and projects that are ready to begin to stop and be re-bid, which will jeopardize the funding sources already in place. He also noted that the ordinance eliminates local control as it provides authority to regional and state trade boards. He stated that the Mayor, Managing Director and Public Works Director should not be provided with the power to negotiate PLA's as those in the stated positions generally do not have the ability to negotiate those terms, with the exception of the current Managing Director.

**Mary Jane Smith, of Perkiomen Avenue**, stated that she is again concerned that the proposed development of the Penn Square Properties includes a residential component. She expressed the belief that residential development does not belong in these commercial spaces. She expressed doubt that the funding sources for this project will not require low income housing as it did in the Goggleworks Apartments and in Ricktown. She expressed the belief that there is enough opportunity for housing in other areas of the City and that the state and federal funds should be used elsewhere. She noted that this is a one time opportunity that should not be blundered. She also expressed concern with the proposed live/work housing in these buildings. She stated that these commercial spaces were not intended for residential use.

**Renee Dietrich, of Wyomissing**, stated that she is the President of the Library Board. She thanked Council for considering a dedicated milage rate that will provide the Library with an increased contribution, as is done with the Shade Tree Commission. She stated that the intended uses for the funding has been outlined in the packets distributed to Council. She stated that \$100K of this new funding will permit the Library to reinstate operating hours. She stated that the Library is also a District Library and that the hours the Library is currently open are less that required of a District Library. She noted that the Library has been awarded a waiver to operate at a lesser number of hours. She outlined the broad range of services the Library provides to the public. She asked Council to approve the dedicated milage rate which would provide an annual allocation of approximately \$250K.

**Paul Hoh, of Hampden Blvd**, stated that he is also a member of the Library Board. He stated that when he was Council President between 1996 and 2002, the City allocated \$1M to the Library. He stated that while he understands why the allocation was reduced to \$100K, he recognizes the need for the City to increase this allocation as an investment in the future.

## **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 from the October 13<sup>th</sup> Regular Meeting of Council. He noted the need to add the following legislation to the agenda:

1. Addition of two Ordinances for Introduction
  - a. The new Act 47 Recovery Plan Ordinance
  - b. The Project Labor Agreement Ordinance
2. Addition of four resolutions making appointments and reappointments to the Water Authority, the Housing Authority and the Planning Commission
3. Addition of a Consent Agenda resolution authorizing the application for PennVest Funds for the WWTP project.
4. Addition of a Consent Agenda resolution approving the merger plan for Berks EIT and the Tax Collection Committee
5. Councilor Waltman and Councilor Reed requested that the Open Contracting Ordinance be added for introduction. There was no objection.

The Managing Director also asked Council to move the ordinance and resolution regarding the Firefighters Museum out of the pending boxes for a vote.

**Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the October 13<sup>th</sup> Regular Meeting of Council and the agenda, as amended including the**

legislation listed under the Consent Agenda heading. The motion was approved unanimously.

### **Consent Agenda**

**A. Award of Contract – for the repair of the wall at the Pagoda to E. R. Stuebner, 227 Blair Avenue, Reading, PA 19601 in the amount of \$139,918.00. (Purchasing Mgr)**

**B. Award of Contract – for the purchase of rock salt American Rock Salt Co., LLC, P. O. Box 190, Mt. Morris, NY, 14510, at a bid price of \$72.51 per ton for delivered salt and \$69.01 for picked-up salt (Purchasing Mgr)**

**C. Award of Contract –to qualify multiple vendors for the provision of bond underwriting services to the City of Reading. The vendors to be qualified include:**

- **PNC Capital Markets**
- **Janney Montgomery Scott LLC**
- **RBC Capital Markets**
- **Loop Capital Markets**
- **Robert W. Baird & Co.**
- **NW Capital Markets Inc.**
- **Wells Fargo Securities**

**D. Award of Contract –authorizing the merger plan between the TCC and BEIT Bureau (Law)**

**E. Resolution 108-2014 - approving the merger plan for Berks EIT and the Tax Collection Committee (Law)**

**F. Resolution 118-2014 - authorizing the application for PennVest Funds for the WWTP project. (Pub. Works)**

### **ADMINISTRATIVE REPORT**

The mayor read the report distributed to Council at the meeting, in summary:

- Upgrade in the City's bond rating by Moody
- Update on the digester rehabilitation project at the WWTP
- Update on the 18 fire prevention and safety presentations
- Update on graffiti abatement

### **AUDITOR'S REPORT**

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

- 2014 Admissions Tax collection update
- 2014 Real Estate Tax collection update
- Update on the 2011,, 2012 and 2013 State Pension Audit

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

None.

**ORDINANCES FOR FINAL PASSAGE**

*Pending – Further Legal Review Required*

**Bill No. 63-2014** – amending the Code Book, Chapter 600 “Zoning”, Section 600-807 entitled “C-C Commercial Core District” by amending: (1) Subsection B “Allowed Uses” to include public parking garages and parking lots owned/or operated by the City of Reading or the Reading Parking Authority, and to prohibit non-public parking garages and parking lots; and (2) Subsection C “Additional Requirements in the C-C District” to prohibit non-public parking garages or parking lots open to the general public. **(Parking Authority/Council Staff) Introduced at the July 28 regular meeting; Public Hearing 8-12-14; Ordinance Advertisement 8-11 and 8-18-2014**

*Pending – Budget and Tax Ordinances*

- A. Ordinance** – 2015 Real Estate Tax Rate
- B. Ordinance** – 2015 Commuter Tax Rate
- C. Ordinance** – 2015 Position Ordinance
- D. Ordinance** – 2015 Resident Earned Income
- E. Ordinance** – 2015 General Fund Budget **(Law/Council Staff)**
- F. Ordinance** – 2015 Capital Budget **(Law/Council Staff)**

**A. Bill No. 71-2014** – authorizing the execution the Lease Agreement for the Reading Area Firefighters Museum **(Man Dir/Law) Introduced at the September 8 regular Meeting; Tabled at the Sept 22<sup>nd</sup> meeting**

**Councilor Daubert moved, seconded by Councilor Marmarou, to enact Bill No. 71-2014.**

Councilor Daubert stated that he is pleased that this issue is moving forward.

Councilor Reed agreed noting that the museum is a City treasure. She conveyed hope that the group will utilize sound fundraising and marketing efforts.

Councilor Goodman-Hinnershitz thanked the Managing Director for placing structured agreements for groups that utilize City properties.

Councilor Waltman noted the long history of Reading's Fire Department and the need to link the Museum with other organizations such as the DID and the Main Street Boards.

**Bill No. 71-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,**

**President -7**

**Nays: - 0**

**B. Bill No. 78-2014** – amending City Code Section 23-1201. Purpose; Membership by decreasing the number of Main Street Board Members to seven (7) and providing clarification regarding the liaison to the Board **(Council Staff/Main St Bd) Introduced at the October 13 regular meeting**

**Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 78-2014.**

Council President Acosta stated that this housekeeping issue will reduce the quorum issues for the Main Street Board.

Councilor Goodman-Hinnershitz agreed and noted the importance of Council's responsibility to update the City's Administrative Code.

**Bill No. 78-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,**

**President -7**

**Nays: - 0**

**C. Bill No. 79-2014** – amending the Personnel Code, Section 70-703 Payroll Time Sheet to match the current process used for the submission and processing of employee time sheets **(Council Staff) Introduced at the October 13 regular meeting**

**Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 79-2014.**

**Bill No. 79-2014 was enacted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,**

**President -7**

**Nays: - 0**

**D. Bill No. 80-2014** – authorizing the restriction of parking and the installation/maintenance of appropriate No Parking signs in accordance with the PennDOT Highway Occupancy Permit (HOP) Application No. 42617 at 118 South 9<sup>th</sup> Street, aka the Jet Set Restaurant LLC. **(Man Dir) Introduced at the October 13 regular meeting; Advertised on 10-20-14**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 80-2014.**

**Bill No. 80-2014 was enacted by the following vote:**

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

**E. Bill No. 81-2014** – authorizing the restriction of parking and the installation/maintenance of No Parking signs in accordance with the PennDOT Highway Occupancy Permit (HOP) Application # 61019 originally dated July 25, 2014. The purpose of this parking restriction is to ensure the proposed driveway has an adequate sight distance for vehicles entering the highway as shown in the application made by Domenico and Lucia Brutto for the business located at 290 Morgantown Road aka Mimmo’s Restaurant. **(Man Dir) Introduced at the October 13 regular meeting; Advertised on 10-20-14**

**Councilor Daubert moved, seconded by Councilor Reed, to enact Bill No. 81-2014.**

**Bill No. 81-2014 was enacted by the following vote:**

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

**F. Bill No. 82-2014** – naming Our City Reading as the developer for the Penn Square Properties Project and authorizing the execution of the developers agreement **(Man Dir) Introduced at the October 13 regular meeting**

**Councilor Marmarou moved to enact Bill No. 82-2014.**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to table Bill No. 82-2014.**

**Councilor Daubert seconded the motion to enact Bill No. 82-2014**

The mayor and Councilor Marmarou questioned if a motion to table was allowable.

Council President Acosta consulted with the Solicitor who reviewed the Robert's Rules regulations the City Clerk located on her computer. The Solicitor ruled that a motion to table was un-debatable and was allowable.

**The motion to table Bill No. 82-2014 was approved by the following vote:**

**Yeas: Goodman-Hinnershitz, Reed, Waltman, Acosta, President - 4**

**Nays: Daubert, Marmarou, Sterner - 3**

Council President Acosta explained that he voted to table the ordinance to allow Councilors with questions to obtain answers from the administration.

## **INTRODUCTION OF NEW ORDINANCES**

The following ordinances were read into the record:

**A. Ordinance** – restricting parking and maintaining the requisite No Parking signs, for a distance of 44 feet, across from the entrance to 1007 Bern Street. The purpose is to improve the turning radius for large trucks entering and leaving the business at that location **(Man Dir)**  
***Advertisement scheduled for 11-3-14***

**B. Ordinance** – authorizing the execution of a settlement agreement to pay the legal charges associated with the water agreement to Stevens and Lee **(Adm Serv. Dir)**

**C. Ordinance** – restricting parking and maintaining the requisite No Parking signs, for a distance of approximately 20 feet, adjacent to 1426 Perkiomen Avenue. The purpose is to improve visibility for drivers exiting the parking lot of the Southeast Branch of the Reading Public Library. **(Man Dir)**  
***Advertisement scheduled for 11-3-14***

**D. Ordinance** – approving an appropriations transfer of \$650,000 from the Contracted Services line item in the 2014 Public Buildings budget to the Street Lighting budget Traffic Engineering budget to provide for street lighting for the remainder of 2014.**(Man Dir)**

**E. Ordinance** – amending the 2014 Fiscal Year Employee Position Ordinance, by decreasing the Network Administrator positions from two (2) to one (1) and creating one (1) position of Network Engineer **(Adm Services)**

**F. Ordinance** – authorizing the transfer of \$130,000.00 from the Salary line of the Fire-Emergency Medical Division (EMS) to the Fire-Administration Division Salary line, to the Fire-Suppression Division Salary line and to the Fire-Suppression Division Clothing line **(Fire)**

**G. Ordinance** – authorizing the execution an Right of Way Grant/ Easement (attached as part of Exhibit "A") to convey unto the UGI Utilities, Inc. an easement and uninterrupted right of

access upon that portion of premises located at 14<sup>th</sup> & Green Streets, Reading, Berks County, Pennsylvania, as shown on a certain diagram attached as part of Exhibit "A". **(Law/Pub Works)**

**H. Ordinance** – authorizing the execution of the new Act 47 Recovery Plan **(PFM)**

**I. Ordinance** – amending the City Code by adding the Project Labor Agreement Ordinance **(Mayor)**

**J. Ordinance** – amending the City Code by adding the Open Contracting Ordinance **(Council)**

## **RESOLUTIONS**

**A. Resolution 109-2014** – approving the Conditional Use permit for 321 N 8<sup>th</sup> Street with conditions **(Council Staff)**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 109-2014.**

**Resolution No. 109-2014 was adopted by the following vote:**

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

**B. Resolution 110-2014** – denying the Conditional Use permit for 139 South 10<sup>th</sup> Street and ordering the de-conversion of the property to a two unit dwelling **(Council Staff)**

**Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 110-2014.**

**Resolution No. 110-2014 was adopted by the following vote:**

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

**C. Resolution 111-2014** – denying the Conditional Use permit for 714 Franklin Street and ordering the de-conversion to a two unit dwelling **(Council Staff)**

**Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 111-2014.**

**Resolution No. 111-2014 was adopted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President - 7**

**Nays: None - 0**

**D. Resolution 112-2014** – appointing Donna Reed as the liaison to the Main Street Board and Jeffrey S. Waltman as the alternate **(Council Staff)**  
**Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 112-2014.**

**Resolution No. 112-2014 was adopted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President - 7**

**Nays: None - 0**

**E. Resolution 113-2014** – approving in part and denying in part the HARB COA appeal for 733 Madison Avenue **(Council Staff)**

**Councilor Goodman-Hinnershitz moved, seconded by Councilor Sterner, to adopt Resolution No. 113-2014.**

**Resolution No. 113-2014 was adopted by the following vote:**

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

**Nays: Reed - 1**

**F. Resolution 114-2014** – appointing Walter Pawling to the Housing Authority **(Nominations)**

**G. Resolution 115-2014** – appointing Julissa Espinal to the Water Authority **(Nominations)**

**I. Resolution 117-2014** – – appointing William Cinfici to the Planning Commission **(Nominations)**

**Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolution Nos. 114, 115 and 117-2014.**

**Resolution Nos. 114, 115 and 117-2014 were adopted by the following vote:**

**Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,  
President - 7**

Nays: None - 0

**H. Resolution 116-2014** – reappointing Rebecca Acosta to the Housing Authority  
(Nominations)

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 116-2014.

Resolution No. 116-2014 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman - 6

Nays: None - 0

Abstention – Acosta, President - 1

**I. Resolution 100-2014** – authorizing the execution of the MOU for the Reading Area Firefighter Museum (Man Dir/Law) *Tabled at the Sept 22<sup>nd</sup> meeting; Pending further legal review required*

Councilor Reed moved, seconded by Councilor Daubert, to adopt Resolution No. 100-2014.

Resolution No. 100-2014 was adopted by the following vote:

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

Nays: None - 0

**COUNCIL COMMENT**

Councilor Reed noted the K9 event held at the airport yesterday. She noted that the K9 unit is a wonderful component of the Police Department. She described the high skill levels and dedication of the officers and their K9 partners. She thanked those who assist the City with funding to support this unit.

Councilor Daubert expressed disappointment with the tabling of the Penn Square Property ordinance. He expressed his belief that delaying the enactment of this ordinance is a mistake.

Councilor Sterner agreed with Councilor Daubert and he thanked those who spoke at tonight's meeting.

Councilor Sterner expressed his personal opinion about Ballot Question #7 regarding the need to obtain voter approval before the sale or lease of a public asset. He stated that he has no problem that the mayor advocated his support for the question, as everyone is entitled to express their beliefs. He stressed the need for voter education and he recommended that people vote no, as people have the ability to voice their opinions at public meetings. He

stated that the administration and Council discussed the water lease at approximately 50 public meetings. He also expressed the belief that allowing this to move to the ballot will allow a small percentage of people to make this important decision, due to the low voter turnout.

Councilor Sterner questioned the legality of placing the question on the ballot as it usurps the powers and duties of the City's elected officials. He stated that various people believe that Council was attempting to privatize the water asset, when that was never discussed or considered. He suggested that voters need to consider the pros and cons of all aspects of each of the seven (7) ballot questions and to vote no if they do not understand all aspects of the questions. He noted that the representative from Food and Water Watch expressed the belief that leasing the water asset is in fact privatization.

Councilor Goodman-Hinnershitz thanked those who supported the motion to table the Penn Square Property ordinance as that will provide her with time to obtain answers to questions about the proposal. She noted that some family issues prevented her from attending the meeting to discuss this issue.

Councilor Goodman-Hinnershitz agreed that voters should not vote for the ballot questions if they do not understand the pros and cons associated with each question. She expressed her belief that placing all seven (7) questions on one ballot will be overwhelming for the voter, as the issues are quite complex. She stated that some questions will dramatically change the course of City government.

Councilor Goodman-Hinnershitz noted the strategic planning sessions starting for the Pagoda Foundation, the Rec Commission and the Firefighter Museum. She noted the value of planning. The cost of the facilitator for the Pagoda Foundation was covered through a private donation. She also noted the 75<sup>th</sup> anniversary of the William Penn Fire Tower.

The mayor stated that he found the positions of the business owners who spoke against the PLA this evening interesting and he stated that he will bring the supportive side at the next meeting.

The mayor also expressed disappointment about the tabling of the Penn Square Property ordinance. He expressed the belief that this is a delay tactic as there have been many meetings where questions were addressed. He noted that Councilor Waltman is the only Councilor who directly questioned Mr. Boscov. He expressed the belief that the tabling of the ordinance may cause repercussions.

Councilor Waltman stated that his position has not changed on the Penn Square Property ordinance. He stated that allowing two additional weeks of review will assist Council in

making an informed decision. He expressed the belief that Council is being pigeonholed into making an unsound decision.

Councilor Waltman expressed the belief that placing seven (7) questions on a ballot is an injustice to the voters. He expressed his hope that voters reject the seven (7) questions. He also questioned the purpose behind Question 7 as selling or leasing the water asset was never discussed.

The Auditor noted the need for good voter turnout. He also noted that the average voter does indeed have the ability to understand the questions listed on the ballot.

Council President Acosta stated that he took offense at the mayor's comments as he did question Mr. Boscov directly. In fact he was left with the impression that some believed he was making a personal attack. He noted the need for Council to submit their additional questions. He stated that his vote to support the tabling was to allow Council with the ability to ask their final questions. He urged Council to submit their questions in writing.

Council President Acosta questioned the lack of public participation in the public meetings to discuss the City's budget.

Council President Acosta reviewed the upcoming Council meeting schedule.

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

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

**CITY OF READING**  
**Berks County, Pennsylvania**

---

**RESOLUTION**

---

WHEREAS, this City has issued publicly-offered notes or bonds within the past five (5) years (the “Public Offerings”) and authorized offering documents in connection with the sale of such Public Offerings (the “Offering Documents”); and

WHEREAS, the Offering Documents contained statements regarding this City’s compliance with prior written agreements of this City to provide continuing disclosure of material information in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission (the “SEC”); and

WHEREAS, the SEC has created a voluntary settlement program entitled the Municipal Continuing Disclosure Cooperation Initiative (the “MCDC Initiative”) for issuers whose statements made in their prior offering documents may have contained materially inaccurate statements as to their prior continuing disclosure compliance; and

WHEREAS, this City wishes to self-report under the MCDC Initiative to the extent the administrators and advisors to this City, upon consultation with and approval of Council, determine that it is in this City’s best interest to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AS FOLLOWS:

The Council of this City, after consultation with the Director of Administrative Services of this City, and this City’s solicitor and bond counsel, have determined that it is in the best interest of this City to participate in the MCDC Initiative and hereby authorize the filing of a “self-report” with the SEC on or before December 1, 2014, in accordance with the MCDC Initiative. The Director of Administrative Services is hereby authorized to prepare the “self-report,” with the assistance of this City’s solicitor, bond counsel and financial advisor, and to complete the filing as authorized by this Resolution.

To the extent the SEC finds that this City meets the requirements of the MCDC Initiative and

recommends entering into a settlement agreement with this City in accordance with the standardized terms described in the MCDC Initiative, upon review and approval by the Council, the Mayor and the City Clerk, or any other proper officers of the City, are authorized to execute such agreement.

The members of City Council, the administrative officers of this City, and the solicitor of this City, are hereby authorized and directed to do such other things on behalf of this City as may be necessary and appropriate to implement the intent and purposes of this Resolution.

DULY RESOLVED, this \_\_\_\_ day of November, 2014, by the Council of the City of Reading, Berks County, Pennsylvania, in lawful session duly assembled.

Attest:

CITY OF READING  
Berks County, Pennsylvania

\_\_\_\_\_  
Linda A. Kelleher CMC, City Clerk

By: \_\_\_\_\_  
Francis Acosta, President of Council

(SEAL)

AN ORDINANCE OF THE CITY OF READING AMENDING THE CITY OF READING CODE BOOK, CHAPTER 600 ENTITLED "ZONING", PART 6 ENTITLED "TYPES OF USES", SECTION 600-807 ENTITLED "C-C COMMERCIAL CORE DISTRICT" BY AMENDING: (1) SUBSECTION B ENTITLED "ALLOWED USES" TO INCLUDE PUBLIC PARKING GARAGES AND PARKING LOTS OWNED/OR OPERATED BY THE CITY OF READING OR THE READING PARKING AUTHORITY, AND TO PROHIBIT NON-PUBLIC PARKING GARAGES AND PARKING LOTS; AND (2) SUBSECTION C ENTITLED "ADDITIONAL REQUIREMENTS IN THE C-C DISTRICT" TO PROHIBIT NON-PUBLIC PARKING GARAGES OR PARKING LOTS OPEN TO THE GENERAL PUBLIC.

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

SECTION 1. Amending the City of Reading Codified Ordinances, Chapter 600 entitled "Zoning", Part 6 entitled "Types of Uses", as attached in Exhibit A:

SECTION 2. All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended by this Ordinance shall remain in full force and effect.

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

SECTION 4. This Ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

ENACTED: \_\_\_\_\_, 2014

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

Attest:

\_\_\_\_\_  
City Clerk  
(Council Office & Parking Authority)  
Submitted to the Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_, 2014  
Received by the Mayor's Office: \_\_\_\_\_  
Date: \_\_\_\_\_, 2014  
Approved by the Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_, 2014  
Vetoed by the Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_, 2014

## EXHIBIT A

### § 600-807. C-C Commercial Core District.

#### A. Dimensional requirements.<sup>20</sup>

#### B. Allowed uses.

##### (1) Permitted-by-right uses:<sup>21</sup>

High-rise apartments<sup>1</sup>

Movie theaters and performing arts facilities

Low-rise or mid-rise apartments<sup>1</sup>

One-family attached dwellings (townhouses) or one-family semidetached dwellings meet the regulations of the R-3 District gardens, crop farming and forestry

Amusement arcade

Municipal building

Passenger bus or train terminal

Public parking garages and parking lots that are owned/or operated by *the City or Reading Parking Authority* ~~a City authorized parking authority or another~~

~~governmental entity~~. A new parking garage with a street frontage of more than 100 feet shall include at least one street-level commercial use.

~~Nonpublic parking garages and parking lots that serve a use located within the C-C District, as opposed to being available to the general public. If such parking involves 10 or more new parking spaces, then special exception approval shall be required. As a criteria of special exception approval, the applicant shall show that the parking: (a) will not cause a loss of a significant historic building; (b) will not create a serious traffic congestion or a traffic hazard for pedestrians; and (c) will include suitable landscaping between the parking and a public sidewalk. See also Subsection C below.~~ A new parking garage with a street frontage of more than 100 feet shall include at least one street-level commercial use.

Bakeries (limited to 2,000 square feet production floor area) and retail sale of baked goods

Bank and other financial institutions, which may include drive-through facilities

Business and printing services

Civic/convention center and sports arena

College or university, other than residential uses

Conversion of existing building space into one or more dwelling units, which shall meet the requirements listed for "conversions" in § 600-1203D, even though the use is not a conditional use. Such conversion shall only be allowed if the lot includes at least one street level principal business establishment.

Creation and retail sales of art and crafts items, which may include multiple vendors

Dry cleaners (limited to 2,000 square feet of service/production area)

Fire and ambulance station

Fitness centers/exercise clubs

Funeral homes

Hotels, motels and bed-and-breakfast inns

Offices

Personal services, such as barber or beauty shop (see § 600-1103), tailors, nail salons (see § 600-1103) and certified massage therapy (see § 600-1103), and not including a massage parlor

Photo-finishing services

Radio and television stations

Recreational facilities, public parks and nonmotorized recreation trails

Restaurants (eat-in or takeout) which may include entertainment but shall not include drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.

Retail stores

Small appliance sales, repair and service stores

Social clubs and associations (non-PLCB licensed), which shall not be allowed fronting on Penn Street between 2nd Street and 6th Street and which shall not operate between 12:00 midnight and 11:00 a.m. For any use that also meets the definition of a BYOB, Chapter 127, Part 3 (§§ 127-301 to 127-308), and § 127-202 shall also be met.

Trade, vocational and hobby schools, not including residential uses

NOTE:

1. The street-level floor shall include at least one principal business establishment.

2. Accessory uses. See Part 10 unless otherwise noted.

(a) Amusement devices: pursuant to § 600-1010 of this chapter.

(b) Entertainment: pursuant to § 600-1005.

(c) Home occupations, major or minor: see § 600-1006.

(d) Storage as an accessory use to a use located within the C-C District.

(e) ***Parking exclusively serving a principal use on the same lot***

3. Conditional Uses

(a) Banquet hall.

(b) Gaming facility.

(c) Taverns and nightclubs.

4. Special exception uses. Pursuant to § 600-1202 of this chapter.

(a) Day-care facilities.

(b) Dormitory or other residential uses owned or operated by a college or university, other than permitted-by-right dwelling units that are occupied by a "family."

(c) Place of worship.

C. Additional requirements in the C-C District.

1. Retail uses shall not extend into the public right-of-way, except as may be specifically approved under another City ordinance.

2. Drive-through services shall only be permitted as accessory to financial institutions. A drive-through facility shall not have an entrance or exit onto Penn Street.

3. Height requirements.

(a) Structures may be increased in height up to 175 feet by special exception, provided the applicant provides an analysis to show that the additional height

will allow sunlight to reach the street during midday hours, considering any proposed setbacks and an analysis of how the building will be set back from windows of existing adjacent buildings to provide compatibility.

4. See parking requirements in § 600-1603.

5. A building shall not have a street-level building wall longer than 50 feet unless such wall is interspersed with a window or door at least every 50 feet, artistic displays, changes in building setback or rooflines of more than three feet variation, and/or architectural features.

6. Wind turbines shall be allowed that are attached to a roof of a building and do not extend a total of more than 25 feet above the roof of the building.

7. A principal or accessory parking lot or parking garage shall not be allowed that is open to the general public, unless the structure is owned and/or operated by the City, the Reading *Parking Authority or their designees. Accessory parking lots and garages are permitted only on the same lot as the principal use, except for lots and garages owned and or operated by the City, the Reading Parking Authority or their designees.* ~~Berks County, another governmental entity, or a City authorized parking authority.~~

**BILL NO. \_\_\_\_-2014  
AN ORDINANCE**

**LEVYING THE REAL ESTATE TAXES FOR THE FISCAL YEAR BEGINNING THE FIRST DAY OF JANUARY, 2015, AND ENDING THE THIRTY-FIRST DAY OF DECEMBER, 2015.**

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

**SECTION 1.** For general revenue purposes, a tax of fifteen and four hundred eighty-nine thousandths mills (.015489) on the dollar, or fifteen dollars and forty-eight point nine cents (\$15.489) on each one thousand dollars is hereby levied and assessed for the fiscal year beginning the first day of January, 2015, and ending the thirty-first day of December, 2015, on all real property in the City of Reading taxable for County purposes.

**SECTION 2.** For purposes of funding activities of the Shade Tree Commission, a tax of two-tenths mills (.0002) on the dollar, or twenty cents (\$0.20) on each one thousand dollars is hereby levied and assessed for the fiscal year beginning the first day of January, 2015, and ending the thirty-first day of December, 2015, on all real property in the City of Reading taxable for County purposes.

**SECTION 3.** All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

**SECTION 4.** This Ordinance shall be effective January 1, 2015, said date being the beginning of the fiscal year of the City of Reading.

Enacted \_\_\_\_\_, 2014

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

Attest:

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

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

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

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

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

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

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

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

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

BILL NO. \_\_\_\_\_ - 2014

**A N O R D I N A N C E**

**AN ORDINANCE ESTABLISHING THE BUDGET FOR THE FUNDS OF THE CITY OF READING INCLUDING REVENUES AND EXPENSES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015.**

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

**SECTION 1.** The budgeted revenues and expenses for the various funds of the City of Reading for the fiscal year beginning January 1, 2015, and ending December 31, 2015, shall be as set forth in Exhibit A attached hereto and made a part hereof.

**SECTION 2.** This ordinance shall be effective January 1, 2015.

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. \_\_\_\_\_-2014  
**A N O R D I N A N C E**

**AN ORDINANCE ESTABLISHING THE EMPLOYEE POSITIONS FOR THE CITY OF READING FOR THE FISCAL YEAR 2015.**

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

**SECTION 1.** Positions for the City of Reading's fiscal year beginning January 1, 2015, and ending December 31, 2015, shall be as set forth in Exhibit A attached hereto and made a part hereof.

**SECTION 2.** This Ordinance shall become effective January 1, 2015.

Enacted \_\_\_\_\_, 2014

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

Attest:

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

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

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

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

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

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

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

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

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

BILL NO. \_\_\_\_\_ - 2014

**A N O R D I N A N C E**

**PROVIDING FOR NO-PARKING RESTRICTIONS  
ACROSS FROM 1007 BERN STREET IN THE CITY OF READING**

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

**SECTION 1.** The City of Reading agrees to restrict parking and maintain the requisite No Parking signs, for a distance of 44 feet, across from the entrance to 1007 Bern Street. The purpose is to improve the turning radius for large trucks entering and leaving the business at that location.

**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. \_\_\_\_\_-2014**  
**A N O R D I N A N C E**

**AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT  
BETWEEN THE CITY OF READING AND STEVENS & LEE FOR PAYMENT OF  
CERTAIN LEGAL BILLS INCURRED DURING THE READING AREA WATER  
AUTHORITY LEASE NEGOTIATION.**

**WHEREAS**, certain issues arose during the lease negotiation with the Reading Area Water Authority which resulted in retaining the law firm of Stevens & Lee, Reading, PA; and

**WHEREAS**, the City Administration and City Council had differing points of view concerning the methodology for the retention of Stevens & Lee for certain legal services; and

**WHEREAS**, Stevens & Lee rendered legal services and there are outstanding bills for said services; and

**WHEREAS**, the City of Reading and Stevens & Lee desire to settle the issue of the outstanding bills,

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

**SECTION 1.** The Mayor is authorized to execute the Settlement Agreement between the City of Reading and Stevens & Lee for the payment of outstanding legal bills as set forth in the attachment hereto

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

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: \_\_\_\_\_

## SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by and between the CITY OF READING, a municipal corporation situate in the County of Berks and Commonwealth of Pennsylvania, hereinafter called "CITY",

AND

STEVENS & LEE, P.C., a professional corporation situate in the County of Berks and Commonwealth of Pennsylvania, hereinafter "STEVENS & LEE",

WHEREAS, Stevens & Lee entered into a certain agreement to provide legal services to the City; and

WHEREAS, the City Administration and City Council had differing points of view concerning the methodology for the retention of Stevens & Lee for certain legal services; and

WHEREAS, Stevens & Lee provided legal services to the City as set forth in the attached invoices; and

WHEREAS, the parties hereto agree to settle any and all issues re the payment of said invoices and hereby intend to be legally bound.

NOW THEREFORE, in consideration of the above promises and the mutual covenants herein contained, it is hereby agreed as follows:

1. The City hereby agrees to pay the sum of \$84,291.47 to Stevens & Lee for services rendered. Said payment shall be processed using appropriate methods.
2. The City and Stevens & Lee hereby agree that said sum is the total amount due and that no other claim shall be made by either party.
3. The City and Stevens & Lee acknowledge that all existing issues and any other issues re the propriety of the City's retention of Stevens & Lee are hereby settled without any claim by

either party re the methodology of actions taken. The parties enter into this Settlement Agreement to settle outstanding issues and avoid any future costs of litigation, etc.

4. This Settlement Agreement is binding upon the parties hereto as well as any assigns or other legal entities.

5. Any and all notices shall be sent to the parties as follows:

City of Reading, Law Department, City Hall, Rm. 2-54, Reading, PA 19601; Stevens & Lee, P.O. Box 679, Reading, PA 19603-0679.

Any changes to said addresses (or entities) shall be immediately provided in writing.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day and year above written.

WITNESS:

CITY OF READING:

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

\_\_\_\_\_  
Vaughn D. Spencer, Mayor

WITNESS:

STEVENS & LEE, P.C.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

BILL NO. \_\_\_\_\_ - 2014

**A N O R D I N A N C E**

**PROVIDING FOR NO-PARKING RESTRICTIONS  
ADJACENT TO 1426 PERKIOMEN AVENUE IN THE CITY OF READING**

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

**SECTION 1.** The City of Reading agrees to restrict parking and maintain the requisite No Parking signs, for a distance of approximately 20 feet, adjacent to 1426 Perkiomen Avenue. The purpose is to improve visibility for drivers exiting the parking lot of the Southeast Branch of the Reading Public Library.

**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: \_\_\_\_\_

# PUBLIC WORKS

**TO:** Members of City Council

**FROM:** David C. Ruyak, Operations Division Manager

**PREPARED BY:** David C. Ruyak, Operations Division Manager

**MEETING DATE:** October 27<sup>th</sup>, 2014

**AGENDA MEMO DATE:** October 15<sup>th</sup>, 2014

**RECOMMENDED ACTION:** Approve Appropriation Transfers

**BACKGROUND:**

Moving \$650,000.00 from the Public Properties Contracted Services line item (01-07-74-4216) to the Traffic Engineering Street Lighting line item (01-07-24-4102).

**BUDGETARY IMPACT:**

Transfer of \$650,000  
From: Public Properties Contracted Services, 01-07-74-4216  
To: Traffic Engineering Street Lighting, 01-07-24-4102

**PREVIOUS ACTION:**

None

**RECOMMENDED BY:**

David Ruyak, Operations Division Manager of Public Works  
Ralph Johnson, Public Works Director

**RECOMMENDED MOTION:**

Approve request.

BILL NO. \_\_\_\_\_ - 2014

AN ORDINANCE

APPROVING AN APPROPRIATIONS TRANSFER WITHIN THE 2014  
PUBLIC WORKS GENERAL FUND BUDGET TO PAY FOR STREET LIGHTING

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

**SECTION 1.** Approving an appropriations transfer of \$650,000 from the Contracted Services line item in the 2014 Public Buildings budget (01-07-74-4216) to the Street Lighting budget Traffic Engineering budget (01-07-24-4102) to provide for street lighting for the remainder of 2014.

**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: \_\_\_\_\_

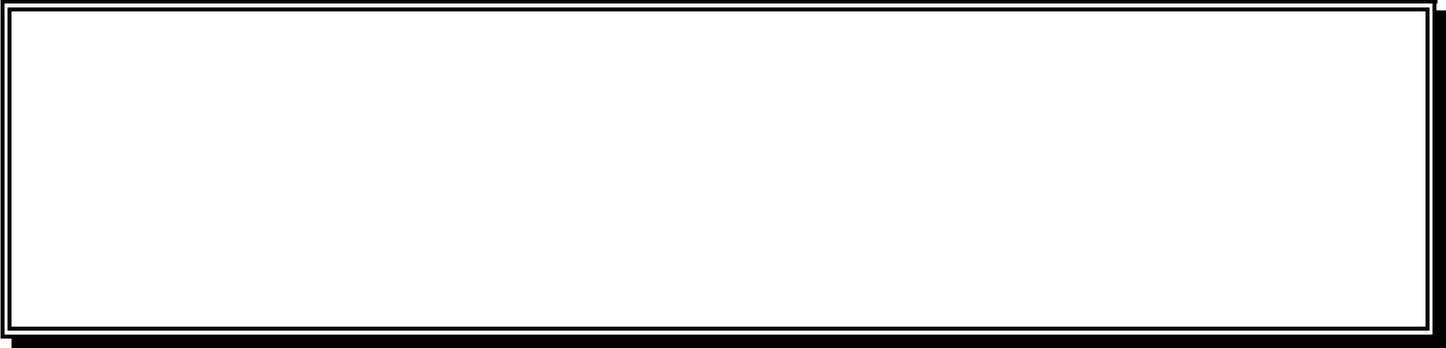
Date: \_\_\_\_\_

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

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

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

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



**TO:** City Council

**FROM:** Henry Tangredi  
Information Technology Division Manager

**PREPARED BY:** Henry Tangredi  
Information Technology Division Manager

**MEETING DATE:** October 27, 2014

**AGENDA MEMO DATE:** October 21, 2014

**RECOMMENDED ACTION:** Approve IT Position Change

**BACKGROUND:**

The IT Division currently has the need to redefine and retitle the networking roles within the IT Division. It is requested that council amend the position ordinance by eliminating one (1) Network Administrator position, leaving one (1) Network Administrator, and create the position of Network Engineer. The position change has no additional budgetary impact.

**BUDGETARY IMPACT:**

None

**PREVIOUS ACTION:**

None

**RECOMMENDED BY:**

Managing Director, Admin Services Director, IT Division Manager

**RECOMMENDED MOTION:**

Approve the request.

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

**AN ORDINANCE AMENDING THE 2014 FISCAL YEAR EMPLOYEE POSITION ORDINANCE**

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

**SECTION 1.** Ordinance amending the 2014 Fiscal Year Employee Position Ordinance, by decreasing the Network Administrator positions from two (2) to one (1) and creating one (1) position of Network Engineer.

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

**SECTION 3.** This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or re-passage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 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: \_\_\_\_\_



# AGENDA MEMO

## FIRE DEPARTMENT

**TO:** City Council  
**FROM:** Fire Chief William Stoudt, Jr.  
**PREPARED BY:** Fire Chief William Stoudt, Jr.  
**MEETING DATE:** October 27, 2014  
**AGENDA MEMO DATE:** October 20, 2014  
**REQUESTED ACTION:** Authorize the Transfer of Funds

### **RECOMMENDATION**

The Fire Chief requests the following transfer of funds within Divisions of the Department of Fire and Rescue Services:

- From the Salary line (01-09-35-4000) of the Fire-Emergency Medical Division (EMS) a total of \$130,000.00 to be transferred
- \$30,000.00 to the Fire Administration Salary line (01-09-32-4000)
- \$50,000.00 to the Fire Suppression Salary line (01-09-34-4000)
- \$50,000.00 to the Fire Suppression Clothing line (01-09-34-4003)

### **BACKGROUND**

Due to payments of employee separation in the Fire Administration Division, the Administration salary line would suffer a deficit without this transfer.

Due to personnel from the EMS Division being paid through Suppression beyond their training period, and other unforeseen factors, the Suppression Salary would suffer a deficit without this transfer.

Due to a PLRB award for remittance of clothing payments previously withheld, the Suppression Clothing line would suffer a deficit without this transfer.

### **BUDGETARY IMPACT**

The transfer occurs during this budget period.

### **PREVIOUS ACTIONS**

None

### **SUBSEQUENT ACTION**

Council to take action to approve an ordinance to authorize the transfer of funds

### **RECOMMENDED BY**

The Fire Chief recommends approval.

**RECOMMENDED MOTION**

Approve/deny the ordinance authorizing the transfer of funds as listed.

**BILL \_\_\_\_ -2014  
AN ORDINANCE**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE 2014 BUDGET BETWEEN THE EMS DIVISION AND THE ADMINISTRATION AND SUPPRESSION DIVISIONS OF THE DEPARTMENT OF FIRE AND RESCUE SERVICES.**

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

**SECTION 1.** Authorizing the transfer of \$130,000.00 from the Salary line (01-09-35-4000) of the Fire-Emergency Medical Division (EMS) to the Fire-Administration Division Salary line (01-09-32-4000), to the Fire-Suppression Division Salary line (01-09-34-4000) and to the Fire-Suppression Division Clothing line (01-09-34-4003)

**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. \_\_\_\_\_-2014  
A N O R D I N A N C E

**AUTHORIZING THE MAYOR TO EXECUTE A RIGHT OF WAY GRANT BETWEEN THE CITY OF READING AND THE UGI UTILITIES, INC. THEREBY CONVEYING UNTO THE UGI UTILITIES, INC. A PERMANENT EASEMENT AND UNINTERRUPTED RIGHT OF ACCESS AS DESCRIBED IN SAID EASEMENT UPON THAT PORTION OF PREMISES ALONG 14<sup>TH</sup> & GREEN STREETS, READING, BERKS COUNTY, PENNSYLVANIA FOR INSTALLATION OF A GATED AND FENCED IN REGULATOR STATION.**

**WHEREAS**, the City of Reading is the legal owner of real property situate along a portion of 14<sup>th</sup> & Green Streets, Reading, Berks County, Pennsylvania; and

**WHEREAS**, the UGI Utilities, Inc., has need of access to said property for purposes of installing a gated and fenced in regulator station; and

**WHEREAS**, the City of Reading is willing to grant to the UGI Utilities, Inc. an easement and uninterrupted right of access in connection with 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 Right of Way Grant/ Easement (attached as part of Exhibit "A") to convey unto the UGI Utilities, Inc. an easement and uninterrupted right of access upon that portion of premises located at 14<sup>th</sup> & Green Streets, Reading, Berks County, Pennsylvania, as shown on a certain diagram attached as part of Exhibit "A".

**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

AUTHORIZING THE MAYOR TO EXECUTE A GRANT OF RIGHT OF WAY AND EASEMENT BETWEEN THE CITY OF READING AND THE SCHUYLKILL RIVER GREENWAYS ASSOCIATION, THEREBY CONVEYING UNTO THE SCHUYLKILL RIVER GREENWAYS ASSOCIATION A NONEXCLUSIVE, PERPETUAL ACCESS EASEMENT UPON THAT PORTION OF PREMISES WITHIN PARCEL IDENTIFICATION NUMBER 530616947572 ("PROPERTY"), ALONG MORGANTOWN ROAD IN THE CITY OF READING, PENNSYLVANIA.

WHEREAS, the City of Reading filed a Notice of Taking to acquire the Property on March 26, 2012, in connection with the construction of its 42" force main from the Sixth and Canal Pump Station to the Fritz Island Wastewater Treatment Plant; and

WHEREAS, the Schuylkill River Greenways Association claimed rights to an aerial crossing for a trail across an existing bridge crossing a portion of the Property; and

WHEREAS, in lieu of just compensation as may have been due for the condemnation of such property rights, the City of Reading agrees to memorialize an easement for the aerial crossing in favor of the Schuylkill River Greenways Association.

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

SECTION 1. The Mayor is authorized to execute a Grant of Right of Way and Easement (attached as Exhibit "A") to grant to the Schuylkill River Greenways Association a non-exclusive, perpetual access easement upon such portions of the premises known and designated within parcel identification number 530616947572, as shown on the plan of Barry Isett & Associates, Inc., dated August 25, 2014, and attached to the Grant of Right of Way and Easement.

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

Enacted \_\_\_\_\_, 2014

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

Attest:

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

(LAW DEPT)

**Reading, Pennsylvania**  
**Bill No. \_\_\_\_\_ of 2014**

**An Ordinance Amending the Recovery Plan, Adopted June 11, 2010, Prepared by the Recovery Plan Coordinator Pursuant to the Municipalities Financial Recovery Act and Authorizing and Instructing the City Solicitor and City Clerk to Prepare for Enactment, Adoption and Execution any Ordinances, Resolutions, Agreements and Other Documents Necessary for the Implementation of the Recovery Plan.**

WHEREAS, upon the petition duly filed with the Commonwealth of Pennsylvania, Department of Community and Economic Development (hereinafter "Department") pursuant to the Municipalities Financial Recovery Act, Act 47 of 1987 (hereinafter "Act"), the City of Reading was declared a financially distressed municipality on November 12, 2009; and

WHEREAS, the Act provides that a Plan Coordinator be appointed for distressed municipalities and that a Recovery Plan be prepared by the Coordinator; and

WHEREAS, Public Financial Management was appointed as the Plan Coordinator (hereinafter "Coordinator") on December 7, 2009; and

WHEREAS, the Coordinator prepared in accordance with the Act the Original Recovery Plan, which was adopted by Bill 26-2010 on June 11, 2011; and

WHEREAS, the Coordinator prepared an amendment to the Original Recovery Plan in accordance with the Act and submitted the amendment to the City Clerk on October 27, 2014; and

WHEREAS, the Council of the City of Reading has determined that it is in the City's best interest to adopt the Amended Recovery Plan at this time.

NOW THEREFORE, be it ordained and enacted by the City of Reading, and it is hereby ordained and enacted by authority of the same as follows:

SECTION 1. The Council of the City of Reading hereby adopts the amendment to the Recovery Plan for the City of Reading as prepared and submitted by the Coordinator on October 27, 2014, including subsequent amendments thereto, if any, pursuant to the Act, as amended. The Council of the City of Reading hereby approves the implementation of the amendment to the Recovery Plan for the City of Reading as prepared and submitted by the Coordinator on October 27, 2014, including subsequent amendments thereto, if any, pursuant to the Act.

SECTION 2. The City Clerk and City Solicitor are hereby authorized and instructed to prepare for adoption any necessary related ordinances, resolutions, agreements and other documents and revisions to ordinances, resolutions, agreements and other documents necessary to implement the Recovery Plan.

SECTION 3. Council President and the Mayor and other appropriate City officials are authorized and instructed to execute any and all documents necessary to implement the Recovery Plan.

SECTION 4. In the event that any provisions, section, sentence, clause or part of this Ordinance shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, and the remaining provisions shall remain in full force and effect.

SECTION 5. All Ordinances or parts of Ordinances not in accord with this ordinance are hereby repealed insofar as they conflict hereby.

SECTION 6. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

**ORDAINED AND ENACTED** into a law by Council on October \_\_\_, 2014.

\_\_\_\_\_  
Francis G. Acosta, President of Council

Attest: \_\_\_\_\_

Linda Kelleher City Clerk

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

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

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

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

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

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

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

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

**R E S O L U T I O N N O.**\_\_\_\_\_

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

That Alison Rudy is appointed to the Animal Control Board with a term ending November 10, 2017.

Adopted by Council\_\_\_\_\_, 2014

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

**R E S O L U T I O N N O. \_\_\_\_\_**

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

That Harry Brown is appointed to the Animal Control Board with a term ending November 10, 2017.

Adopted by Council \_\_\_\_\_, 2014

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

**R E S O L U T I O N N O.**\_\_\_\_\_

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

That Dennis Straub is reappointed to the Animal Control Board with a term ending November 10, 2017.

Adopted by Council \_\_\_\_\_, 2014

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk

**R E S O L U T I O N N O.**\_\_\_\_\_

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

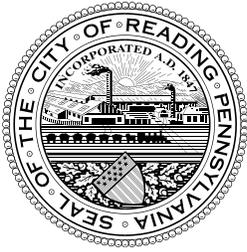
That Nicholas Eyrich is appointed to the Blighted Property Review Committee with a term ending November 10, 2018.

Adopted by Council \_\_\_\_\_, 2014

\_\_\_\_\_  
Francis G. Acosta  
President of Council

Attest:

\_\_\_\_\_  
Linda A. Kelleher  
City Clerk



**AGENDA MEMO**  
**COMMUNITY DEVELOPMENT**

**TO:** CITY COUNCIL  
**FROM:** LENIN AGUDO, DIRECTOR  
**MEETING DATE:** NOVEMBER 10, 2014  
**AGENDA MEMO DATE:** SEPTEMBER 17, 2014  
**REQUESTED ACTION:** TO APPROVE SUBMISSION OF THE PY2015 (41ST YEAR - JANUARY 1, 2015 TO DECEMBER 31, 2015) ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

CD is asking City Council to pass the resolution no later than the **November 10, 2014** City Council meeting so that it may be sent to HUD by the November 14<sup>th</sup>, 2014 deadline.

**BACKGROUND:** For the fiscal year beginning on January 1, 2015 and ending December 31, 2015 the City of Reading anticipates receiving approximately \$ 2,500,000 in CDBG funds, \$35,000 in CDBG program income, \$797,601 in HOME funds, and \$207,105 in ESG funds. HUD requires the City to expend those funds in accordance with each program's federal regulations and City policy as detailed in both a five-year Consolidated Plan and a one-year Action Plan. The Consolidated Plan period runs from January 1, 2014 to December 31, 2018. The Action Plan is the annual budget explaining how the administration intends to spend HUD funds and demonstrate how those expenditures conform to HUD regulations. The plan must be submitted to HUD for review and approval at least forty-five (45) days prior to the beginning of each fiscal year. CD develops the plan based upon requests from City Departments and the general public. CD reviews the requests to determine compatibility with HUD regulations, the Consolidated Plan, and City policy. The plan is advertised and made available for public review and comment for a period of thirty (30) days. CD will present the plan in a formal public hearing. Upon approval by Council, the plan will be sent to HUD for their review and approval.

**BUDGETARY IMPACT:** None.

**PREVIOUS ACTION:** None.

**SUBSEQUENT ACTION:** If approved by Council, the PY2015 (41st year - January 1, 2015 to December 31, 2015) one year Action Plan will be submitted to HUD on November 14, 2014 for their review and approval.

**RECOMMENDED BY:** Community Development Director, Managing Director, and Mayor.

**RECOMMENDED MOTION:** To approve/deny a Council Resolution authorizing submission of the  
PY2015 (41st year - January 1, 2015 to December 31, 2015) one year Action Plan to HUD.

Cc: Vaughn D. Spencer  
Carole Snyder  
David Kersley  
Crystal Edwards  
Neil Nemeth  
Brenda Skimski

RESOLUTION NO. \_\_\_\_\_ 2014

**RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING SUBMISSION OF THE PY2015 ACTION PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

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

WHEREAS, the PY2014 to FFY2018 five year Consolidated Plan (40th to 44th years - January 1, 2014 to December 31, 2018) specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during a five year period;

WHEREAS, the PY2015 (41st year January 1, 2015 to December 31, 2015) Action Plan specifies activities the City will undertake to address priority needs and local objectives using formula grant funds and program income the City expects to receive during the program year;

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

The PY2015 (41st year January 1, 2015 to December 31, 2015) Action Plan is hereby approved.

The Mayor, on behalf of the City of Reading, is authorized and directed to file the application for financial assistance to carry out the housing and community development activities outlined in the plan; and to execute the necessary certifications in connection with the plan and provide such additional information as may be required.

ADOPTED BY COUNCIL \_\_\_\_\_, 2014

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

ATTEST:

\_\_\_\_\_  
CITY CLERK