



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, FEBRUARY 9, 2015
7:00 P.M.**

The Regular Meetings of City Council are filmed and can be viewed LIVE while the meeting is taking place or at your convenience at any time after the meeting on the City's website at www.ReadingPa.gov, under Info and Downloads/Meetings and Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.

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 Felipe Fana, Iglesia Misionera La Senda

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

The purpose of the Executive Session on Monday, February ____ was related to ____ matters.

2. PROCLAMATIONS AND PRESENTATIONS

- Recognition of the RHS Berks Best Fall Athletes

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council meeting 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 January 26, 2015

B. AGENDA: Regular Meeting of February 9, 2015

5. Consent Agenda Legislation

A. Resolution 11-2015 – authorizing the continuation of the engagement of Duane Morris to handle the recycling litigation (**Man Dir**) - ***Set aside at the Jan 26th regular meeting***

B. Resolution 12-2015 – authorizing, endorsing and implementing the Pennsylvania's Statewide Historic Preservation Plan (**HARB**) - ***Set aside at the Jan 26th regular meeting***

C. Resolution – authorizing the refinancing of the RAWA 2007 Bond (not guaranteed by the City) (**Georgeadis Setley**)

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

Reading Public Library - Renee Dietrich, Chair

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 6-2015 - authorizing the transfer of funds covering HUD eligible salaries within the

2014 Budget between the General Fund and the Community Development Department (Administrative Division) *Introduced at the January 26 regular meeting*

B. Bill No. 7-2015 – amending the Fee Schedule by adding EMS membership fees and non-emergency wheelchair transportation fees (**Bus Analyst/Man Dir**) *Introduced at the January 26 regular meeting; Advertised Feb 2nd*

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - authorizing the transfer of \$257,194 from Purchasing to Public Works for budgeted Motorola radio maintenance (**Controller**)

B. Ordinance – authorizing an appropriations transfer within the Department Of Public Works, Division of Solid Waste & Recycling in the amount of \$10,000.00 for Budget Year 2015 (**Public Works**)

C. Ordinance – amending the Position Ordinance by adding two part-time, seasonal Graffiti Abatement Technicians to the Recycling Fund, Fund 56 (**Business Analyst**)

11. RESOLUTIONS

A. Resolution – relating to contracts and the use of PLAs for the Waste Water Treatment Plant project (**Council Staff**) *To be distributed Monday*

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, February 9

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, February 16

City Hall Closed – President’s Day

****Tuesday, February 17****

Nominations and Appointments Committee – Council Office – 4 pm

Finance, Budget and Audit Committee – Council Office – 5 pm

Standards of Living Committee – Council Office – 5 pm

Monday, February 23

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, February 9

Fire Civil Service Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm

Tuesday, February 10

Water Authority Workshop – Water Authority Office – 4 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, February 11

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, February 12

Police Pension Board – 3rd floor conference room – 9:30 am

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

Monday, February 16

Library Board – 113 S 4th St – 4:30 pm

Tuesday, February 17

HARB – Penn Room – 7 pm

Charter Board – Penn Room – 8 pm

Wednesday, February 18

O & E Pension Board – Penn Room – 1:30 pm

Redevelopment Authority – Redevelopment Office – 6:30 pm

Thursday, February 19

Blighted Property Review Committee – Council Chambers – 6 pm

Friday, February 20

Fire Pension Board – Penn Room – 10 am

Monday, February 23

DID Authority – 645 Penn St 5th floor – noon

District 7 Crime Watch – Holy Spirit Church – 7 pm

City of Reading City Council
Regular Meeting
January 26, 2015

Council President Acosta called the meeting to order.

The invocation was given by Fire Chief William Stoudt, Jr.

All present pledged to the flag.

There was no executive session held during the Committee of the Whole meeting.

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

Council President Acosta stated that the mayor was recently involved in an automobile accident and that he is excused from this meeting.

PROCLAMATIONS AND PRESENTATIONS

There were no commendations or presentations at this meeting

PUBLIC COMMENT

Council President Acosta stated that there is one (1) citizen registered to address Council on agenda matters. He read the public speaking rules that were adopted by Council.

Carlos Luna Diaz, of Reading, stated that he no longer wished to address Council at this time.

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 January 12th Regular Meeting of Council. He stated that the Resolution regarding Duane Morris and the recycling

litigation was withdrawn by the administration and the Resolution regarding Statewide Historic Preservation was being set aside until a presentation on the issue is made to Council.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the minutes from the January 12th Regular Meeting of Council and the agenda, including the remaining legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

WITHDRAWN BY THE ADMINISTRATION

A. Resolution 10-2015 – authorizing the continuation of the engagement of Duane Morris to handle the recycling litigation **(Man Dir)**

B. Resolution 11-2015 - authorizing the promotion of Paramedic/Firefighter Trent Zulick to the rank Lieutenant in the Fire Prevention Division, effective February 2, 2015. **(Fire Chief)**

C. Award of Contract – for the 6th and Canal Long Term Improvements project – Phase II to Rummel, Klepper & Kahl LLP not to exceed \$386,647 **(Pub Works)**

SET ASIDE BY COUNCIL

D. Resolution 12-2015 - authorizing, endorsing and implementing the Pennsylvania’s Statewide Historic Preservation Plan **(HARB)**

ADMINISTRATIVE REPORT

No report was provided.

AUDITOR’S REPORT

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

- Update on the 2014 Admissions Tax collection
- Update on the collection of the Transfer Tax between 2010 and 2014
- Update on the MS-965 Report relating to the State Liquid Fuels Grant

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

None.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 1-2015 – authorizing the amendment of the RAWA Articles of Incorporation by adding two additional members to the Board of Directors and by defining the terms of the new members **(Council Staff/Law) Introduced at the January 12 regular meeting**

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 1-2015.

Council President Acosta stated that with the expansion of RAWA Board membership, two additional seats have been authorized. He encouraged his Council colleagues to identify candidates for these seats.

Bill No. 1-2015 was enacted by the following vote:

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

B. Bill No. 2-2015 – repealing sections 219-101, 219-102, 219-103, 219-105 & 219-106 of the City Code, as required by House Bill 80-2014 adopted by the Pennsylvania Legislators and approved by the Governor in November 2014. ***(Council Staff/Law) Introduced at the January 12 regular meeting***

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 2-2015.

Councilor Daubert stated that he will support this ordinance to repeal our local firearms regulations as it will avoid additional legal costs due to the threatened litigation. However, he stated that repealing this legislation does not sit well with him because he agrees with having local firearms regulations. He expressed the belief that the State legislators should enact these regulations so they apply across the Commonwealth.

Councilor Goodman-Hinnershitz concurred with the statement made by Councilor Daubert. She noted the need to educate citizens about the responsibilities associated with firearms ownership. She noted the problems associated with illegal firearms.

Councilor Waltman stated that responsible firearms owners will continue to report stolen firearms; however, those who own illegal firearms did not report stolen firearms before and they will not report them in the future. He expressed the belief that guns in irresponsible hands are the problem and only resolving the underlying problems will correct irresponsible gun ownership. He expressed the belief that there were fewer problems with gun ownership in the 1950s.

Council President Acosta stated that the requirement to repeal these local regulations is an example of a City being bullied by various groups. He expressed the belief that the local regulations encouraged responsible ownership.

Councilor Marmarou stated that gun ownership was higher in the 1950s as permits were issued by the City. He expressed the belief that permits should be issued at the State level, which would provide improved monitoring.

Councilor Daubert disagreed with the message sent by the repeal of the local firearms regulations.

Bill No. 2-2015 was enacted by the following vote:

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

Nays: Acosta, President - 1

C. Bill No. 3-2015 - amending the Administrative Code, Chapter 5, Section 5-213 and § 5-302 regarding the use of outside legal counsel **(Council Staff/Law) *Introduced at the January 12 regular meeting***

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 3-2015.

Councilor Goodman-Hinnershitz expressed the belief that this is responsible legislation to address a problem that was unexpected.

Councilor Reed agreed with the quality of the legislation to address this problem. She stated that unfortunately the legislation is reactive, rather than proactive.

Bill No. 3-2015 was enacted by the following vote:

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

Nays: None - 0

D. Bill No. 4-2015 - amending the Administrative Code, Chapter 5, Section Re3117-0o5a-Ex A – Purchasing Policies regarding the use of outside legal counsel **(Council Staff/Law) *Introduced at the January 12 regular meeting***

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 4-2015.

Councilor Goodman-Hinnershitz thanked the City Clerk and the Solicitor for their work to soundly address this problem.

Bill No. 4-2015 was enacted by the following vote:

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

Nays: None - 0

E. Bill No. 5-2015 - amending Chapter 212, Fee Schedule, Section 104 Business Licenses-Annual License Tax and Section 114 Food Code, of the City of Reading Code of Ordinances to add Business License and Food Vendor Fees for Special Events **(Council Staff/Law) *Introduced at the January 12 regular meeting; Advertised on Jan 19th***

Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to enact Bill No. 5-2015.

Bill No. 5-2015 was enacted by the following vote:

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

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance - authorizing the transfer of funds covering HUD eligible salaries within the 2014 Budget between the General Fund and the Community Development Department (**Administration Division**)

B. Ordinance - amending the Fee Schedule by adding EMS membership fees and non-emergency wheelchair transportation fees (**Bus Analyst/Man Dir**)

RESOLUTIONS

A. Resolution 13-2015 - denying the Conditional Use application for 1537 Perkiomen Avenue and ordering de-conversion (**Council Staff/Law**)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 13-2015.

Resolution No. 13-2015 was adopted by the following vote:

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

B. Resolution 14-2015 - denying the Conditional Use application for 922 A Franklin Street and ordering de-conversion (**Council Staff/Law**)

Councilor Sterner moved, seconded by Councilor Marmarou, to adopt Resolution No. 14-2015.

Resolution No. 14-2015 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Sterner, Waltman
Nays: None - 0
Abstain - Reed, Acosta, President - 2

C. Resolution 15-2015 - approving the Conditional Use application for 231 South 4th Street, adding two additional rental units, with conditions (**Council Staff/Law**)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Daubert, to adopt Resolution No. 15-2015.

Resolution No. 15-2015 was adopted by the following vote:

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

Nays: None - 0

D. Resolution 16-2015 - approving the Conditional Use application for 1141 North 9th Street, allowing one additional unit, with conditions (Council Staff/Law) *To be distributed on Monday*

Councilor Marmarou moved, seconded by Councilor Daubert, to adopt Resolution No. 16-2015.

Resolution No. 16-2015 was adopted by the following vote:

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

Nays: None - 0

COUNCIL COMMENT

Councilor Reed acknowledged the unfortunate passing of former Mayor Yarnell. She described her relationship with this dedicated public servant.

Councilor Goodman-Hinnershitz conveyed sympathy to the Yarnell family and noted the high level contributions this gentleman provided to the community. She also invited all to the Ground Hog Day event at the Pagoda on Monday, February 2nd at 7 am.

Council President Acosta reminded the public that a snow emergency is not in effect and he reminded citizens to avoid shoveling snow into the street as it creates safety hazards.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

RESOLUTION NO.

Whereas, the City of Reading retained the legal services of Duane Morris for matters involving the legality of the City of Reading's recycling fee (*Iezzi and Ziegler* cases); and

Whereas, the *Ziegler* case is presently on appeal before the Commonwealth Court of Pennsylvania; now, therefore,

The Council of the City of Reading hereby resolves as follows:

That Duane Morris' engagement as counsel for the City of Reading be authorized to assist the Law Department in the *Ziegler* case as set forth in Duane Morris' "Qualifications for Legal Services" and proposed budget as set forth in Exhibit A.

Adopted by Council _____, 2015

President of Council

Attest:

City Clerk

CITY OF READING
Resolution No. ____

WHEREAS, the City of Reading (the “City”) was incorporated under the laws of the Commonwealth of Pennsylvania (the “Commonwealth”) and is a political subdivision thereof; and

WHEREAS, Reading Area Water Authority (the “Authority”) is a body politic and corporate organized and existing under Municipality Authorities Act, approved June 19, 2001, P.L. 287, No. 22, as amended and supplemented from time to time, of the Commonwealth; and

WHEREAS, under the Articles of Incorporation of the Authority, the Authority needs the approval of the Council of the City prior to undertaking any project which involves the incurrence of any long-term debt; and

WHEREAS, the Authority desires to authorize and incur indebtedness in the maximum principal amount of \$35,000,000 (the “Indebtedness”), the proceeds of which will be applied, together with other funds available or to be available to the Authority, for and towards a project (the “Project”) which consists of the following: (i) the advance refinancing of its \$25,000,000 Water Revenue Bonds, Series of 2007 (the “2007 Bonds”), and (ii) payment of the costs and expenses associated with the incurrence of the Indebtedness; and

WHEREAS, the Authority heretofore has met with the Council of the City in connection with the Project and has requested this Council to approve the incurrence of the Indebtedness; and

WHEREAS, the Council of the City has determined that the Project is in the best interests of the City and its residents and desires to approve the incurrence of the Indebtedness and to request the Authority to undertake the Project and incur the Indebtedness.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City, as follows:

1. The City hereby authorizes and approves the incurrence of the Indebtedness and requests that the Authority undertake the Project. The City authorizes and approves the issuance of the Indebtedness by the Authority in the maximum principal amount of \$35,000,000.
2. The appropriate officers of the City are hereby authorized and directed to execute, attest, and deliver any and all necessary or appropriate documents, instruments and certificates and to do any and all necessary or appropriate things in connection with the transactions hereby contemplated.
3. All resolutions or parts thereof, insofar as that same are inconsistent herewith, are repealed hereby.
4. This Resolution shall become effective immediately.
5. In the event any provisions, section, sentence, clause, or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause, or part of this Resolution, it being the intent of the City that the remainder of the Resolution shall remain in full force and effect.

DULY RESOLVED, this 9th day of February, 2015, by the Council of the City of Reading, Berks County, Pennsylvania, in lawful session duly assembled.

CITY OF READING, BERKS COUNTY, PENNSYLVANIA

By: _____
President of Council

Attest: _____(SEAL)
City Clerk

A RESOLUTION NO. ____ 2015

**TO ENDORSE PENNSYLVANIA'S STATEWIDE HISTORIC
PRESERVATION PLAN 2012-2017**

WHEREAS, the City of Reading understands that the irreplaceable historical, architectural, archaeological, and cultural heritage of this Commonwealth should be preserved and protected for the benefit of all the people, including future generations, and;

WHEREAS, Section 301 of the Municipalities Planning Code requires local governments to identify a plan for historic preservation and the adoption of relevant goals of the Pennsylvania's Statewide Historic Preservation Plan is a step in fulfilling that requirement; and

WHEREAS, the City of Reading has expressed interest in the endorsement of Pennsylvania's Statewide Historic Preservation Plan and will assist in the implementation at the local level; and

NOW, THEREFORE, BE IT RESOLVED that the City of Reading City Council of Berks County Pennsylvania endorses the Pennsylvania's Statewide Historic Preservation Plan and will ask the Administration to take the following actions to implement relevant goals and objectives:\

Local Action:

- A. Maintain a comprehensive historic resources inventory to help identify places of local significance that will also be shared with Pennsylvania Historic and Museum Commission's Bureau for Historic Preservation (BHP).
- B. Identify ways that cultural and historic resources contribute to local community character, quality of life, and economic growth potential.
- C. Evaluate municipal planning policies and regulations to ensure that these policies address the community's historic preservation needs to the greatest extent possible. A thorough review of the municipal code and zoning ordinances, planning procedures and other regulatory mechanisms is essential to advancing preservation and making the highest and best use of historic resources.
- D. Identify significant historic resources that need to be protected through the City of Reading's Historic District Ordinance (seeking technical advice from the BHP community preservation coordinator). For resources that are threatened by demolition or neglect, apply to be included on the annual *Pennsylvania at Risk* list.
- E. If the City of Reading owns, occupies, or manages historic buildings, it will take action to keep these properties occupied and in good repair.

Training:

- A. Alert municipal staff and local partner organizations to the requirements of the Pennsylvania History Code, Section 106 of the National Historic Preservation Act, and consultation obligations required when state and federal funding are used for projects and request training for the BHP staff when necessary.
- B. Seek training for the City of Reading's Historical Architectural Review Board to ensure that the review process is professional and fair.

Signs and Markers:

- A. Partner with local preservation advocates to submit a historical marker application to BHP for persons, places, or events that have statewide or national significance.

- B. Partner with local preservation advocates to interpret history in public spaces (public gathering areas, parks, and trails) that would benefit from the addition of a sign, marker, or media tag to educate people about community history.

Outreach and Funding:

- A. Advise property owners of income-producing buildings (stores, offices, rental housing, etc.) that are listed on the National Register of Historic Places or are located in Historic Districts to the federal Rehabilitation Investment Tax Credit (RITC) program for historic building rehabilitations. Advise applicants that the BHP tax credit manager is available for assistance in preparing RITC applications.
- B. Identify all active, preservation-related, grassroots advocacy groups, reach out to them and seek their support in working toward preservation goals and priorities.
- C. Reach out to local school districts and preservation advocacy organizations to identify ways to provide traditional and non-traditional (outside the classroom) learning opportunities.
- D. Seek out grants, state and federal funding and philanthropic donations to conduct historic preservation projects; as a Certified Local Government, the City of Reading is specifically eligible to receive federal funding through the National Park Service.

Adopted by Council on _____ 2015

Francis G. Acosta Council President

ATTEST:

Linda A. Kelleher CMC, City Clerk



AGENDA MEMO

COMMUNITY DEVELOPMENT DEPARTMENT

TO: City Council
FROM: Lenin Agudo, CD Director
PREPARED BY: Lenin Agudo, CD Director
MEETING DATE: January 26, 2015
AGENDA MEMO DATE: January 13, 2015
REQUESTED ACTION: Authorize the Transfer of Funds

RECOMMENDATION

The Community Development Department requests the following transfer of funds:

- \$129,844.57 from General Fund to CD Admin as detailed below:
 - \$84,233.43 From GF Account Code #01-10-39-4000 Salary
 - \$23,116.17 From GF Account Code #01-10-39-4900 Benefits
 - \$16,051.11 From GF Account Code #01-10-39-4901 Pension
 - \$6,443.86 From GF Account Code #01-10-39-4913 Social Security
 - \$129,844.57 To CD Account Code #32-10-00-3901 Community Dev (transfer from General Fund)

BACKGROUND

The request of the transfer of these funds from the general fund is to cover half the costs of three (3) positions within the Community Development Department, the CD Director, CD Manager, and Confidential Secretary. These positions have responsibilities for several daily tasks and activities, of which 50 percent are HUD-related and 50 percent are General Fund-related. In 2014, CD paid for these positions 100 percent, and is now asking to be reimbursed in order to adhere with HUD regulations.

According to HUD regulations, program admin funds can only be used for the administration of HUD programs as well as certain planning activities that pertain specifically to the programs. Therefore, CD is requesting reimbursement in the amount of \$129,844.56 to cover 50 percent of the total salary and benefits costs for the aforementioned positions in order to remain in compliance with HUD.

The reimbursement of the overpayment of funds is standard operating procedure, and the Administration is aware of the need to reimburse the overpayment. However, due to the amount that is required to be reimbursed, council approval is being sought for the transfer.

Once funding is received, CD will ensure that the appropriate HUD accounts are credited. CD will also ensure that the funds are accounted for per HUD guidelines, as a failure to do so could result in findings and a potential repayment of funds to HUD.

BUDGETARY IMPACT

The transfer occurs during the 2014 budget period.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

- Council to take action to approve an ordinance to authorize the transfer of funds
- Appropriate HUD accounts to be credited for the overpayment of funds

RECOMMENDED BY

Carole Snyder, Managing Director; Lenin Agudo, CD Director; Chris Zale, City Controller; and Matthew Bembek, Director of Administrative Services

RECOMMENDED MOTION

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

**BILL ____ -2015
AN ORDINANCE**

**AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE
2014 BUDGET BETWEEN THE GENERAL FUND AND THE COMMUNITY
DEVELOPMENT DEPARTMENT (ADMINISTRATION DIVISION)**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$84,233.43 From GF Account Code #01-10-39-4000 (Salary), \$23,116.17 From GF Account Code #01-10-39-4900 (Benefits), \$16,051.11 From GF Account Code #01-10-39-4901 (Pension), and \$6,443.86 From GF Account Code #01-10-39-4913 (Social Security) to CD Account Code #32-10-00-3901 (Community Development)

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 _____ 2015

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. _____-2015

AN ORDINANCE

AMENDING CHAPTER 212, FEES, PART 113, FIRE PREVENTION AND PROTECTION,
ESTABLISHING ANNUAL DEPARTMENTAL MEMBERSHIP FEES AND
NON-EMERGENCY WHEELCHAIR TRANSPORTATION FEES

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

Section One: The title of § 212-113 is amended to read “Fire Prevention and Fire Protection and Medical Transportation.”

Section Two: § 212-113 is amended by adding a new Subpart N, “Membership and Non-Emergency Transportation Fees,” and shall contain the fee information included as Appendix A hereto.

Section Three: 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-ridden by Council:
Date: _____

Exhibit A
City of Reading Fire/EMS Rate Changes for 2015
(NON EMERGENCY)

City of Reading Annual Membership Plan

Change Single Person from \$35.00 to \$45.00

Change Family Plan from \$50.00 to \$70.00

Wheelchair Van Services

Non Member – 1 way trip from \$50.00 to \$60.00 plus \$4.00 per loaded mile

Non Member – Round Trip from \$70.00 to \$80.00 plus \$4.00 per loaded mile

Member – 1 Way trip from \$40.00 to \$50.00 plus \$2.00 per loaded mile

Member Round Trip - from \$60.00 to \$70.00 plus \$2.00 per loaded mile

BUDGET TRANSFER

TO: Members of City Council

FROM: Christian F. Zale
City Controller

PREPARED BY: Christian F. Zale
City Controller

MEETING DATE: February 9, 2015

AGENDA MEMO DATE: January 27, 2015

RECOMMENDED ACTION: Budget Transfer

BACKGROUND:

The 2015 budget includes \$257,194.00 of Motorola radio maintenance in the Purchasing division (16) budget. This expense is managed by Public Works and should be transferred to Public Works division (50).

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

RECOMMENDED BY:

City Controller

RECOMMENDED MOTION:

Approve the request.

BILL NO. _____ - 2015

AN ORDINANCE

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM PURCHASING TO PUBLIC WORKS WITHIN THE GENERAL FUND.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$257,194.00 from Purchasing 01-06-16-4411 to Public works 01-07-50-4411 related to budgeted Motorola radio maintenance. This transfer has zero effect on the Total General Fund Budgeted Spending.

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 _____, 2015

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

**Dept of Public Works,
Division of Solid Waste & Recycling**

TO: Members of City Council
FROM: David C. Ruyak
PREPARED BY: Madie Collins
MEETING DATE: February 9, 2015
AGENDA MEMO DATE: January 27, 2015
RECOMMENDED ACTION: Approve Appropriation Transfers

BACKGROUND:

This transfer is to cover management and administrative fees for Baler Project from Burkey Construction, Co.

BUDGETARY IMPACT:

In the amount of \$10,000.00

From: Collection Expense, 56-07-46-4212

To: Contracted Services, 56-07-46-4216

PREVIOUS ACTION:

None

RECOMMENDED BY:

David Ruyak, Operations Division Manager of Public Works

Ralph Johnson, Public Works Director

RECOMMENDED MOTION:

Approve the request.

BILL NO. ____ 2015

AN ORDINANCE

AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SOLID WASTE & RECYCLING IN THE AMOUNT OF \$10,000.00 FOR BUDGET YEAR 2015

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

Section One: Council hereby authorizes the transfer within the 2015 Department of Public Works, Division of Solid Waste & Recycling budget \$10,000.00 from Collection Expense (56-07-46-4212) to Contracted Services (56-07-46-4216) for the purpose of covering funds for management and administrative fees for the Baler Project.

Section Two: This Ordinance shall become effective ten (10) days after its adoption in accordance with 219 and 221 of the Home Rule Charter of the City of Reading.

ENACTED _____, 2015

President of Council

ATTEST:

City Clerk

Submitted to Mayor by: _____

Date Submitted: _____

Received in Mayor's Office by: _____

Date Received: _____

Approved by Mayor: _____

Date Approved: _____

Vetoed by Mayor: _____

Date Vetoed: _____

**BILL NO. _____-2014
AN ORDINANCE
AMENDING THE 2015 POSITION ORDINANCE
TO ADD TWO PART-TIME GRAFFITI ABATEMENT TECHNICIANS**

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

Section One: The 2015 Position Ordinance is hereby amended by adding two part-time, seasonal Graffiti Abatement Technicians to Fund 56.

Section Two: Persons hired into the aforementioned positions will be paid from the Fund 56 Temporary Wages budget line item as previously approved by City Council (56-07-46-4016).

Section Three: 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-ridden by Council:
Date: _____