

# ***CITY COUNCIL***

## ***Nominations and Appointments***

### ***Committee***

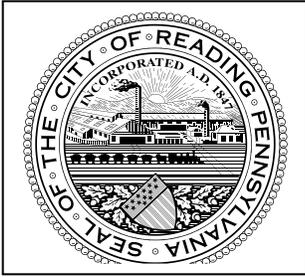
**Monday, July 6, 2015**  
**4:15 pm**  
**City Council Office**  
**Committee of the Whole**

The Nominations and Appointments Committee will meet as needed to address nominations and appointments to the City's boards, authorities and commissions.

*Although Council committee meetings are open to the public, public comment is not permitted at Council Committee meetings. However, citizens are encouraged to attend and observe the meetings. Comment from citizens or professionals during the meeting may be solicited on agenda topics via invitation by the Committee Chair.*

*All electronic recording devices must be at the entry door in all meeting rooms and offices, as per Bill No. 27-2012*

- I. Interview**  
4:15 - Zelda Yoder - appointment - Board of Ethics
- II. Appointment Recommendations**
- III. Review Pending Applications Memo & BAC Openings**
- IV. Equal Business Opportunity Advisory Board - S. Katzenmoyer**



# CITY COUNCIL

## **Nominations & Appointments Committee**

**Monday, June 15, 2015  
Meeting Report**

**Attendance:** D. Sterner, S. Marmarou

**Others Attending:** S. Katzenmoyer

The meeting was called to order at 4:09 pm by Mr. Marmarou.

### **I. Interviews**

#### **Joseph Amprey (reappointment – Board of Ethics)**

Dr. Amprey explained that the Board meets as necessary. He thanked Ms. Katzenmoyer for her work with this Board. He stated that the Board receives excellent legal advice from Mr. Stock and that the Board is working well.

Mr. Marmarou questioned past issues addressed by the Board. Dr. Amprey stated that many times complaints are based on conflicts of interest. He noted that the complainant often feels wronged by another's actions.

Mr. Marmarou questioned if Dr. Amprey had any suggestions to improve this Board. Dr. Amprey stated that the Board is doing well and requested that Ms. Katzenmoyer remain their staff liaison.

Mr. Marmarou stated that there are concerns about the upcoming transition. Dr. Amprey agreed. He stated that residents want services but they don't always understand how they are paid for.

Mr. Denbowski arrived at this time.

Mr. Sterner questioned if the Board had any current lawsuits. Dr. Amprey stated that there have been none recently. He stated that the Board tries to resolve complaints without hearings and court cases.

**The Nominations and Appointments Committee recommends the reappointment of Joseph Amprey to the Board of Ethics.**

Ms. Goodman-Hinnershitz arrived at this time.

There was a discussion about the recent arrests at the pagoda and comments made about the arrests by a Magisterial District Justice.

## **II. Equal Business Opportunity Advisory Board**

This topic was not addressed.

The Nominations and Appointments Committee adjourned at 4:45 pm.

Respectfully Submitted by,  
*Shelly Katzenmoyer, CMC*  
Deputy City Clerk



MEMORANDUM

**TO:** Council President  
**FROM:** Mayor  
**DATE:** June 8, 2015  
**SUBJECT:** BAC Appointment

Zelda Yoder, 1601 Lorraine Rd, Reading PA is nominated for membership to Board of Ethics pending all required background approvals

I nominate this individual for membership to the Bd of Ethic.

A handwritten signature in black ink, appearing to read "Joseph D. Sencor".

RECEIVED  
JUN 08 2015

BY: mak





# CITY OF READING BOARDS AUTHORITIES & COMMISSIONS

## APPLICATION FORM

Article X of the City of Reading Home Rule Charter encourages the participation of citizens in their government through the establishment of Boards, Authorities and Commissions to carry out City business. Broad citizen participation is encouraged in the recruitment of appointees and in making appointments.

No appointee of any board, authority, or commission shall hold any other elected public office or any compensated position for the City. No person may serve concurrently on more than one board, authority or commission. The Charter requires all appointees to be residents of the City of Reading. At the discretion of Council, persons not residing in the City may be appointed if they have a significant property holding or business interest in the City.

Name: Zelda Yoder  
Address: 1601 Lorraine Rd., Reading PA 19604  
Years living at this address: 14

Date of Birth: 3-14-57

Occupation: recently unemployed/educator

Place of Employment & Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: <sup>home</sup> Day 6103744090 <sup>cell</sup> Evening 484 269 3903  
E-mail: ZMKS@aol.com

If you need more space for any of the questions below, please use the back of this form.  
If you have a current resume, please attach it to this completed application.

1. What Board, Authority or Commission are you interested in serving on? Why?  
Board of Ethics - best fit for my interests, skills +  
abilities  
Would like to use some available free-time to help city.

2. In your opinion, what is the primary purpose of this board?

To make reasonable judgments regarding possible  
ethical breaches of city documents.

3. What skills, abilities or other characteristics do you have that will help the Board successfully achieve its purpose?

I have a solid educational background. I tend to  
be reasonable and capable of seeing both sides  
of an issue and can comprehend subtle  
arguments.

4. Have you had any previous experience with this particular board? If yes, please describe.

no

5. Have you served in any other volunteer roles in the community? (e.g. youth organizations, church, etc.) Please list.

- Berks Democratic Committee Woman  
- Work w/ outreach committee serving people @ opportunity house  
and neighborhood cleanup activities  
- past RWU (little league) team mom!!

6. Have you ever been employed by the City of Reading? If so, please list.

no

7. In a business relationship, have you ever provided goods or services for the City? If so, please describe?

no

8. Have you served previously on any other City of Reading Board, Authority, or Commission or in any other advisory capacity? If yes, please list the position and date(s) of service.

no

9. Are you currently a registered voter? Yes  No

10. Have you ever been convicted of a felony? Yes  No

11. Do you own any properties or businesses in the City? If so, please list?

1601 Lorraine Rd.

12. Do you have any water/sewer bills, property taxes, codes violations, or fines which are delinquent for 6 months or longer? If so, please list and provide explanation.

no

I verify that the statements made in this application are true and correct. I understand that any false statements herein are made subject to penalties of 18 P.A.C.S. 4904, relating to unsworn falsification of authorities. I consent to and authorize, without reservation, the City of Reading to obtain information relating to my law enforcement record, convictions for other than Summary Offenses, my tax payment record (including all applicable taxes payable to the City of Reading), and my utility payment record. Convictions will not automatically disqualify the applicant. I authorize each applicable agency to which this form is presented to release any results, upon request of the City of Reading, as described above. Copies of this consent that show my signature are as valid as the original signed by me. This consent is valid until the termination of my application process or my affiliation with the City of Reading, whichever is later.

Zelda Yoder  
Printed Name

Zelda Yoder  
Signature

6/6/15  
Date

Please return the completed form to the

City Clerk's Office  
Office 2-24  
815 Washington Street  
Reading, PA 19601

**ZELDA RAE YODER**

1601 LORRAINE ROAD • READING, PA 19604  
PHONE 610.374.4090 • E-MAIL ZMKS@AOL.COM

**EDUCATION**

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**Kutztown University, Kutztown, PA**

*M.Ed., Secondary Education/Curriculum and Instruction, 1997*

**Lafayette College, Easton, PA**

*A.B., Philosophy, 1979*

*(plus 30 English credits for PA Instructional I Certification in Secondary English)*

**PROFESSIONAL EXPERIENCE**

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**Reading Area Community College, Reading, PA (1988 - 2015)**

*Director of Foundational Studies (March 2014 to May 2015 – position eliminated)*

*Spearheaded new department focused on improving retention and success of underprepared students; responsible for placement testing and placement decisions resulting in improved student performance and better procedures, various committee assignments including working group chair for Middle States Self Study, chair of Foundational Studies Task Force, Communications Committee, Academic Team, Instructional Leadership Team, Institutional Planning Committee*

*Coordinator of Pre-Developmental Education (September 2010-March 2014)*

*Developed and implemented new Bridge Program for underprepared students which resulted in significant improvements in student success; Working Group Chair, Middle States Evaluation Committee; Placement Essay evaluator; Chair, Foundational Studies Task Force; supervised case managers for several grant-funded initiatives*

*Case Manager for Literacy Programs (2007-2009 – grant ended)*

*Designed and carried out transition program for Adult Education students transitioning to postsecondary education which included one-on-one student counseling, classroom instruction and workshop facilitation on topics pertinent to college enrollment, occupational training, persistence and success; statewide trainer for new literacy case managers*

*Adjunct Faculty, Humanities (spring semester 2010)*

*Taught Basis Writing 1 for developmental writing students*

*GED Instructor (1988 to 2007)*

*Classroom instruction in reading, writing, math, science, social studies, and test-taking skills*

*Volunteer Tutor Program Coordinator (1994 to 2007)*

*Recruited and trained volunteer tutors, worked with literacy staff to determine appropriate materials for student success, increased community awareness of program through media resources*

*CEC Reading and Writing Instructor (two terms)*

*Summer Kids' College Instructor: SAT Verbal Success, Study Skills (various summers)*

Developed and facilitated a variety of workshops for Southeast Professional Development Center, PA Department of Education/Bureau of ABLE, and Reading Area Community College Literacy Programs including:

*Examining Curiosity as a Key Root of Motivation in Adult Learners*  
*Incorporating Basic Workplace Essential Skills in Adult Education Classrooms*  
*Using a Blueprint Model for Writing the GED Essay*  
*GED Essay Scoring*  
*Strengthening Writing through Reading*  
*Seven Features of an Effective GED Classroom*  
*Common Math Misconceptions*  
*Integrating Five Subject Areas in GED Instruction*  
*Beyond the Textbook: Learner-Centered Strategies for Teaching Grammar and Writing*  
*Adult Education Case Management: What We've Learned So Far*  
*Adult Education Case Management: Recruiting Adult Learners and Setting up a Successful Caseload*

#### REFERENCES

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John DeVere, former Vice President of Workforce and Economic Development/Community Education at Reading Area Community College, Reading, PA 484.772.5293

Wade Davenport, former Senior Vice President for Academic Affairs/Provost at Reading Area Community College, Reading, PA 434.227.1558

Elaine Moyer, former Director of Literacy Programs at Reading Area Community College, Reading, PA 484.269.9714

**CNA Insurance, Reading, PA**

July 1983-October 1986

*Unit Supervisor – employee training, hiring and orientation, production and quality analysis, problem solving, workflow enhancements and daily unit management; United Way Committee Member (Chair, Research Subcommittee), March of Dimes Team Walks Captain, Underwriter Training School Instructor*

**Muhlenberg High School, Laureldale, PA**

September 1980-June 1981

*English Teacher (1 year sabbatical replacement position) – courses taught: Career-Oriented Communication, Rhetoric and Composition, American Literature, British Literature; served as spring musical production assistant*

**Dryden Junior Senior High School, Dryden, NY**

September 1979-June 1980

*English Teacher – courses taught: Composition, American Literature; served as Creative Writing Club advisor*

**City School District, Youth Tutors Youth Program, Rochester, NY**

Summers 1976 and 1977

*Supervisor and Trainer – development of training programs for inner-city teenagers stressing career awareness and behavioral skills relating to employment; daily supervision of Youth Tutoring Center*

**PUBLICATIONS**

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PAACE Journal of Lifelong Learning – Volume 7, 1998

*“A Case for Using Computer-Assisted Learning in Mathematics to Improve Instruction in Formal GED Programs”*

**ADDITIONAL PROFESSIONAL ACTIVITIES**

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Board member, Pennsylvania Association of Developmental Educators (PADE) 2013-2015

Sat on various panels regarding issues in adult literacy education for PAACE (Pennsylvania Association for Adult Continuing Education)

Participated in week-long residential training in Case Management for Adult Learners – Paradise, PA April 2008

Attended and participated in many workshops in adult literacy education including the 2008 and 2009 National College Transition Network Conferences on Effective Transitions

MEMORANDUM

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**TO:** Nominations and Appointments Committee  
**FROM:** Shelly Katzenmoyer, Deputy City Clerk  
**DATE:** July 6, 2015  
**SUBJECT:** Pending Applications

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The following persons have applications for Boards, Authorities, and Commissions pending:

**Stadium Commission** - *1 opening*

- Frank Gromis - appointment - sent to Mayor May 2015

**Zoning Hearing Board** - *1 opening and 1 alternate opening*

- William Harst - reappointment

**Blighted Property Review Committee** - *1 opening*

- Heminton Urena - reappointment - has Mayoral approval

**Police Civil Service Board** - *1 opening*

- Pamela Johnson - appointment

**Board of Ethics** - *2 openings*

- Jonathan DelCollo - reappointment - sent to Mayor May 2015
- Zelda Yoder - appointment - has Mayoral approval

**Redevelopment Authority** - *2 openings*

- Roberto Campitelli - appointment - sent to Mayor May 2015

**Water Authority** - *2 openings*

- Johanny Cepeda - appointment - has Mayoral recommendation

**Animal Control Board** - *3 openings*

- **Richard Rosato** - appointment - sent to Mayor June 2015
- **Amy Crawford** - appointment - sent to Mayor June 2015

**BOARDS, AUTHORITIES & COMMISSIONS**

**OPEN SEATS**

**JULY 6, 2015**

| <b>Board, Authority &amp; Commission</b>              | <b>Mayor appointment w/<br/>Council approval</b> | <b>Mayor<br/>appointment</b> | <b>Council appointment</b> |
|---|--|------------------------------|----------------------------|
| <b>BOARDS</b>   |  |                              |                            |
| Electrician's<br>Examining<br>Board                   |  |                              |                            |
|   |  |                              | Board full                 |
|   |  |                              |                            |
| Plumbing Board of<br>Examiners                        | Board full                                       |                              |                            |
|   |  |                              |                            |
|   |  |                              |                            |
| Reading HVAC Board                                    |  |                              | 5 openings                 |
|   |  |                              |                            |
|   |  |                              |                            |
| Zoning Hearing Board                                  |  |                              | 1 opening                  |
|   |  |                              | 2 alternate openings       |
|   |  |                              | 1 application pending      |
|   |  |                              |                            |
| Police Civil Service<br>Board                         |  |                              | 1 opening                  |
|   |  |                              | 1 application pending      |
|   |  |                              |                            |
| Fire Civil Service<br>Board                           |  |                              | 1 opening                  |
|   |  |                              |                            |
|   |  |                              |                            |
| Board of Historical<br>Architectural Review           |  |                              | 3 openings                 |
|   |  |                              |                            |
|   |  |                              |                            |
| Board of Trustees of<br>the Reading Public<br>Library |  |                              | 1 City opening             |
|   |  |                              |                            |
|   |  |                              |                            |

|                                     |                        |  |                     |
|-------------------------------------|------------------------|--|---------------------|
| Board of Health                     |                        |  | 1 opening           |
|                                     |                        |  | 1 alternate opening |
|                                     |                        |  |                     |
| Board of Ethics                     |                        |  |                     |
|                                     | 2 openings             |  |                     |
|                                     | 2 applications pending |  |                     |
| Building/Fire Code Board of Appeals |                        |  |                     |
|                                     | 1 opening              |  |                     |
|                                     | 2 alternate openings   |  |                     |
| Animal Control Board                |                        |  |                     |
|                                     | 3 openings             |  |                     |
|                                     | 2 applications pending |  |                     |
| Charter Board                       |                        |  |                     |
|                                     | 2 openings             |  |                     |
|                                     |                        |  |                     |
| Code & License Appeals Board        |                        |  |                     |
|                                     | 3 alternate openings   |  |                     |
|                                     |                        |  |                     |
| Minority Bus. Board                 |                        |  |                     |
|                                     | 7 openings             |  |                     |
|                                     |                        |  |                     |
| City-wide Diversity Board           |                        |  |                     |
|                                     |                        |  | Board full          |
|                                     |                        |  |                     |
| Main St Board                       |                        |  |                     |
|                                     | Board full             |  |                     |
|                                     |                        |  |                     |

| AUTHORITIES                                    |                       |            |                       |
|--|-----------------------|------------|-----------------------|
| Reading Area Water Authority                   |                       |            |                       |
|  |                       |            | 2 openings            |
|  |                       |            | 1 application pending |
|  |                       |            |                       |
| Reading Redevelopment Authority                |                       |            |                       |
|  | 2 openings            |            |                       |
|  | 1 application pending |            |                       |
|  |                       |            |                       |
| Reading Housing Authority                      |                       |            |                       |
|  | Board full            |            |                       |
|  |                       |            |                       |
|  |                       |            |                       |
| Reading Parking Authority                      |                       |            |                       |
|  |                       | Board full |                       |
|  |                       |            |                       |
|  |                       |            |                       |
| Convention Center Authority                    |                       |            |                       |
|  |                       |            | Board full            |
|  |                       |            |                       |
|  |                       |            |                       |
| Downtown Improvement District Authority        |                       |            |                       |
|  | 1 opening             |            |                       |
|  |                       |            |                       |
|  |                       |            |                       |
| City Revitalization Improvement Zone Authority |                       |            |                       |
|  |                       |            | 2 openings            |
|  |                       |            |                       |
|  |                       |            |                       |
| COMMISSIONS                                    |                       |            |                       |
| Planning Commission                            |                       |            |                       |
|  | 2 openings            |            |                       |
|  |                       |            |                       |
|  |                       |            |                       |
| Reading Shade Tree Commission                  |                       |            |                       |
|  | 2 openings            |            |                       |
|  |                       |            |                       |
|  |                       |            |                       |
| Stadium Commission                             |                       |            |                       |
|  | 1 opening             |            |                       |
|  | 1 application pending |            |                       |
|  |                       |            |                       |

|                                    |                       |  |           |
|------------------------------------|-----------------------|--|-----------|
|                                    |                       |  |           |
| Reading Human Relations Commission | 3 openings            |  |           |
|                                    |                       |  |           |
|                                    |                       |  |           |
| Blighted Property Review Committee | 1 opening             |  |           |
|                                    | 1 application pending |  |           |
|                                    |                       |  |           |
| Environmental Advisory Council     |                       |  | 1 opening |
|                                    |                       |  |           |
|                                    |                       |  |           |
| Recreation Commission              | Board full            |  |           |
|                                    |                       |  |           |
|                                    |                       |  |           |
| Audit Committee                    |                       |  | 1 opening |
|                                    |                       |  |           |
|                                    |                       |  |           |

|                          |                                      |
|--------------------------|--------------------------------------|
| Drafted by               | Legal Specialist & Deputy City Clerk |
| Sponsored by/Referred by | Mayor                                |
| Introduced on            |                                      |
| Advertised on            |                                      |

**BILL NO. \_\_\_\_-2015  
AN ORDINANCE  
AMENDING CHAPTER 23, PART 7, OF THE CODE OF THE CITY OF READING,  
BY REPEALING THE  
MINORITY BUSINESS PROCUREMENT ADVISORY BOARD AND REPLACING IT WITH  
THE EQUAL BUSINESS OPPORTUNITY ADVISORY BOARD**

**The Council of the City of Reading hereby ordains as follows:**

Section One: Chapter 23, Part 7, of the Code of the City of Reading is amended, by repealing the Minority Business Procurement Advisory Board and replacing it with the Equal Business Opportunity Advisory Board, as specified in Exhibit A hereof.

Section Two: This Ordinance shall be effective ten (10) days after adoption pursuant to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted \_\_\_\_\_, 2015

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

Attest:

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

Sent to Mayor \_\_\_\_\_

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

Signed by Mayor \_\_\_\_\_

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

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

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

Over-riden by Council:

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

**EXHIBIT A**

**BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS  
PART 7**

***Equal Business Opportunity Advisory Board***

**§ 23-701. Policy.**

It is the policy of the City, state and federal governments to foster an environment of inclusion in which all businesses are free to participate in business opportunities and to flourish without the impediments of discrimination. Businesses participating in these contracts shall do so on a fair and equitable basis. Vendors on these contracts shall not discriminate against any business because of race, color, religion, national origin, sex, sexual orientation or disability.

***There is hereby established an Equal Opportunity Business Advisory Board to advise the Administration City on policies, procedures and practices to enhance participation of MBEs, DBEs, WBEs, SBEs and the lower-to-moderate income residents in procurement of City contracts.***

**§ 23-702. Definitions.**

For the purpose of this Part, the following terms shall have the following respective definitions:

AGE — — Includes any person 40 and above and shall also include any other person so protected by further amendment to the Federal Age Discrimination in Employment Act.

AGENCY—Any City office, department, board or commission, including but not limited to the Council of the City of Reading. It shall also mean all legal entities which either:

- A. Receive funds, directly or indirectly, from the City, state or federal governments.
- B. Have entered into continuing contractual or cooperative relationships with the City, including quasi-public agencies, hospitals, schools, etc.
- C. Operate under legal authority granted to them by City ordinance.

~~AGGRIEVED PERSON—Includes such person or persons who believe that they have been injured or will be injured by a discriminatory employment act or practice that has occurred or is about to occur.~~

***CERTIFYING AGENCY – A private or public entity designated by the City procurement officers as an agency eligible to certify businesses as Certification Eligible Business.***

***CERTIFICATION ELIGIBLE BUSINESS OR CEB – any one or more businesses in the group consisting of DBEs, MBEs, SBEs, WBEs and such other categories of business enterprises established by the City procurement officers, or his/her designee, from time to time as eligible for participation in a certification program, when in his/her judgment the best available evidence supports such establishment.***

***CITY CONTRACTS — — All City contracts, Any City contract, purchase order or agreement, not including lease of real property or collective bargaining agreement, awarded by any officer or agency of the City whether competitively bid or negotiated, including but not limited to, any construction contract with a total value in excess of \$10,000 which:***

- A. Is paid for in whole or in part with City, state or federal funds.
- B. Is financed either wholly or partially by state or federal funds which are administered by the City.
- C. Is funded in whole or in part by Financial Assistance (See § 23-706 below).

***CONTRACTOR – Any person or business entity that shall enter into a contract with the City and includes all partners and all joint ventures of such person.***

***DISABLED PERSON — — A person who has a physical or mental impairment which substantially limits one or more of his or her major life activities or has a record of such impairment.***

***DISADVANTAGED BUSINESS ENTERPRISE or DBE — — When connected to a contract is funded in whole or in part from state or federal governmental sources, means a business entity designated pursuant to the rules and regulations of such governmental source, and includes a City designated certifying agency.***~~Any small business enterprise:~~

~~Which is at least 51% owned and controlled by one or more socially and economically disadvantaged individuals.~~

~~B. — In the case of any publicly owned business, one in which at least 51% of the stock is owned by one or more socially and economically disadvantaged individuals, associations or groups; provided, however, that a reputable presumption shall exist that any person that has received more than \$5,000,000 in three consecutive years of contract work from the City is not a DBE, and; provided further, that any previous certification of any such person as a DBE shall be re-evaluated pursuant to regulations to be promulgated by the MBEC.~~

***DISCRIMINATE and DISCRIMINATION — — used to deny someone the equal protection of the laws and includes any difference in treatment based on race, color, religion, ancestry, national origin, age, sex, familial status, handicap or previous filing of a complaint of discrimination.***

~~DISPARITY ANALYSIS— in the City of Reading, the level of DBEs are underutilized in the performance of various types of contracts.~~

~~FAMILIAL STATUS— One or more individuals, who have not obtained the age of 18 years being domiciled with:~~

- ~~A. A parent or another person having legal custody of such individual or individuals.~~
- ~~B. The designee of such parent having such custody, with the written permission of such parent or other person.~~
- ~~C. Any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.~~

FINANCIAL ASSISTANCE— Any grant, loan, incentive or abatement provided by, or with the authority or approval of, the City or a City-related agency, including but not limited to bond financing subsidies, tax increment financing aid, industrial development bonds, use of the power of eminent domain, land or property acquisition, Community Development Block Grant loans or grant, ~~airport~~ revenue bonds, Enterprise Zone designations, and aid from any federal, state or City or other similar agencies.

INDIVIDUAL — — A natural person.

HANDICAP — — With respect to a person, a physical or mental impairment which substantially limits one or more major life activities; a record of having such an impairment; or being regarded as having such an impairment.

***MINORITY-OWNED BUSINESS or MBE — — ~~Minority business enterprise~~ A local owned business which is at least 51 percent owned by one or more members of one or more minority groups, or, in the case of a publicly held corporation, at least 51 percent of the stock of which is owned by one or more members of one or more minority groups, whose management and daily business operations are controlled by one or more members of one or more minority groups, and which is not an established business.***

MAJOR LIFE ACTIVITIES - functions, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

MINORITY PERSON — A person who is a citizen or lawful permanent resident of the United States and who is:

- A. African American (a person having origins in any of the black racial groups in Africa).
- B. Hispanic American (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race).

- C. Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands).
- D. Native American (a person having origins in any of the original peoples of North America).
- E. For purposes of contracts funded by state or federal governmental sources, groups found to be eligible for the purposes of DBEs by such governmental sources.**

NON-JOB-RELATED HANDICAP OR DISABILITY — — Any handicap or disability which does not substantially interfere with the ability to perform the essential functions of the employment which a handicapped person applies for, is engaged in, or has been engaged in. Uninsurability or increased cost of insurance under a group or employee insurance plan does not render a handicap or disability job-related.

PERSON—A corporation, partnership or association, or any combination thereof, as well as a natural person.

**PROCUREMENT - Includes buying, purchasing, renting, licensing, or acquisition of any supply, service, or product. Procurement also includes all functions that pertain to obtaining any supply, service, or product, including drafting the requirements, the selection and solicitation of sources, the preparation, review, and award of contract, and all phases of the contract administration.**

SMALL BUSINESS ENTERPRISE or SBE — — A business which is independently owned and operated and which is not dominant in its field of operation as further defined in the Small Business Size Regulations, adopted by the U.S. Small Business Administration and published in the U.S. Code of Federal Regulations, including the industry size standards set forth in the table contained therein, which regulations are incorporated herein, and made a part hereof by reference.

SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS — — Those who have either been subjected to racial, sexual or ethnic prejudice because of their identity as a member of a group or to differential treatment because of their disability without regard to their individual qualities, and whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business who are not socially disadvantaged

- A. In determining who socially and economically disadvantaged individuals are, ~~the Minority Business Procurement Advisory Board~~ **Equal Business Opportunity Advisory Board** may make a reputable presumption that all minority persons, all women and all disabled persons shall be so classified.

- B. The ~~Minority Business Procurement~~ **Equal Business Opportunity** Advisory Board, in determining whether an individual shall be classified as a socially and economically disadvantaged individual, shall also consider, among other things, the extent of the liquid assets and net worth of such socially disadvantaged individuals.

WOMEN BUSINESS ENTERPRISE or WBE — — Any Women Business Enterprise

- A. Which is at least 51% owned and controlled by one or more socially and economically disadvantaged women.
- B. In the case of any publicly owned business, one in which at least 51% of the stock is owned by one or more socially and economically disadvantaged women, associations or groups; provided, however, that a reputable presumption shall exist that any person that has received more than \$5,000,000 in three consecutive years of contract work from the City is not a WBE, and; provided further, that any previous certification of any such person as a WBE shall be reevaluated pursuant to regulations ~~to be promulgated by the MBEC.~~

**§ 23-703. ~~Minority Business Procurement Advisory Board~~ Purpose**

~~Stated Mission.~~ To advise the ~~Administration~~ **City** on issues and policies concerning enhanced participation, to the maximum extent feasible, ~~in employment practices~~ **third-party contractors** at all levels, including 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 government regulations.

**§ 23-704. ~~Minority Business Procurement Advisory Board~~ Membership and Officers.**

- A. The Board shall consist of ~~seven~~ **five** members, each to be appointed by the Mayor, **with City Council approval**, for a ~~two~~ **three** year term. **The terms shall be staggered so that no more than two member's terms expire in the same calendar year.**
- B. Membership will include **a member who is a minority business owner, a member of the Building/Trades Council, a member of the Chamber of Commerce, a procurement professional, and a resident at large.**
- C. The members of the Board may be reappointed to successive terms of office. Each member of the Board shall continue to serve after their term until their successor has been qualified and appointed.
- D. The members of the Board shall serve without compensation but may be reimbursed for all necessary expenses incurred in the performance of their duties in accordance with appropriations made by Council.

- E. The Board shall elect one of its members as Chairman and may elect such other officers as it may deem necessary. The Chairman may, with the approval of the Board, appoint such committees as may be necessary to carry out the powers and duties of the Board, ~~and the members may authorize such committees to take any necessary action for the Board.~~
- F. In the event that a member wishes to resign, they must do so in writing to the Chairman and to the City Clerk. A copy of this letter should be provided to all members for information purposes only.
- G. The Board shall adopt such rules and regulations for its own organization, operations and procedures as the Board shall deem necessary to administer and implement this Part 7.
- H. The Administrative Services Director, ***or their designee, shall make reasonable effort to accommodate*** the monitoring of MBEs, DBEs, WBEs, SBEs and lower-to-moderate income businesses and subcontractors participating in City contracts and its procurement process.
- I. Removal of members. Any member may be removed for misconduct or neglect of duty or for other just cause by a majority vote of Council taken after the member has received 15 days' advance notice of the intent to take such vote. Failure of a member to attend three consecutive regular meetings of the Board will constitute grounds for immediate removal from the Board by City Council. Failure of a member to attend at least 50% of the regular meetings of the Board in a calendar year will constitute grounds for immediate removal from the Board by City Council. The Chairperson of the Board shall inform the City Clerk in writing when a member has failed to comply with this attendance policy. Following such notification, City Council may vote to remove the member and seek applicants to fill the vacant position.  
[Amended 9-13-2010 by Ord. No. 66-2010]

**§ 23-705. Meetings**

The Board shall hold at least four quarterly public meetings during each calendar year.

**Three** members of the Board shall constitute a quorum for the transaction of business, and a majority vote of those present at any meeting shall be sufficient for any official action taken by the Board.

**§ 23-706. Powers and duties of Board.**

The Equal Business Opportunity Advisory Board shall advise the ~~Administration~~ **City** in accord with the policy set forth herein and in so doing may also:

1. Develop a procedure to advise the City in outreaching and encouraging MBEs, DBEs, WBEs, SBEs and lower-to-moderate income businesses to participate in procurement.
2. Develop a procedure to advise the City in outreaching and encouraging MBEs, DBEs, WBEs, SBEs and lower-to-moderate income businesses to participate in City contracts as subcontractors.
3. Advise the ~~Administration~~ **City** on the total number of MBEs, DBEs, WBEs, SBEs and lower-to-moderate income businesses in the Berks County Standard Statistical Area.
4. Maintain a listing of all ~~such residents~~ **eligible vendors** and make it available to all agencies.
5. Develop a process to ensure all majority contractors are aware of the existence and identity of MBEs, DBEs, WBEs, SBEs and lower-to-moderate income businesses in Reading and Berks County.
6. Provide an **annual** written report to the ~~City Administration and Council~~ **City** on the MBEs, DBEs, WBEs, SBEs and lower to-moderate income businesses participating in City contracts, including subcontractors, and its procurement process ~~annually~~.
7. Develop appropriate policies and procedures for monitoring the Board's mission and policy.

**§ 23-707. City contracts.**

All contracts of the City and its contracting agencies shall encourage the contractor to comply with the policy of this article to enhance the participation of MBEs, DBEs, WBEs, SBEs and the lower-to-moderate income residents, etc., therewith and to comply with any State or Federal law or laws or regulations relating to unlawful employment practices in connection with any work to be performed thereunder and shall require the contractor to include a similar provision in all subcontracts.