



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
2015
COUNCIL CHAMBERS**

**MONDAY, MARCH 9,
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 Carlos Belca, El Portico Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

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

2. PROCLAMATIONS AND PRESENTATIONS

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 postponed until February 17th and Regular Meeting of February 23rd

B. AGENDA: Regular Meeting of March 9, 2015

5. Consent Agenda Legislation

A. Resolution – Sewage Plan Revision for the HAR Associates' Homes at Riverside project located on Weiser Street

B. Resolution – approving Donald Pottiger as Acting Administrative Services Director

C. Resolution – authorizing the promotion of Officer Aaron Demko to the position of Sergeant

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 8-2015 - authorizing the transfer of \$257,194 from Purchasing to Public Works for budgeted Motorola radio maintenance ***Introduced at the February 17 regular meeting***

B. Bill No. 9-2015 – amending the Recycling Budget (Fund 56) by transferring \$10,000 from the Portnoff Expense line item to the Contracted Services Line Item to fund contracted construction management services related to the Recycling baler project ***Introduced at the February 17 regular meeting***

C. Bill No. 10-2015 – amending the Position Ordinance by adding two part-time, seasonal Graffiti Abatement Technicians to the Recycling Fund, Fund 56 ***Introduced at the February 17 regular meeting***

D. Bill No. 11-2015 – amending the salary range for the Police Chief to no less than \$80,000 and no more than \$125,000. ***Introduced at the February 23 regular meeting***

E. Bill No. 12-2015 – authorizing the issuance of the City’s Series A and B of 2015 Bonds to complete the proposed refunding project for the 2008 GO Bonds ***Introduced at the February 23 regular meeting***

Pending March 23rd Public Hearing

Ordinance– Amending the Zoning Ordinance, Chapter 27, §27-1204 C providing for Conditional Use applications and procedures eliminating the ability of the City and property owner to waive a decision made by City Council. ***Introduced at the February 23 regular meeting; Advertised March 9th and March 16th***

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – Amending Chapter 339 Of The Reading City Code, Entitled “Licenses And Permits,” by creating a New Part 3 adding definitions, duties, penalties, exceptions, prohibited acts, licensing requirements and other related items regarding provision of immigration assistance services provided by Notary Public businesses and individuals; all under certain terms and conditions *Advertisement on 3-10 and 3-16*

B. Ordinance – Amending Plumbing Code Of The City Of Reading, Section § 180-902. amendments to allow installation of pex or plastic water type piping in all structures, to the same extent that it is permitted under the 2009 International Plumbing Code as adopted by the Pennsylvania Uniform Construction Code. *Advertisement on 3-16*

11. RESOLUTIONS

A. Resolution – reappointing Richard McDougall to the Downtown Improvement District Authority

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, March 9

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, March 16

Committee of the Whole – Council Office – 5 pm – if necessary

Monday, March 23

Public Hearing – Zoning Amendment re Condition Use Decisions – Council Chambers – 5 pm

Committee of the Whole – Council Office – 5:30 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, March 9

Fire Civil Service Board – Penn Room – 4 pm

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

Tuesday, March 10

Water Authority Workshop – Water Authority Office – 4 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, March 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, March 12

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

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

Monday, March 16

Library Board – 113 S 4th St – 4 pm

Tuesday, March 17

HARB – Penn Room – 6:30 pm

Charter Board – Council Chambers – 7 pm

Wednesday, March 18

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

Redevelopment Authority – Redevelopment Authority Office – 6:30 pm

Stadium Commission – Stadium RBI Room – 7 pm

Thursday, March 19

Blighted Property Review Committee – Council Chambers – 6 pm

Friday, March 20

Fire Pension Board – Penn Room – 10 am

Monday, March 23

DID Authority – 645 Penn St 5th floor - noon

**City of Reading City Council
Postponed February 9th Regular Meeting
Held on February 17, 2015**

Council President Acosta called the meeting to order.

The invocation was given by Ray Vargas, of Iglesia Misionera La Senda

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 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

Council President Acosta stated that Councilor Marmarou is excused from attending tonight's meeting, as he is ill.

PROCLAMATIONS AND PRESENTATIONS

There were no proclamations or presentations at this meeting.

PUBLIC COMMENT

Council President Acosta stated that there are five (5) citizens registered to address Council on agenda matters and three (3) citizens to address Council on non-agenda matters. He asked 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.

Cheryl Molina, of Wyomissing, was not present.

Ramon Torres, of South 4th Street, described the ongoing problems with the Puerto Rican Association. He stated that this establishment has become a nuisance bar and he suggested that the City work to close it down. He stated that the sound of gun shots is commonplace near the time the establishment closes on weekends. He stated that the disturbances have harmed the residential integrity of the neighborhood.

Nonnie Singleton, of Willow Street, also expressed concern with the Puerto Rican Association and the distress it brings to the surrounding residential neighborhoods. He agreed with the need to close down this nuisance bar.

Ryan Helms, of Sinking Spring, stated that he represents the local IBEW and he expressed support for the Project Labor Agreement (PLA) language the mayor inserted into the bid document for the waste water treatment plant project. He stated that the PLA does not prevent any contractor from bidding and the PLA promotes local labor and apprentices. He stated that PLAs bring projects in on schedule and on budget. He described several projects locally and nationally that had PLAs. He stated that a PLA ensures a safe work environment and trained labor.

Bill Doward, of Sinking Spring, stated that he represents the sheetworkers and he is a former York City Councilor. He expressed the belief that politicians generally support big business. He read from the Charter and quoted news articles describing how PLAs support local labor.

Carol Furillo, III, of Sinking Spring, described non-union companies that do not properly train employees or hire experienced employees. He stated that this creates safety issues at projects.

Mark Pinkasavage, of Sinking Spring, described his career in the building and trades union. He stated that in Pennsylvania, unions have 8397 registered apprentices and 65-85% of the

apprentices graduate. He stated that only 16% of the non-union apprentices graduate. He described the various safety inspection results obtained from the OSHA website.

Abraham Amoros, of Sinking Spring, thanked the laborers who came to tonight's meeting. He stated that PLAs save taxpayer dollars and ensure projects are completed on time and on budget with trained workers. He described projects across the nation that successfully used PLAs. While he agreed that Keystone Research is union funded, they utilize sound research practices.

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 26th Regular Meeting of Council. He noted the need to add a resolution making an appointment to the RAWA board to the resolution section.

Councilor Waltman asked to have Resolution A under the Consent Agenda relating to the recycling litigation handles separately. The resolution will be moved to the Resolution heading.

Councilor Sterner moved, seconded by Councilor Reed, to approve the minutes from the January 26th Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading, as amended. The motion was approved unanimously.

Consent Agenda

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 13-2015 - authorizing the refinancing of the RAWA 2007 Bond (not guaranteed by the City) (**Georgeadis Setley**)

ADMINISTRATIVE REPORT

Mayor Spencer read the report distributed to Council at the meeting, in summary:

- Updates of the work of the departments
- Expected vote of the State Senate on the privatization of liquor sales in Pennsylvania

AUDITOR'S REPORT

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

- Update on the 2014 MDJ Court Fines

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

Renee Dietrich, Chair of the Library Board of Trustees, thanked Council for increasing Library funding by \$250,000 in 2015. She stated that this increase allowed the Library to increase their overall hours of operation and retain the services of a development person to help with fundraising. She described the services provided to the community (adult and youth) by the Library. She expressed the belief that the Library provides an essential community service. She expressed hope that the increased funding would continue in the future.

Ms. Dietrich introduced board members present, the executive director and members of the popular children's program.

Councilor Goodman-Hinnershitz noted the need for the Library and the City to work together to develop a sustainable plan similar to the plan developed for the Museum.

Council President Acosta thanked Ms. Dietrich for her report and for the Board's continued effort. He agreed with the need to continue providing financial support to the Library.

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*

Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 6-2015.

Bill No. 6-2015 was enacted by the following vote:

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

Nays: None - 0

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*

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 7-2015.

The Managing Director stated that these non-emergency fees have not been increased in over a decade.

Councilor Goodman-Hinnershitz stated that those who use these services have positive experiences.

Council President Acosta agreed that the service provided is positive; however, he noted the need for this service to cover its costs and become self-sustaining.

Bill No. 7-2015 was enacted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Reed, Sterner, Waltman - 5

Nays: Acosta, President - 1

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

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)**

RESOLUTIONS

A. Resolution 14-2015 – relating to contracts and the use of PLAs for the Waste Water Treatment Plant project **(Council Staff) To be distributed Monday**

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

Council President Acosta asked Councilor Waltman, the author of the resolution, to read the full text of the resolution.

After he read the resolution aloud, Councilor Waltman stated that this resolution is not anti-labor. He stated that the thrust of the resolution only attempts to protect the cost of this project. He expressed his belief that an open bidding process added to the PLA language would ensure that the City gets the best price for the project. He stated that the open bidding process also levels the playing field for all who wish to compete for the work. He stated that it is critical for the City to save every dollar it can. He noted his long standing frustration with this project. He noted the value of skilled labor but stressed the need to use an open bidding process for this project to obtain the best price. He stated that there was no debate about the PLA requirement that the mayor added to the bid documents.

Councilor Sterner agreed with the need to use an open and transparent bidding process that welcomes bids from all contractors. He stated that Council has heard both sides, the pros and cons, of the PLA issue and this resolution will allow an open bidding process to ensure the City gets the fairest price.

Councilor Goodman-Hinnershitz expressed the belief that the mayor should have made a presentation to Council about the benefits and perceptions of a PLA. She noted the need to define "local labor" in the bid documents. She expressed concern that Council's request to review a copy of the bid before it was advertised was denied. A review of the bid would have encouraged questions and allowed the mayor to respond accordingly. She noted the need for the PLA to include language pertaining to prevailing wages and a definition of "local labor". She stated that PFM is reviewing the work study and suggested that they also review the bid document. She stated that she will support the resolution as an open bidding process will help the City obtain the best price for the project.

The mayor stated that he made a presentation to Council two weeks ago (February 2nd). He stated that the use of the PLA language does not prevent non-union companies from bidding. He stated that the mayor has the right to direct the bidding process, although Council has the authority to approve the bid recommendation. He expressed the belief that this resolution smacks at him as mayor and the mayor's powers. He also said that resolutions do not bind the mayor, but are only an expression of Council's opinion. He expressed the belief that the resolution was intended to be against him personally.

Councilor Reed stated that she appreciates the information Council obtained from the open and closed shops. She expressed her belief in the use of an open bidding process that has a level playing field and will provide the best price. She stated that although the resolution is not binding, it expresses the opinion of Council to use a level playing field for this bid process. She noted the lack of transparency on the preparation of the bid and the use of the PLA.

Councilor Waltman agreed that the resolution is an expression of Council's opinion and is not binding the mayor in any way. He noted that the resolution is not a personal attack and the word "mayor" is not even used in the document. He stated that while the resolution is not about the mayor but when the administration makes their recommendation, they will note the time sensitivity of the Consent Decree in an attempt to back Council into a corner. He noted that a \$100M project is currently at stake and the City must get the fairest price.

Councilor Goodman-Hinnershitz stated that the issue is about good communication and obtaining the best price. She stated that this project should benefit laborers who reside in Reading.

Council President Acosta questioned the need for Council to express their opinion on this issue. He stated that he does not agree with adopting this resolution as it could create problems. He expressed the belief that adopting this resolution will not leave Council in a good place. He expressed the belief that the mayor can direct the bidding process and Council's role comes with approving or rejecting the bid. He suggested that Council avoid stepping in at this point.

Councilor Waltman again stated that it is important for Council to express their opinion on the process used for this project and bid. He again stressed the need for a fair and level bidding process.

Council President Acosta objected to Council stepping into a process that is directed by the mayor.

Councilor Sterner called for the question to end debate on this topic.

The motion to end debate was approved by the following vote:

Yeas: Goodman-Hinnershitz, Reed, Sterner, Waltman, - 4

Nays: Daubert, Acosta, President - 2

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

Yeas: Goodman-Hinnershitz, Reed, Sterner, Waltman, - 4

Nays: Daubert, Acosta, President - 2

B. Resolution 20-2015 – appointing Ron Hatt to the Reading Area Water Authority (Nominations and Appointments)

Councilor Reed moved, seconded by Councilor Daubert, to adopt Resolution No. 20-2015.

Resolution No. 20-2015 was adopted by the following vote:

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

Nays: None - 0

Removed from the Consent Agenda

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*

Councilor Daubert moved, seconded by Councilor Sterner, to adopt Resolution No. 11-2015.

The Managing Director explained that the majority of the legal work will be handled by in-house legal counsel and that the assistance of Duane Morris is required.

Councilor Waltman stated that he will not support this resolution as he believes the issue should be addressed by the State legislators.

Council President Acosta expressed the belief that the issue needs to be handled locally, as the State legislators have not addressed the issue. He also expressed his disagreement with charging the recycling fee as the litigation process wears on and with the use of outside legal counsel.

Councilor Goodman-Hinnershitz requested an update on the legal strategy in executive session and to define limits on the amount of money used to fight this battle. She questioned why Reading should be fighting this battle alone, when the issue affects almost all municipalities. The Managing Director agreed to provide information and she noted that the City attorney will be handling the majority of the case.

Councilor Reed noted the need to contain legal costs and the difficulties in containing these costs. The Managing Director stated that Duane Morris submitted an estimate and they will be held to those numbers.

Council President Acosta stated that the City recycling program costs \$2.2M annually and the State only pays \$150K annually to cover the program that they mandate on municipalities.

Resolution No. 11-2015 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Sterner, Acosta, President - 4

Nays: Reed, Waltman - 2

COUNCIL COMMENT

Council President Acosta expressed concern about the PLA issue and the overall cost of the waste water treatment plant project and the economic impact it would have on laborers who reside here in Reading. Those jobs could be life changing for some Reading laborers. He objected to having the question called when he finally had a chance to address the public on the resolution pertaining to the bid for the wastewater treatment plant project. He again stated that although the resolution was adopted it is meaningless. If it had been adopted before the bid was advertised, the mayor would have the opportunity to issue the bid in the manner identified by the resolution.

Councilor Waltman stated that the mayor could easily extract the PLA language from the bid advertised this afternoon and advertise it, as identified in the resolution. Advertising the bid in both ways would allow the City to obtain a comparison.

Council President Acosta stated that adopting the resolution creates unnecessary drama.

Councilor Waltman stated that the resolution expresses Council's opinion on this issue.

The mayor noted that using the PLA language in the bid will not stop all companies from bidding.

Councilor Waltman moved to adjourn the meeting.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

**City of Reading City Council
Regular Meeting
February 23, 2015**

Council President Acosta called the meeting to order.

The invocation was given by Rev. Robert Brookins, Holy Trinity Church of God.

All present pledged to the flag.

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

ATTENDANCE

Council President Acosta

Councilor Goodman-Hinnershitz, District 2

Councilor Marmarou, District 4

Councilor Reed, District 5

City Auditor D. Cituk

City Solicitor C. Younger

City Clerk L. Kelleher

Managing Director C. Snyder

Mayor V. Spencer

Council President Acosta announced that Councilors Daubert, Sterner and Waltman are all excused from the meeting this evening.

PROCLAMATIONS AND PRESENTATIONS

The City Clerk administered the oath of office promoting Paramedic/Firefighter Trent Zulick to the rank of Lieutenant in the Fire Prevention Division.

PUBLIC COMMENT

Council President Acosta stated that there is one (1) citizen registered to address Council on non-agenda matters. He asked 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. He reminded the citizen of the public speaking regulations that were adopted by the body of Council.

Pastor Maria Vializ, of Spruce Street, stated that through her ministry she works to promote and improve Reading through creating various programs and events. She stated that some events require the closure of some streets. She stated that she is aware of the regulations associated with events and she requested that the required \$100 fee be waived, as the events are volunteer based.

David Vializ, of Spruce Street, stated that the programs he and Pastor Vializ offer will build a better Reading and he also requested that the City waive the required \$100 fee.

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. He noted that the agenda memo listed for Bill No. 9, under Ordinances for Final Passage will be replaced and the agenda heading will be revised to that in Bill A under Introduction of New Ordinances.

Councilor Marmarou moved, seconded by Councilor Reed, to approve the agenda, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution 21-2015 – respectfully requesting that the Pennsylvania Historic Museum Commission adopt regulations permitting Counties and Municipalities to use digital media to retain permanent records, to draft regulations that are similar to those approved by the National Archives and Records Administration (NARA), eliminate the requirement for Counties and Municipalities to use both microfilm and digital media for document retention, and update the regulations pertaining the retention of certain permanent records **(Council Staff)**

ADMINISTRATIVE REPORT

There was no Administrative Report at this meeting.

AUDITOR'S REPORT

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

- Report on the 2015 Admissions Tax collection
- Report on the 2015 Real Estate Transfer Tax collection
- Report on the collection of the 2014 Cable Franchise Fee

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

There were no reports issued at this meeting.

ORDINANCES FOR FINAL PASSAGE

**Pending - Introduced at Tues, Feb 17th Postponed Meeting
Eligible for enactment on March 9th**

A. Bill No. 8-2015 - authorizing the transfer of \$257,194 from Purchasing to Public Works for budgeted Motorola radio maintenance **(Controller)**

B. Bill No. 9-2015 - 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. Bill No. 10-2015 - amending the Position Ordinance by adding two part-time, seasonal Graffiti Abatement Technicians to the Recycling Fund, Fund 56 **(Business Analyst)**

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance- amending the Recycling Budget (Fund 56) by transferring \$10,000 from the Portnoff Expense line item to the Contracted Services Line Item to fund contracted construction management services related to the Recycling baler project **(Bus Analyst)**

B. Ordinance- amending the salary range for the Police Chief to no less than \$80,000 and no more than \$125,000. **(Law)**

C. Ordinance– Amending the Zoning Ordinance, Chapter 27, §27-1204 C providing for Conditional Use applications and procedures eliminating the ability of the City and property owner to waive a decision made by City Council. **(Council Staff)**

D. Ordinance– authorizing the issuance of the City’s Series A and B of 2015 Bonds to complete the proposed refunding project for the 2008 GO Bonds **(Stevens & Lee)**

RESOLUTIONS

A. Resolution No. 22-2015– appointing Craig Poole to the Main Street Board **(Nom & Appts)**

B. Resolution No. 23-2015 – appointing Sean DeVine to the Historical Architectural Review Board **(Nom & Appts)**

C. Resolution No. 24-2015 – appointing Pamela Cianciosi to the Code and License Appeals Board **(Nom & Appts)**

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution Nos. 22-24-2015.

Councilor Marmarou noted the caliber of skills and experience brought forth by those being appointed this evening.

Resolution Nos. 22-24-2015 were adopted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Acosta, President - 4

Nays: None - 0

D. Resolution No. 25-2015 – denying the appeal of the Certificate of Appropriateness, as attached in the findings of fact, for the exterior property improvements at 1031 Madison Avenue **(Council Staff)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to adopt Resolution No. 25-2015.

Councilor Goodman-Hinnershitz noted that she attended this hearing via telephone and she had the opportunity to review the photographs submitted by both the applicant and the Historic Preservation Specialist.

Resolution No. 25-2015 was adopted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Acosta, President - 4

Nays: None - 0

COUNCIL COMMENT

Councilor Goodman-Hinnershitz thanked the public works staff for their performance clearing the streets of snow. She stated that the condition of Reading's streets was much better than the streets in outlying municipalities.

Councilor Goodman-Hinnershitz noted the need to address the many potholes and poor utility cuts around the City as they create safety issues for pedestrians and vehicles.

Councilor Reed thanked the City's public service personnel who have had to brave the winter weather to perform their duties.

Council President Acosta agreed that the Public Works crews did an exemplary job clearing snow from the streets during this winter. He stated that when driving into Reading on Saturday afternoon, he found Reading's streets to be in better condition than those in outlying communities.

Council President Acosta noted the concern over the roadway conditions on the Bingaman Street Bridge. He stated that the potholes have enlarged to a point where they could cause damage to tires and cause accidents. He also expressed concern that the road conditions of the bridge and the plan for this bridge to become the detour when the Penn Street Bridge is closed for repairs also causes great concern. He stated that the combination of road conditions and only having two lanes of traffic open will create impossible traffic issues. He questioned if repairs will be made to the Bingaman Street Bridge before the work on the Penn Street Bridge will begin.

The Managing Director stated that potholes are reported to PennDOT on a regular basis. However, she stated that she is unsure when and how PennDOT will address the weight limit issues on the Bingaman Street Bridge and open the bridge to four lanes of traffic. She also

questioned if the schedule will be adjusted to repair the Bingaman Street Bridge prior to the Penn Street Bridge.

Councilor Reed explained that the repairs to the Schuylkill Avenue Bridge are expected to be completed this summer, after which the repairs are slated for the Buttonwood Street Bridge. The repairs to the Buttonwood Street Bridge are expected to take two years. She agreed that the closure of two lanes on the Bingaman Street Bridge has created additional stress on the existing roadway and she questioned the additional stress on the roadway when the bridge becomes a detour route.

Councilor Goodman-Hinnershitz noted that when the bridge repair projects were first explained to Council the condition of the Bingaman Street Bridge was not addressed. She suggested requesting an alteration in the repair schedule of the bridges and she noted the need for emergency vehicles such as ambulances, fire trucks and police vehicles to have direct access to the 18th Ward and southwest Reading.

Council President Acosta described the poor condition of Hancock Street and East Wyomissing Boulevard. He inquired when repairs will occur.

Council President Acosta stated that the mayor and Council will be holding a ceremony for the Dominican Republic community on Saturday, February 28th at 2 pm in Council Chambers.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

AGENDA MEMO

VAUGHN D. SPENCER, MAYOR

CAROLE B. SNYDER, MANAGING DIRECTOR

TO: City Council

FROM: Vaughn D. Spencer, Mayor

PREPARED BY: Deborah A.S. Hoag, P.E.

MEETING DATE: March 09, 2015

AGENDA MEMO DATE: March 02, 2015

REQUESTED ACTION: Act on Resolution for Sewage Plan Revision for
HAR Associates' Homes at Riverside project

RECOMMENDATION

The Administration recommends that Council approve this resolution for a sewage plan module as the proposed connection does comply with the allocations and other aspects of the provision of Chapter 94 of State Statutes.

BACKGROUND

The Pennsylvania code requires municipalities to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes. The code also provides for the revision of the plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management.

HAR Associates intends to redevelop a currently unused parking lot at 1001 Weiser Street bounded by West Spring Street to the south, West Robeson Street to the north, and Reading School District property to the east. The proposed apartment unit complex will accommodate 47 residential apartments of which six are designated ADA accessible and a community center. This is a total projected wastewater flow of 19,200 gallons per day or 48 equivalent dwelling units.

The Administration has determined that the land development described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management. Upon review and approval by the City, the planning module will be sent to the Pennsylvania Department of Environmental Protection for final review.

BUDGETARY IMPACT

The planning module fee of \$500 will be deposited in the sewer revenue account.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

None

RECOMMENDED BY

Utilities Division Manager, Public Works Director, Managing Director, and Mayor.

MOTION

Approve/Deny the resolution on the City Sewage Facilities plan revision for HAR Associates' Homes at Riverside project.

Drafted by	Solicitor
Sponsored by/Referred by	Mayor/Managing Director
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. _____ 2015

APPROVING THE APPOINTMENT OF DONALD POTTIGER AS ACTING DIRECTOR OF ADMINISTRATIVE SERVICES OF THE CITY OF READING.

WHEREAS, City of Reading Mayor Vaughn D. Spencer appointed Donald Pottiger as Acting Director of Administrative Services of the City of Reading effective upon Matthew Bembenick’s cessation of employment with the City of Reading; and

WHEREAS, Mayor Vaughn D. Spencer and City Council are confident in the capabilities of Mr. Pottiger and his ability to perform the duties and responsibilities as Acting Director of Administrative Services.

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

That Donald Pottiger be approved as Acting Director of Administrative Services of the City of Reading.

Adopted by Council _____, 2015

President of Council

Attest:

City Clerk

Drafted by	Utilities Division Manager
Sponsored by/Referred by	Managing Director
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. _____ 2015

RESOLUTION FOR SEWAGE MODULE REVIEW FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE COUNCIL OF THE CITY OF READING, BERKS COUNTY,

PENNSYLVANIA (hereinafter “the municipality”).

WHEREAS, Section 5 of the Act of January 24, 1966, P.L.1535, known as the “Pennsylvania Sewage Facilities Act,” as amended and the Rules and Regulations of the Pennsylvania Department of Environmental Resources adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania code, requires the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management; and

WHEREAS, HAR Associates has proposed the redevelopment and construction of the Homes at Riverside located at 1001 Weiser Street (as described in the attached Sewage Facilities Planning Module), and it is proposed that this land development be served by sewer tap-ins; and

WHEREAS, the City of Reading finds that the land development described in the attached Sewage Facilities Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Reading hereby adopts and submits to the Department of Environmental Protection for its approval as a revision to the “Official Sewage Facilities Plan” of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

ADOPTED BY COUNCIL _____ 2015

COUNCIL PRESIDENT



AGENDA MEMO

POLICE DEPARTMENT

TO: City Council

FROM: Chief William M. Heim

PREPARED BY: Chief William M. Heim

MEETING DATE: March 9, 2015

AGENDA MEMO DATE: March 4, 2015

REQUESTED ACTION: Authorize the Promotion of one Patrol Officer to Sergeant

RECOMMENDATION

The Mayor and Police Chief recommend the promotion of the following officer:

Officer Aaron L. Demko, date of employment June 30, 2008, to the rank of Sergeant

BACKGROUND

There is currently a vacancy for Sergeant. Officer Aaron L. Demko took the written and oral examinations for this position and is among the top three candidates on the current certified list. The Police Chief has

reviewed his performance, dependability, and conduct and the Mayor and Police Chief recommend him for promotion.

BUDGETARY IMPACT

None. The funded position has a vacancy due to the retirement of a Sergeant on March 20, 2015.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

Council to take action to approve a resolution to authorize the promotion of Officer Aaron L. Demko to the rank of Sergeant.

RECOMMENDED BY

The Mayor and Police Chief recommend approval.

RECOMMENDED MOTION

Approve/deny the resolution authorizing the promotion of Officer Aaron L. Demko to the rank of Sergeant effective March 16, 2015.

Drafted by	City Clerk
Sponsored by/Referred by	Police Chief
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. ____ 2015

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

Authorizing the promotion of Officer Aaron L. Demko to the rank of Sergeant effective March 16, 2015.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

Drafted by	Controller
Sponsored by/Referred by	Managing Director
Introduced on	February 23, 2015
Advertised on	Not required

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 Kersley
PREPARED BY: David Kersley
MEETING DATE: February 21, 2015
AGENDA MEMO DATE: February 19, 2015
RECOMMENDED ACTION: Approve Recycling Appropriation Transfers

BACKGROUND:

Recycling is requesting an intra-fund transfer of \$10,000. This transfer will cover invoices from Burkey Construction for project management services related to the recycling baler project. While the acquisition and construction costs were covered by a grant from the Commonwealth of Pennsylvania's Department of Environmental Protection. Funds were budgeted for construction management services in the 2014 budget, but the project was delayed and is only now nearing completion. This project involved several components, including: relocating electric service boxes; running additional electricity to the baler building; pouring foundations and a concrete pad to accommodate the 22,000-pound baler; extending the concrete pad in front of the main building; doing earthwork and pouring a concrete pad for storing baled paper for pick-up (each bale will weigh 1,500 pounds); and other ancillary projects.

BUDGETARY IMPACT:

A transfer 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

Drafted by	Business Analyst
Sponsored by/Referred by	Managing Director
Introduced on	February 23, 2015
Advertised on	Not required

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: _____

Drafted by	Business Analyst
Sponsored by/Referred by	Managing Director
Introduced on	February 23, 2015
Advertised on	Not required

BILL NO. ____-2015
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: _____

Drafted by	Legal Specialist
Sponsored by/Referred by	Law
Introduced on	February 23, 2015
Advertised on	Not required

BILL NO. ____2015
AN ORDINANCE

AN ORDINANCE AMENDING CITY OF READING PERSONNEL CODE 70-701 H SALARY RANGES.

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

SECTION 1. Amending the Personnel Code Section 70-701 H Salary Ranges shall be amended to read as follows:

H. Salary ranges.

- (1) Managing Director. The Managing Director of the City of Reading shall be compensated at an annual salary of no less than \$90,000 and no more than \$120,000.
- (2) Chief of Fire and Rescue Services. The Chief of the Department of Fire and Rescue Services for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$85,000.
- (3) Chief of Police. The Chief of Police for the City of Reading shall be compensated at an annual salary of no less than \$80,000 and no more than ~~\$125,000~~ \$120,000.
- (4) Public Works Director. The Director of the Department of Public Works of the City of Reading shall be compensated at an annual salary of no less than \$80,000 and no more than \$100,000.
- (5) Director of Administrative Services. The Director of Administrative Services of the City of Reading shall be compensated at an annual salary of no less than \$75,000 and no more than \$100,000.
- (6) City Solicitor. The Director of the Legal Department for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.
- (7) Community Development Director. The Director of the Department of Community and Economic Development for the City of Reading shall be compensated at a salary of no less than \$75,000 and no more than \$100,000.

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. This Ordinance shall become effective immediately.

Enacted by Council _____, 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: _____

Drafted by	Stevens & Lee
Sponsored by/Referred by	Managing Director
Introduced on	February 23, 2015
Advertised on	Not required by City

CITY OF READING
COUNTY OF BERKS
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. _____ 2015
ENACTED: _____, 2015

AN ORDINANCE OF THE COUNCIL OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE TWO SERIES OF GENERAL OBLIGATION BONDS OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED SIXTY-FOUR MILLION SEVEN HUNDRED TEN THOUSAND DOLLARS (\$64,710,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, 53 PA.C.S. CHAPTERS 80-82, AS AMENDED, REENACTED AND SUPPLEMENTED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE CITY; DETERMINING THAT SUCH BONDS SHALL EVIDENCE NONELECTORAL DEBT OF THE CITY; SPECIFYING THAT SUCH INDEBTEDNESS IS TO BE INCURRED TO PROVIDE FUNDS FOR CERTAIN PROJECTS OF THE CITY WHICH INCLUDE THE FOLLOWING: (1) THE ADVANCE REFUNDING OF THE CITY'S OUTSTANDING FEDERALLY TAXABLE GENERAL OBLIGATION BONDS, SERIES OF 2006; (2) THE ADVANCE REFUNDING OF A PORTION OF THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES OF 2008; (3) THE CURRENT REFUNDING OF THE OUTSTANDING GUARANTEED LEASE REVENUE BONDS, SERIES OF 2003 ISSUED BY THE REDEVELOPMENT AUTHORITY OF THE CITY OF READING; AND (4) PAYING THE COSTS AND EXPENSES OF ISSUANCE OF THE BONDS; SETTING FORTH THE REASONABLE ESTIMATED REMAINING USEFUL LIVES OF THE CAPITAL PROJECTS THAT ARE TO BE REFINANCED BY THE BONDS; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH BONDS AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH BONDS, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE CITY; FIXING THE DENOMINATIONS, DATED DATE, INTEREST PAYMENT DATES, MATURITY DATES, INTEREST RATES, REDEMPTION PROVISIONS, MANDATORY REDEMPTION PROVISIONS (IF APPLICABLE) AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS; AUTHORIZING SPECIFIED OFFICERS OF THE CITY TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE BONDS; SETTING FORTH THE SUBSTANTIAL FORM OF THE BONDS EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH BONDS; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH BONDS TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH BONDS, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITARY;

AUTHORIZING THE EXECUTION OF AN ESCROW AGREEMENT BY AND BETWEEN THE CITY AND THE ESCROW AGENT NAMED THEREIN IN CONNECTION WITH THE REFUNDING OF THE CITY'S OUTSTANDING FEDERALLY TAXABLE GENERAL OBLIGATION BONDS, SERIES OF 2006 AND THE REFUNDING OF THE DESIGNATED GENERAL OBLIGATION BONDS, SERIES OF 2008; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH BONDS WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH BONDS; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY (IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE REFUNDING PROJECT; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE BONDS, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH BONDS, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE CITY, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE CITY TO DELIVER THE BONDS UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; SETTING FORTH CERTAIN COVENANTS PRECLUDING THE CITY FROM TAKING ACTIONS WHICH WOULD CAUSE THE BONDS TO BECOME "ARBITRAGE BONDS" OR "PRIVATE ACTIVITY BONDS," AS THOSE TERMS ARE USED IN THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), AND APPLICABLE REGULATIONS PROMULGATED THEREUNDER; AUTHORIZING THE PURCHASE OF BOND INSURANCE (IF APPLICABLE); SETTING FORTH THE PROVISIONS, IF ANY, REQUIRED TO BE INCLUDED BY THE BOND INSURER; AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE AND COVENANTING TO COMPLY WITH THE PROVISIONS THEREOF; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME SHALL BE INCONSISTENT HEREWITH.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the "City"), was incorporated under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the City, in contemplation of the issuance and sale its General Obligation Bonds in an aggregate principal amount not to exceed Sixty-four Million Seven Hundred Ten Thousand Dollars (\$64,710,000), to provide funds for and towards certain projects of the City, has determined that the Bonds (hereinafter defined) shall be offered for sale at a private sale by negotiation pursuant to the provisions of the Local Government Unit Debt Act of the Commonwealth, as re-enacted and amended (the "Act") and has determined that a private sale by negotiation is in the best financial interests of the City; and

WHEREAS, the Council of the City of Reading (the “Council”) has determined that such Bonds will be issued in two series and designated generally as “City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A of 2015” (the “Series A Bonds”) and “City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Bonds, Series B of 2015” (the “Series B Bonds” and together with the Series A Bonds, the “Bonds”) or such other name or designations as shall be selected by the Mayor of the City upon delivery of the Bonds in accordance with Section 7 hereof; and

WHEREAS, the Series A Bonds shall be issued in the aggregate principal amount not to exceed Twenty-two Million Eight Hundred Eighty Thousand Dollars (\$22,880,000); and

WHEREAS, the Series B Bonds shall be issued in the aggregate principal amount not to exceed Forty one Million Eight Hundred Thirty Thousand Dollars (\$41,830,000); and

WHEREAS, the Council has determined to accept the proposals of Janney Montgomery Scott LLC and PNC Capital Markets LLC (collectively, the “Purchaser”), for the purchase of the Bonds, such sale to be conditioned upon, among other things, the receipt of approval from the Department of Community and Economic Development of the Commonwealth (the “Department”) relating to the issuance of the indebtedness to be evidenced by the Bonds; and

WHEREAS, the City has heretofore issued its Federally-Taxable General Obligation Bonds, Series of 2006 in the original principal amount of \$48,740,000 (the “2006 Bonds”); and

WHEREAS, the City desires to authorize the refunding of the outstanding 2006 Bonds for the purpose of reducing total debt service over the life of the series; and

WHEREAS, the City has heretofore issued its General Obligation Bonds, Series of 2008 in the original principal amount of \$45,800,000 (the “2008 Bonds”); and

WHEREAS, the City desires to authorize the refunding of a portion of the 2006 Bonds as more fully described on Schedule 1 attached hereto (the “Refunded 2008 Bonds”) for the purpose of reducing total debt service over the life of the series; and

WHEREAS, a portion of the proceeds of the Bonds shall be deposited in escrow pursuant to the terms of an escrow agreement (the “Escrow Agreement”), to be executed by and between the City and an escrow agent named therein (the “Escrow Agent”), such that the proceeds of the Bonds, together with interest to be earned thereon (if any), will be held by the Escrow Agent in a separate escrow account and irrevocably pledged for the redemption of the 2006 Bonds and the Refunded 2008 Bonds, all as shall be set forth more fully in the Escrow Agreement; and

WHEREAS, the Redevelopment Authority of the City of Reading previously issued its Guaranteed Lease Revenue Bonds, Series of 2003 (the “2003 Bonds”) in the original principal amount of \$4,160,000 to finance a project on behalf of the City; and

WHEREAS, the City desires to authorize the refunding of the outstanding 2006 Bonds for the purpose of reducing total debt service over the life of the series; and

WHEREAS, the Bonds which are being issued to refund the 2003 Bonds, the 2006 Bonds and the Refunded 2008 Bonds will not be outstanding through a maturity date that could not have been included in the issue of the 2003 Bonds, the 2006 Bonds and the Refunded 2008 Bonds, as applicable; and

WHEREAS, the Council has determined to and desires to accept the proposals of the Purchaser and to incur nonelectoral debt in the aggregate principal amount not to exceed Sixty-four

Million Seven Hundred Ten Thousand Dollars (\$64,710,000) to be issued from time to time to fund certain projects (hereinafter described) of the City pursuant to the provisions of the Act.

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

Pursuant to the provisions of this Ordinance, the Council hereby authorizes and directs the issuance of a series of Bonds in the aggregate principal amount not to exceed Twenty-two Million Eight Hundred Eighty Thousand Dollars (\$22,880,000) to be designated generally as “City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A of 2015” and a series of Bonds in the aggregate principal amount not to exceed Forty one Million Eight Hundred Thirty Thousand Dollars (\$41,830,000) to be designated generally as “City of Reading, Berks County, Pennsylvania, Federally-Taxable General Obligation Bonds, Series B of 2015” or such other name or designation as shall be selected by the Mayor of the City upon delivery of the Bonds in accordance with the requirements of Section 7 hereof. The Bonds shall be issued and sold in accordance with the provisions of the Act by private sale by negotiation. In connection therewith, the Council hereby finds and determines that a private sale by negotiation is in the best financial interests of the City.

The Council determines that the debt to be incurred pursuant to this Ordinance, and which will be evidenced by the Bonds, shall be nonelectoral debt of the City.

A brief description of the project (the “Refunding Project”) to be funded with, among other things, the proceeds of the Bonds to be issued from time to time pursuant to this Ordinance is as follows: (1) the advance refunding of the 2006 Bonds; (2) the advance refunding of the Refunded 2008 Bonds; (3) the current refunding of the 2003 Bonds; and (4) paying the costs and expenses of issuance of the Bonds. The 2006 Bonds, the Refunded 2008 Bonds and the 2003 Bonds are collectively referred to herein as the “Refunded Bonds”.

Proceeds of the 2006 Bonds were originally used to finance a portion of the costs of funding the City’s unfunded actuarial accrued pension liability.

The remaining realistic estimated useful lives of the capital projects originally financed by the Refunded 2008 Bonds and to be refinanced by the Bonds are at least 22 years.

The remaining realistic estimated useful lives of the capital projects originally financed by the 2003 Bonds and to be refinanced by the Bonds are at least 18 years.

Stated installments or maturities of principal of the issue of Bonds will not be deferred beyond the later of one year after the estimated date for the completion of the construction portion of the project, if any, or two years from the date of issue of the Bonds.

The City hereby finds and certifies that realistic cost estimates have been obtained for the costs of the Refunding Project from financial analysts, registered architects, professional engineers or other persons qualified by experience to provide such estimates.

In connection with the issuance and sale of the Bonds, the Council, as required by the provisions of the Act, hereby finds, determines and states (a) that the purpose of the refunding of the Refunded Bonds is to reduce total debt service over the life of each series of the Refunded Bonds; and (b) that the refunding of the Refunded Bonds is authorized and permitted under and pursuant to the provisions of Section 8241 of the Act. The Council further finds and determines that the final maturity date of the Bonds issued to effect the refunding of the Refunded Bonds does not extend to a date that could not have been included in any series of the Refunded Bonds.

The Council of the City hereby authorizes and directs its proper officers, agents and employees to execute all documents and take all actions necessary in connection with accomplishing the refunding of the Refunded Bonds, including, but not limited to providing notice to the Paying Agent for the Refunded Bonds, and to call the Refunded Bonds for optional redemption in full on the first date the Refunded Bonds are eligible to be called for optional redemption. In accordance with Section 8246 of the Act, it is the intent of the Council that the Refunded Bonds shall no longer be outstanding from and after the date of the issuance of the Bonds.

Subject to the approval of the Department, as required by the provisions of the Act, the Council shall and does hereby accept the proposals of the Purchaser, for the purchase of the Bonds in accordance with the terms and conditions of this Ordinance and the Purchaser's proposals, dated March 9, 2015 (collectively, the "Proposal"). The sale of the Bonds shall be for an aggregate purchase price of not less than 95.0% nor more than 115.0% of the par amount of the Bonds issued by the City, exclusive of any original issue discount and any original issue premium, plus accrued interest, if any, from the date of the Bonds to the date of delivery thereof. The Mayor is hereby authorized and directed to accept and to execute the Proposal in the name and on behalf of the City, and the City Clerk is hereby authorized and directed to attest to such acceptance and execution. A copy of the Proposal, as presented to the Council and accepted by this Ordinance, is incorporated herein by reference and shall be attached to this Ordinance and maintained with the minutes of this meeting. The bid security, if any, accompanying the Proposal shall be held and shall be applied as provided by the Act; provided, however, that no allowance for interest shall be made by the City with respect to such bid security, except as provided by the Act.

Upon final pricing of the Bonds, the Purchaser will present to the City an Addendum to the Proposal setting forth the final terms and conditions for each series of Bonds, including the final principal amount, interest rates, redemption provisions and purchase price for the Bonds (the "Addendum"). As long as the terms and conditions set forth in the Addendum satisfy the parameters set forth in this Ordinance, the Mayor is hereby authorized and directed to accept and to execute the Addendum in the name and on behalf of the City.

The Bonds, when issued, will be a general obligation of the City.

The Bonds shall be fully registered, without coupons, in denominations of \$5,000 or any integral multiple thereof, in substantially the form hereinafter set forth in Section 10. The Bonds shall be dated as set forth in the definitive Bonds as delivered to the Purchaser in accordance with the provisions hereof, and shall bear interest from that date at the applicable rates per annum as set forth in Section 8, payable in accordance with the provisions of the Bonds and this Ordinance, semiannually on May 1 and November 1 (each an "Interest Payment Date") in each year, commencing with the May 1 or November 1 following the delivery of the Bonds, until maturity or prior redemption.

The Series A Bonds shall bear interest at rates not to exceed the maximum rates of interest and shall mature, whether by maturity or mandatory sinking fund redemption on the dates and in the amounts not to exceed the maximum amounts as set forth on Exhibit A-1 attached hereto. The Series B Bonds shall bear interest at rates not to exceed the maximum rates of interest and shall mature, whether by maturity or mandatory sinking fund redemption on the dates and in the amounts not to exceed the maximum amounts as set forth on Exhibit A-2 attached hereto.

The Bonds shall be subject to optional and mandatory sinking fund redemption as set forth in the definitive Bonds as delivered to the Purchaser in accordance with the provisions hereof.

In lieu of such mandatory redemption, the Paying Agent, on behalf of the City, may purchase, from money in the Sinking Fund, or the City may tender to the Paying Agent, all or part of the Bonds subject to mandatory redemption in any such year.

If a Bond is of a denomination larger than \$5,000, a portion of such Bond may be redeemed. For the purposes of redemption, such Bond shall be treated as representing that number of Bonds which is obtained by dividing the principal amount thereof by \$5,000, each \$5,000 portion of such Bond being subject to redemption. In the event of a partial redemption of a Bond, payment of the redemption price shall be made only upon surrender of such Bond in exchange for Bonds of the same series and of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the principal amount thereof.

Any redemption of Bonds shall be upon notice effected by mailing a copy of the redemption notice by first-class mail, postage prepaid, such notice to be sent not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, addressed to the registered owners of Bonds to be redeemed at their addresses shown on the registration books kept by the Paying Agent (hereinafter defined) as of the date the Bonds are selected for redemption; provided, however, that failure to give such notice by mailing, or any defect therein or in the mailing thereof, shall not affect the validity of any proceeding for redemption of other Bonds called for redemption as to which proper notice has been given.

If at the time of mailing of the notice of redemption the City shall not have deposited with the Paying Agent moneys sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent no later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

On the date designated for redemption, notice having been provided as aforesaid, and money for payment of the principal and accrued interest being held by such Paying Agent, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and such Bonds or portions thereof shall cease to be entitled to any benefit or security under this Ordinance, and registered owners of such Bonds shall have no rights with respect to such Bonds, except to receive payment of the principal of and accrued interest on such Bonds to the date fixed for redemption.

If the redemption date for any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or by executive order to remain closed, then the payment of such principal and interest upon such redemption need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

The proper officers of the City are hereby authorized, empowered and directed to contract with a bank or bank and trust company authorized to do business in the Commonwealth of Pennsylvania and who has an office in the Commonwealth of Pennsylvania (the "Paying Agent"), for its services as paying agent and sinking fund depository in accordance with the terms and conditions of the Proposal, this Ordinance and the Act. Payment of the principal of and interest on the Bonds shall be made, when due, in accordance with the provisions of the Bonds, at the corporate trust office of the Paying Agent in lawful money of the United States of America.

The Bonds shall be in substantially the form set forth in Exhibit "B". The form of the Bonds as submitted to the City is hereby approved in substantially such form, with such changes, insertions and variations as are necessary or appropriate to reflect the final terms, including, but not limited to, the name or designation and the final redemption provisions, of the Bonds as specified to the City in the delivery instructions of the Purchaser and such other changes as the Mayor may approve upon advice of counsel to the City, such approval to be evidenced by such officer's execution and delivery of the Bonds.

The Bonds shall be executed in the name and on behalf of the City by the true or facsimile signature of the Mayor of the City and the true or facsimile official seal of the City shall be affixed thereunto, duly attested by the true or facsimile signature of the City Clerk. Said officers are authorized and directed to execute and attest the Bonds. The execution and delivery of the Bonds shall constitute conclusive proof of the approval of the final terms and provisions of the Bonds by the City.

No Bond constituting one of the Bonds shall be entitled to any benefit under this Ordinance nor shall it be valid, obligatory or enforceable for any purpose until such Bond shall have been registered and authenticated by the Certificate of Authentication endorsed thereon duly signed by the

Paying Agent; and the Paying Agent is authorized to register and authenticate the Bonds in accordance with the provisions hereof.

The Bonds shall initially be issued in the form of one fully-registered Bond for the aggregate principal amount of the Bonds of each maturity, which Bonds shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”). The Bonds issued in the name of Cede & Co. in accordance with the provisions of this Section may be issued in typewritten form satisfactory to DTC. Except as provided below all of the Bonds shall be registered in the registration books kept by the Paying Agent in the name of Cede & Co., as nominee of DTC; provided that if DTC shall request that the Bonds be registered in the name of a different nominee, the Paying Agent shall exchange all or any portion of the Bonds for an equal aggregate principal amount of Bonds registered in the name of such nominee or nominees of DTC. No person other than DTC or its nominee shall be entitled to receive from the City or the Paying Agent either a Bond or any other evidence of ownership of the Bonds, or any right to receive any payment in respect thereof unless DTC or its nominee shall transfer record ownership of all or any portion of the Bonds on the registration books maintained by the Paying Agent, in connection with discontinuing the book-entry system as below or otherwise.

So long as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all payments of the principal or redemption price, if any, of or interest on such Bonds shall be made to DTC or its nominee. Each such payment to DTC or its nominee shall be valid and effective to fully discharge all liability of the City or the Paying Agent with respect to the principal or redemption price of or interest on the Bonds to the extent of the sum or sums so paid.

The City and the Paying Agent shall treat DTC (or its nominee) as the sole and exclusive registered owner of the Bonds registered in its name for the purposes of payment of the principal or redemption price of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to registered owners of the Bonds, registering the transfer of the Bonds, obtaining any consent or other action to be taken by registered owners of the Bonds and for all other purposes whatsoever; and neither the City nor the Paying Agent shall be affected by any notice to the contrary. Neither the City nor the Paying Agent shall have any responsibility or obligation to any participant in DTC, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any such participant, or any other person which is not shown on the registration books of the Paying Agent as being a registered owner, with respect to: (1) the Bonds; (2) the accuracy of any records maintained by DTC or any such participant; (3) the payment by DTC or any such participant of any amount in respect of the principal or redemption price of or interest on the Bonds; (4) any notice which is permitted or required to be given to registered owners of the Bonds; (5) the selection by DTC or any such participant of any person to receive payment in the event of a partial redemption of the Bonds; or (6) any consent given or other action taken by DTC as the registered owner of the Bonds.

So long as the Bonds or any portion thereof are registered in the name of DTC or any nominee thereof, all notices required or permitted to be given to the registered owners of the Bonds under this Ordinance shall be given to DTC.

In connection with any notice or other communication to be provided to registered owners of the Bonds pursuant to this Ordinance by the City or the Paying Agent with respect to any consent or other action to be taken by registered owners of the Bonds, DTC shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action, provided that the City or the Paying Agent may establish a special record date for such consent or

other action. The City or the Paying Agent shall give DTC notice of such special record date not less than 10 calendar days in advance of such special record date to the extent possible.

The book-entry system for registration of the ownership of the Bonds may be discontinued at any time if: (1) after notice to the City and the Paying Agent, DTC determines to resign as securities depository for the Bonds; (2) after notice to DTC and the Paying Agent, the City determines that continuation of the system of book-entry transfers through DTC (or through a successor securities depository) is not in the best interests of the City or the beneficial owners of the Bonds. In any such event, unless the City appoints a successor securities depository, the Bonds shall be delivered in registered certificate form to such persons, and in such maturities and principal amounts, as may be designated in writing by DTC, but without any liability on the part of the City or the Paying Agent for the accuracy of such designation. Whenever DTC requests the City and the Paying Agent to do so, the City and the Paying Agent shall cooperate with DTC in taking appropriate action after reasonable written notice to arrange for another securities depository to maintain custody of certificates evidencing the Bonds.

The City covenants to and with the registered owners from time to time of the Bonds that the City (i) shall include in its budget in each fiscal year the amount of the debt service for each fiscal year of the City in which such sums are payable, (ii) shall appropriate from its general revenues in each such fiscal year the amount required to pay debt service on the Bonds for such year, and (iii) shall duly and punctually pay or cause to be paid from its sinking fund or any other of its revenues or funds the principal amount of the Bonds and the interest due thereon at the dates and place and in the manner stated therein, according to the true intent and meaning thereof. For such budgeting, appropriation and payment, the City shall and does pledge, irrevocably, its full faith, credit and taxing power. As provided in Section 8104 of the Act, the foregoing covenant of the City shall be enforceable specifically.

The City hereby covenants to create and there is hereby created, pursuant to Section 8221 of the Act, a sinking fund for the Bonds, to be known as "Sinking Fund - City of Reading, Berks County, Pennsylvania, General Obligation Bonds, Series A and B of 2015" (the "Sinking Fund") or such other name or designation as selected by the proper officers of the City from time to time shall be established with the Paying Agent and administered in accordance with applicable provisions of the Act and this Ordinance.

The Paying Agent shall be the “sinking fund depository” with respect to the Sinking Fund created pursuant to Section 13. The City covenants and agrees to deposit in the Sinking Fund, on or before each Interest Payment Date, an amount which shall be sufficient to permit the Paying Agent to pay on such Interest Payment Date all principal and accrued interest becoming due with respect to the Bonds. After such deposit, the Paying Agent shall, without further authorization or direction from the City or any of its officials, upon proper and timely presentation, execution and surrender of the Bonds, with respect to the payment of principal of the Bonds, or at the Interest Payment Date, with respect to the payment of interest on the Bonds, withdraw moneys from the Sinking Fund and apply such moneys to the prompt and full payment of such obligations in accordance with the terms thereof, the terms and conditions of this Ordinance and the provisions of the Act.

Each Bond shall bear interest from the Interest Payment Date next preceding the date of registration and authentication of such Bonds, unless (a) such Bonds are registered and authenticated as of an Interest Payment Date, in which event such Bonds shall bear interest from said Interest Payment Date; or (b) the Bonds are registered and authenticated after a Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event such Bonds shall bear interest from such Interest Payment Date, or (c) the Bonds are registered and authenticated on or prior to the Record Date preceding the first Interest Payment Date, in which event such Bonds shall bear interest from the dated date thereof, or (d) as shown by the records of the Paying Agent, interest on such Bonds shall be in default, in which event such Bonds shall bear interest from the date on which interest was last paid on such Bonds. Interest shall be paid semiannually on May 1 and November 1 of each year, commencing with the May 1 or November 1 following the delivery of the Bonds, until the principal sum is paid. Interest on the Bonds is payable by check drawn on the Paying Agent, which shall be mailed to the registered owner whose name and address shall appear, at the close of business on the fifteenth (15th) day next preceding each Interest Payment Date (the “Record Date”), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Bonds subsequent to such Record Date and prior to such Interest Payment Date, unless the City shall be in default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable to the person in whose name the Bonds are registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owners of the Bonds not less than ten (10) days preceding such special record date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5th) day preceding the date of mailing.

If the date for payment of the principal of or the interest on any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are

authorized by law or executive order to remain closed, then the payment of such principal or interest need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

The City and the Paying Agent shall not be required: (i) to issue or to register the transfer of or exchange any Bonds then considered for redemption during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given, or (ii) to register the transfer of or exchange any portion of any Bond selected for redemption, in whole or in part until after the date fixed for redemption. Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same maturity and interest rate.

The Bonds shall be transferable or exchangeable by the registered owner thereof upon surrender thereof to the Paying Agent, at its principal corporate trust office, accompanied by a written instrument or instruments in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner thereof or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of the Bonds in the registration books of the City maintained by the Paying Agent and shall authenticate and deliver in the name of the transferee or transferees new fully registered Bonds of authorized denominations of the same series and maturity for the aggregate amount which the transferee or transferees are entitled to receive at the earliest practicable time.

The City and the Paying Agent may deem and treat the persons in whose names the Bonds shall be registered on the registration books of the City maintained by the Paying Agent as the absolute owners thereof for all purposes, whether such Bonds shall be overdue or not, and payment of the principal of and/or interest on the Bonds shall be made only to or upon the order of the registered owners thereof or their legal representatives, but such registration may be changed, as herein and in the Bonds provided. All such payments shall be valid and effectual to satisfy in full and discharge the liability of the City upon the Bonds so paid, to the extent of the sum or sums so paid, and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The City shall cause to be kept, and the Paying Agent shall keep, at the principal corporate trust office of the Paying Agent, books for the registration, exchange and transfer of Bonds in the manner provided herein and therein so long as the Bonds shall remain outstanding. Such registrations, exchanges and transfers shall be made without charge to Bondholders, except for actual costs, including postage, insurance and any taxes or other governmental charges required to be paid with respect to the same.

If necessary, the City hereby approves the execution of one or more investment agreements, the purchase of certain U.S. Treasury obligations or any other securities or investments (the "Investments") for investment of the proceeds of the Bonds in connection with the Refunding Project. The City hereby authorizes and directs the Mayor to execute and the City Clerk to attest any investment agreement on behalf of the City, in the form approved by the Solicitor and Bond Counsel of the City. The Investments shall be limited to those authorized under law for proceeds of the Bonds.

The Mayor is hereby authorized and directed, in the name and on behalf of the City: (a) to prepare, execute and certify the debt statement and borrowing base certificate required by the Act; (b) to prepare, execute and file with the Department, as required by Section 8111 of the Act, a duly attested copy of this Ordinance, with proofs of proper publication, the accepted Proposal of the Purchaser and a complete and accurate transcript of the proceedings relating to the incurring of the debt to be evidenced by the Bonds, including the debt statement and borrowing base certificate; (c) to pay or to cause to be paid to the Department all proper filing fees required by the Act in connection with the foregoing; (d) to pay or cause to be paid from proceeds of the Bonds or otherwise, all costs and expenses incurred by the City in connection with the issuance of the Bonds; (e) to advertise the enactment of this Ordinance, as required by the Act; and (f) to take any and all other action, and to execute and deliver any and all documents and other instruments, required or permitted by the Act or by the Proposal of the Purchaser, or which they, in their sole discretion, may deem necessary, proper or desirable to effect the issuance of the Bonds, to the extent not inconsistent with this Ordinance or applicable law.

It is hereby declared that the debt to be evidenced by the Bonds, together with all other indebtedness of the City, is not in excess of any applicable limitation imposed by the Act upon the incurring of debt by the City.

The proper officers of the City are hereby authorized and directed to deliver the Bonds as and when issued to the Purchaser, upon due registration and authentication thereof as provided for herein, upon receipt of full and proper payment of the purchase price therefor, provided, however, that such delivery shall be effected only after the Department has certified its approval pursuant to Section 8204 of the Act.

The City covenants to and with the registered owners of the Series A Bonds that it will make no use of the proceeds of such issue or issues or do or suffer any other action which, if such use or action had been reasonably expected on the date of issue of such Series A Bonds, would cause such Series A Bonds to be “arbitrage bonds” or “private activity bonds” as those terms are defined in Section 148 and Section 141 of the Code and the applicable regulations thereunder. The City further covenants that it will comply with the requirements of such Section 148 and Section 141 and with the regulations thereunder throughout the term of this issue. In addition, the Mayor, being the official responsible for issuing the Series A Bonds, attested by the City Clerk, is hereby authorized and directed to execute and deliver, in the name and on behalf of the City, any and all documents or other instruments which Bond Counsel may reasonably request in connection with the providing of its opinion that the Series A Bonds are not “arbitrage bonds” or “private activity bonds” within the meanings of Section 148 and Section 141 of the Code and the regulations promulgated thereunder, including, without limitation, a certificate dated the date of issuance and delivery of the Series A Bonds, which certificate shall set forth the reasonable expectations of the City as to the amount and use of the proceeds of the Series A Bonds.

The Council hereby authorizes and directs the purchase of a municipal bond insurance policy or policies (the “Municipal Bond Insurance Policy”) to be issued by a municipal bond insurer acceptable to the Purchaser and the Mayor insuring the payment when due of the principal of and interest on the Bonds as provided therein. Proper officers of the City are authorized and directed to take all required, necessary and/or appropriate action with respect to such insurance, including the payment of the premium thereof. Proper officers of the City are also authorized and directed to execute any and all documents or agreements with respect to such insurance, as may be required by the insurer.

On the date of delivery of the Bonds, to the extent required for a lawful defeasance of the 2006 Bonds and the Refunded 2008 Bonds, the proper officers of the City are hereby authorized, empowered and directed to execute, attest and deliver the Escrow Agreement in the form approved by such officers with the advice of the Solicitor to the City. The Escrow Agreement shall provide for, among other things, the following: (i) a certification to the Escrow Agent of the amount required to pay the principal of, premium, if any, and interest on, the 2006 Bonds and the Refunded 2008 Bonds, (ii) the deposit with the Escrow Agent of an amount which, when taken together with the interest to be earned thereon, will be in the amount necessary to pay the principal of, premium, if any, and interest on the 2006 Bonds to and including November 15, 2016, and to pay the principal amount of the 2006 Bonds maturing after November 15, 2016, the date fixed for the redemption thereof, (iii) the deposit with the Escrow Agent of an amount which, when taken together with the interest to be earned thereon, will be in the amount necessary to pay the principal of, premium, if any, and interest on the Refunded 2008 Bonds to and including November 1, 2018, and to pay the principal amount of the Refunded 2008 Bonds maturing after November 1, 2018, the date fixed for the redemption thereof, (iv) the investment of the amounts deposited with and held by the Escrow Agent, (v) a direction to the Escrow Agent to cause notice of redemption to be given to the holders of the 2006 Bonds and the Refunded 2008 Bonds, and (vi) the irrevocable pledge and escrow of, and grant of a security interest in favor of the Escrow Agent of all investments held by it pursuant to the Escrow Agreement.

The City hereby authorizes and directs the proper officers, agents and employees to execute any and all other documents and to take any and all action necessary in connection with the Refunding Project to (i) cause the 2006 Bonds to “no longer be deemed to be outstanding” as of the date of delivery of the Bonds, within the meaning and for the purposes of Section 8250 of the Act and to cause the redemption of the 2006 Bonds on November 15, 2016; (ii) cause the Refunded 2008 Bonds to “no longer be deemed to be outstanding” as of the date of delivery of the Bonds, within the meaning and for the purposes of Section 8250 of the Act and to cause the redemption of the Refunded 2008 Bonds on November 1, 2018; and (iii) cause the 2003 Bonds to “no longer be deemed to be outstanding” as of the date of delivery of the Bonds, within the meaning and for the purposes of Section 8250 of the Act and to cause the redemption of the 2003 Bonds on the date of issuance of the Bonds or as soon thereafter as possible.

With regard to the Bonds, the proper officers of the City are hereby authorized to execute a Continuing Disclosure Certificate (hereinafter defined) on behalf of the City and the City hereby covenants and agrees that it will comply with and carry out all of the provisions of such Continuing Disclosure Certificate as required by applicable law. Notwithstanding any other provision of this Ordinance, failure of the City to comply with the Continuing Disclosure Certificate shall not be considered an event of default; however, any Bondholder or Beneficial Owner may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

As used herein, the term “Continuing Disclosure Certificate” shall mean one or more Continuing Disclosure Certificates to be executed by the City in order to comply with Securities and Exchange Commission Rule 15c2-12, and dated the date of issuance and delivery of the Bonds from time to time, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

As used herein, the term “Beneficial Owner” shall mean any person which has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Bonds (including persons holding Bonds through nominees, depositories, or other intermediaries).

In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that the remainder of this Ordinance shall remain in full force and effect.

All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith, shall be and the same expressly hereby are repealed.

This Ordinance shall be effective in accordance with Section 8003 of the Act.

DULY ENACTED, THIS 9TH DAY OF MARCH, 2015, 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)

SCHEDULE 1

2008 BONDS TO BE REFUNDED
AND
2008 BONDS TO REMAIN OUTSTANDING

MAXIMUM DEBT SERVICE SCHEDULE
SERIES A OF 2015 BONDS

EXHIBIT A-2

MAXIMUM DEBT SERVICE SCHEDULE
SERIES B OF 2015 BONDS

BOND FORM

REGISTERED

Number ____

REGISTERED

\$_____

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC") to the Issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

CITY OF READING, BERKS COUNTY,
PENNSYLVANIA

[FEDERALLY-TAXABLE]

GENERAL OBLIGATION BOND, SERIES [A][B] OF 2015

INTEREST RATE

DATED DATE OF SERIES

MATURITY DATE

CUSIP

November 1, _____, 2015

REGISTERED OWNER CEDE & CO.

PRINCIPAL AMOUNT\$_____

The City of Reading, Berks County, Pennsylvania (the "City"), a City existing under the laws of the Commonwealth of Pennsylvania (the "Commonwealth"), for value received, hereby acknowledges itself to be indebted and promises to pay to the order of the Registered Owner hereof, or registered assigns, on the maturity date stated hereon (or upon prior redemption, as hereinafter provided), upon presentation and surrender hereof, the Principal Amount shown above and to pay semiannually on May 1 and November 1 of each year prior to maturity or redemption (each an "Interest Payment Date"), beginning _____, 20__, to the registered owner hereof, interest on such principal sum, at the rate per annum stated hereon, from the Interest Payment Date next preceding the date of registration and authentication of this City of Reading, Berks County, Pennsylvania, General Obligation Bond, Series [A][B] of 2015 (the "Bond"), unless (a) this Bond is registered and authenticated as of an Interest Payment Date, in which event this Bond shall bear interest from such Interest Payment Date, or (b) this Bond is registered and authenticated after a Record Date (hereinafter defined) and before the next succeeding Interest Payment Date, in which event such Bond shall bear interest from such Interest Payment Date, or (c) this Bond is registered and authenticated on or prior to the Record Date preceding _____, 2015, in which event such Bond shall bear interest from _____, 2015, or (d) as shown by the records of _____, as paying agent, at its offices located in _____, Pennsylvania, or its successor (the "Paying Agent"), interest on such Bond shall be in default, in which event such Bond shall bear interest from the date on which interest was last paid on such Bond. Interest on each Bond is

payable by check drawn on the Paying Agent, which shall be mailed to the registered owner whose name and address shall appear, at the close of business on the fifteenth (15th) day next preceding each Interest Payment Date (the "Record Date"), on the registration books maintained by the Paying Agent, irrespective of any transfer or exchange of the Bond subsequent to such Record Date and prior to such Interest Payment Date, unless the City shall be in default in payment of interest due on such Interest Payment Date. In the event of any such default, such defaulted interest shall be payable to the person in whose name the Bond is registered at the close of business on a special record date for the payment of such defaulted interest established by notice mailed by the Paying Agent to the registered owners of Bonds (hereinafter defined) not less than ten (10) days preceding such special record date. Such notice shall be mailed to the persons in whose names the Bonds are registered at the close of business on the fifth (5th) day preceding the date of mailing.

Whenever the due date for payment of interest on or principal of the Bonds or the date fixed for redemption of any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or executive order to remain closed, then payment of such interest, principal, or redemption price need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day upon which banks are authorized by law or executive order to remain closed, with the same force and effect as if made on the due date for payment of principal, interest or redemption price and no interest shall accrue thereon for any period after such due date.

This Bond is one of a series of Bonds of the City known generally as "City of Reading, Berks County, Pennsylvania, [Federally-Taxable] General Obligation Bonds, Series [A][B] of 2015," dated as of _____, 2015 (the "Bonds"), issued by the City in the aggregate principal amount of _____ Dollars (\$_____).

The Bonds are in fully registered form, without coupons, and have been authorized and issued in accordance with the Local Government Unit Debt Act of the Commonwealth (the "Act"), without the assent of the electors, pursuant to an ordinance (the "Ordinance") of the Council duly enacted on _____, 2015. The terms and provisions of the Ordinance are hereby incorporated by reference as if set forth fully herein.

The City has covenanted in the Ordinance that it shall include in its budget the amount of the debt service for each fiscal year of the City in which principal and/or interest on the Bonds is payable, that it shall appropriate from its general revenues any such sums for the payment of such debt service and that it shall duly and punctually cause to be paid when due principal and interest on the Bonds.

[FOR SERIES A BONDS ONLY: In the Ordinance, the City has covenanted to and with registered owners of the Bonds that it will make no use of the proceeds of the Bonds, or do or suffer any other action, which, if such use or action had been reasonably expected on the date of issuance of the Bonds, would cause the Bonds to be "arbitrage bonds" or "private activity bonds" as those terms are defined in Section 148 and Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder.]

This Bond shall not be entitled to any benefit under the Ordinance nor shall it be valid, obligatory or enforceable for any purpose until this Bond shall have been authenticated by the Paying Agent.

The Bonds maturing on or after _____, shall be subject to redemption, prior to maturity, at the option of the City, in whole or in part, in any order of maturities, at any time on or after _____, at a price equal to 100% of the principal amount of the Bonds to be redeemed and accrued

interest thereon to the date fixed for such optional redemption. In the event that less than all Bonds of a particular maturity are to be redeemed, the Bonds of such maturity to be redeemed shall be drawn by lot by the Paying Agent.

The Bonds stated to mature on _____, are subject to mandatory redemption prior to maturity on _____ of the years (at a price equal to the principal amount of the Bonds called for mandatory redemption plus accrued interest thereon to the date fixed for such mandatory redemption) and in the principal amounts as set forth in the following schedule, as drawn by lot by the Paying Agent:

<u>Year</u>	<u>Principal Amount</u>
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*

* at maturity

In lieu of such mandatory redemption, the Paying Agent, on behalf of the City, may purchase, from money in the Sinking Fund, or the City may tender to the Paying Agent, all or part of the Bonds subject to mandatory redemption in any such year.

If a Bond is of a denomination larger than \$5,000, a portion of such Bond may be redeemed. For the purposes of redemption, such Bond shall be treated as representing that number of Bonds which is obtained by dividing the principal amount thereof by \$5,000, each \$5,000 portion of such Bond being subject to redemption. In the event of a partial redemption of a Bond, payment of the redemption price shall be made only upon surrender of such Bond in exchange for Bonds of the same series and of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the principal amount thereof.

Any redemption of Bonds shall be upon notice effected by mailing a copy of the redemption notice by first-class mail, postage prepaid, such notice to be sent not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption, addressed to the registered owners of Bonds to be redeemed at their addresses shown on the registration books kept by the Paying Agent (hereinafter defined) as of the date the Bonds are selected for redemption; provided, however, that failure to give such notice by mailing, or any defect therein or in the mailing thereof, shall not affect the validity of any proceeding for redemption of other Bonds called for redemption as to which proper notice has been given.

If at the time of mailing of the notice of redemption the City shall not have deposited with the Paying Agent moneys sufficient to redeem all the Bonds called for redemption, such notice may state that it is conditional, that is, subject to the deposit of the redemption moneys with the Paying Agent no later than the opening of business on the redemption date, and such notice shall be of no effect unless such moneys are so deposited.

On the date designated for redemption, notice having been provided as aforesaid, and money for payment of the principal and accrued interest being held by such Paying Agent, interest on the Bonds or portions thereof so called for redemption shall cease to accrue and such Bonds or portions thereof shall cease to be entitled to any benefit or security under this Ordinance, and registered owners of

such Bonds shall have no rights with respect to such Bonds, except to receive payment of the principal of and accrued interest on such Bonds to the date fixed for redemption.

If the redemption date for any Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or by executive order to remain closed, then the payment of such principal and interest upon such redemption need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to remain closed, with the same force and effect as if made on the nominal date of redemption, and no interest shall accrue after such date.

This Bond may be transferred or exchanged by the registered owner hereof only upon surrender of this Bond to the Paying Agent at its principal corporate trust office, accompanied by a written instrument or instruments of transfer in form, with instructions, and with guaranty of signature satisfactory to the Paying Agent, duly executed by the registered owner of this Bond or his attorney-in-fact or legal representative. The Paying Agent shall enter any transfer of ownership of this Bond in the registration books maintained by the Paying Agent and shall authenticate and deliver in the name of the transferee or transferees a new fully registered Bond or Bonds of the same series and of authorized denominations of the same maturity and form for the aggregate amount which the transferee is entitled to receive at the earliest practicable time. The City and the Paying Agent may deem and treat the registered owner hereof as the absolute owner hereof (whether or not this Bond shall be overdue) for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and the City and the Paying Agent shall not be affected by any notice to the contrary. All payments made to the registered owner of a Bond, as herein provided, shall be valid and effectual to satisfy in full and discharge the liability of the City upon the Bond as paid.

The City and the Paying Agent shall not be required: (i) to issue or to register the transfer of or exchange any Bonds then considered for redemption during a period beginning at the close of business on the fifteenth (15th) day next preceding any date of selection of Bonds to be redeemed and ending at the close of business on the day on which the applicable notice of redemption is given, or (ii) to register the transfer of or exchange any portion of any Bond selected for redemption, in whole or in part until after the date fixed for redemption. Bonds may be exchanged for a like aggregate principal amount of Bonds of other authorized denominations of the same maturity and interest rate.

The City has caused CUSIP numbers to be printed on the Bonds as a convenience to Bondholders. No representation is made as to the accuracy of such numbers as printed on the Bonds.

No recourse shall be had for the payment of the principal of or interest on this Bond, or for any claim based hereon or on the Ordinance, against any member, officer or employee, past, present, or future, of the City or of any successor body, as such, either directly or through the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of this Bond.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth for the City to issue and deliver this Bond has been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Bond, together with all other indebtedness of the City is within every debt and other limit prescribed by the Constitution and the

statutes of the Commonwealth; that the City has established with the Paying Agent, as Sinking Fund Depository, a sinking fund for the Bonds and shall deposit therein amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Bond, the full faith, credit and taxing power of the City are hereby irrevocably pledged.

IN WITNESS WHEREOF, the City of Reading, Berks County, Pennsylvania, has caused this Bond to be signed in its name and on its behalf by the signature of the Mayor and its corporate seal to be hereunder affixed, duly attested by the signature of the City Clerk, as of the ____ day of _____, 2015.

CITY OF READING
Berks County, Pennsylvania

By: _____
Vaughan D. Spencer, Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

(SEAL)

(FORM OF PAYING AGENT'S CERTIFICATE)
CERTIFICATE OF AUTHENTICATION

Date of Authentication: _____

It is certified that this Bond is a Bond issued under the provisions of the within-mentioned Ordinance.

_____, as Payi
By _____
Authorized Officer

STATEMENT OF INSURANCE
TO BE PROVIDED UPON SELECTION OF BOND INSURER

(FORM OF ASSIGNMENT)

ASSIGNMENT

FOR VALUE RECEIVED, _____ (the "Transferrer"), the undersigned, hereby sells, assigns and transfers unto

_____ (the "Transferee")

Name

Address

Social Security or
Federal Employer Identification No.

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ as attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

NOTICE: No transfer will be made in the name of the Transferee, unless the signature(s) to this assignment correspond(s) with the name(s) as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever and the Social Security or Federal Employer Identification Number of the Transferee is supplied. If the Transferee is a trust, the names and Social Security or Federal Employer Identification Numbers of the settlor and beneficiaries of the trust, the Federal Employer Identification Number and date of the trust, and the name of the trustee should be supplied.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an approved eligible guarantor institution, an institution which is a participant in a Securities Transfer Association recognized signature guarantee program.

(END OF BOND FORM)

Payment Date	Principal Outstanding	Principal to Be Refunded	Principal to Remain Outstanding
1-Nov-15	1,245,000	370,000	875,000
1-Nov-16	1,295,000	385,000	910,000
1-Nov-17	1,350,000	400,000	950,000
1-Nov-18	1,415,000	420,000	995,000
1-Nov-19	1,480,000	440,000	1,040,000
1-Nov-20	1,560,000	460,000	1,100,000
1-Nov-21	1,640,000	485,000	1,155,000
1-Nov-22	1,730,000	510,000	1,220,000
1-Nov-23	1,830,000	540,000	1,290,000
1-Nov-24	1,930,000	570,000	1,360,000
1-Nov-25	2,045,000	605,000	1,440,000
1-Nov-26	2,170,000	640,000	1,530,000
1-Nov-27	2,300,000	680,000	1,620,000
1-Nov-28	2,440,000	720,000	1,720,000
1-Nov-29	2,585,000	765,000	1,820,000
1-Nov-30	2,750,000	815,000	1,935,000
1-Nov-31	2,920,000	865,000	2,055,000
1-Nov-32	3,100,000	920,000	2,180,000
1-Nov-33	3,295,000	975,000	2,320,000
	<u>39,080,000</u>	<u>11,565,000</u>	<u>27,515,000</u>

CITY OF READING
BERKS COUNTY, PENNSYLVANIA

GENERAL OBLIGATION BONDS, SERIES A OF OF 2015

MAXIMUM DEBT SERVICE REQUIREMENTS

DATE	PRINCIPAL	MAX RATE	INTEREST	NET DEBT SERVICE	FISCAL YEAR DEBT SERVICE
15-Apr-15					
1-Nov-15	575,000.00	5.000%	622,844.44	1,197,844.44	1,197,844.44
1-May-16	-		557,625.00	557,625.00	-
1-Nov-16	670,000.00	5.000%	557,625.00	1,227,625.00	1,785,250.00
1-May-17	-		540,875.00	540,875.00	-
1-Nov-17	915,000.00	5.000%	540,875.00	1,455,875.00	1,996,750.00
1-May-18	-		518,000.00	518,000.00	-
1-Nov-18	1,030,000.00	5.000%	518,000.00	1,548,000.00	2,066,000.00
1-May-19			492,250.00	492,250.00	-

CITY OF READING
BERKS COUNTY, PENNSYLVANIA

TAXABLE GENERAL OBLIGATION BONDS, SERIES B OF 2015

MAXIMUM DEBT SERVICE REQUIREMENTS

DATE	PRINCIPAL	MAX RATE	INTEREST	NET DEBT SERVICE	FISCAL YEAR DEBT SERVICE
15-Apr-15					
1-Nov-15	525,000.00	6.0000%	1,366,446.67	1,366,446.67	1,366,446.67
1-May-16			1,239,150.00	1,239,150.00	-
1-Nov-16	300,000.00	6.0000%	1,239,150.00	1,239,150.00	1,239,150.00
1-May-17			1,230,150.00	1,230,150.00	-
1-Nov-17	685,000.00	6.0000%	1,230,150.00	1,230,150.00	1,230,150.00
1-May-18			1,209,600.00	1,209,600.00	-
1-Nov-18	695,000.00	6.0000%	1,209,600.00	1,209,600.00	1,209,600.00
1-May-19			1,188,750.00	1,188,750.00	-

19	-									
1-Nov-19	1,050,000.00	5.000%	492,250.00	1,542,250.00	2,034,500.00	1-Nov-19	2,515,000.00	6.0000%	1,188,750.00	3,690,000.00
1-May-20	-		466,000.00	466,000.00	-	1-May-20			1,113,300.00	1,579,300.00
1-Nov-20	1,075,000.00	5.000%	466,000.00	1,541,000.00	2,007,000.00	1-Nov-20	2,575,000.00	6.0000%	1,113,300.00	3,688,300.00
1-May-21	-		439,125.00	439,125.00	-	1-May-21			1,036,050.00	1,475,150.00
1-Nov-21	1,100,000.00	5.000%	439,125.00	1,539,125.00	1,978,250.00	1-Nov-21	2,645,000.00	6.0000%	1,036,050.00	3,684,250.00
1-May-22	-		411,625.00	411,625.00	-	1-May-22			956,700.00	1,411,550.00
1-Nov-22	1,135,000.00	5.000%	411,625.00	1,546,625.00	1,958,250.00	1-Nov-22	2,725,000.00	6.0000%	956,700.00	3,684,950.00
1-May-23	-		383,250.00	383,250.00	-	1-May-23			874,950.00	1,366,650.00
1-Nov-23	1,170,000.00	5.000%	383,250.00	1,553,250.00	1,936,500.00	1-Nov-23	2,810,000.00	6.0000%	874,950.00	3,691,450.00
1-May-24	-		354,000.00	354,000.00	-	1-May-24			790,650.00	1,317,100.00
1-Nov-24	1,210,000.00	5.000%	354,000.00	1,564,000.00	1,918,000.00	1-Nov-24	2,900,000.00	6.0000%	790,650.00	3,698,650.00
1-May-25	-		323,750.00	323,750.00	-	1-May-25			703,650.00	1,274,450.00
1-Nov-25	1,255,000.00	5.000%	323,750.00	1,578,750.00	1,902,500.00	1-Nov-25	2,995,000.00	6.0000%	703,650.00	3,706,150.00
1-May-26	-		292,375.00	292,375.00	-	1-May-26			613,800.00	1,230,650.00
1-Nov-26		5.000%	292,375.00	1,587,375.00		1-Nov-26	3,100,000.00	6.0000%	613,800.00	3,714,100.00

26	1,295,000.00				1,879,750.00					
1-May-27	-		260,000.00	260,000.00	-	1-May-27			520,800.00	5
1-Nov-27	1,340,000.00	5.000%	260,000.00	1,600,000.00	1,860,000.00	1-Nov-27	3,215,000.00	6.0000%	520,800.00	3,
1-May-28	-		226,500.00	226,500.00	-	1-May-28			424,350.00	4
1-Nov-28	1,385,000.00	5.000%	226,500.00	1,611,500.00	1,838,000.00	1-Nov-28	3,335,000.00	6.0000%	424,350.00	3,
1-May-29	-		191,875.00	191,875.00	-	1-May-29			324,300.00	3
1-Nov-29	1,435,000.00	5.000%	191,875.00	1,626,875.00	1,818,750.00	1-Nov-29	3,465,000.00	6.0000%	324,300.00	3,
1-May-30	-		156,000.00	156,000.00	-	1-May-30			220,350.00	2
1-Nov-30	1,490,000.00	5.000%	156,000.00	1,646,000.00	1,802,000.00	1-Nov-30	3,600,000.00	6.0000%	220,350.00	3,
1-May-31	-		118,750.00	118,750.00	-	1-May-31			112,350.00	1
1-Nov-31	1,540,000.00	5.000%	118,750.00	1,658,750.00	1,777,500.00	1-Nov-31	3,745,000.00	6.0000%	112,350.00	3,
1-May-32	-		80,250.00	80,250.00	-					
1-Nov-32	1,585,000.00	5.000%	80,250.00	1,665,250.00	1,745,500.00		41,830,000.00		26,484,246.67	68,
1-May-33	-		40,625.00	40,625.00	-					
1-Nov-33	1,625,000.00	5.000%	40,625.00	1,665,625.00	1,706,250.00					

22,880,000.00

12,328,594.44

35,208,594.44

35,208,594.44

CITY OF READING
BERKS COUNTY, PENNSYLVANIA

GENERAL OBLIGATION BONDS, SERIES A OF OF 2015

MAXIMUM DEBT SERVICE REQUIREMENTS

DATE	PRINCIPAL	MAX RATE	INTEREST	NET DEBT SERVICE	FISCAL YEAR DEBT SERVICE
15-Apr-15					
1-Nov-15	575,000.00	5.000%	622,844.44	1,197,844.44	1,197,844.44
1-May-16	-		557,625.00	557,625.00	-
1-Nov-16	670,000.00	5.000%	557,625.00	1,227,625.00	1,785,250.00
1-May-17	-		540,875.00	540,875.00	-
1-Nov-17	915,000.00	5.000%	540,875.00	1,455,875.00	1,996,750.00
1-May-18	-		518,000.00	518,000.00	-
1-Nov-18	1,030,000.00	5.000%	518,000.00	1,548,000.00	2,066,000.00
1-May-			492,250.00	492,250.00	-

CITY OF READING
BERKS COUNTY, PENNSYLVANIA

TAXABLE GENERAL OBLIGATION BONDS, SERIES B OF 2015

MAXIMUM DEBT SERVICE REQUIREMENTS

DATE	PRINCIPAL	MAX RATE	INTEREST	DEBT SERVICE	FISCAL YEAR DEBT SERVICE
15-Apr-15					
1-Nov-15	525,000.00	6.0000%	1,366,446.67	1,891,446.67	1,891,446.67
1-May-16			1,239,150.00	1,239,150.00	-
1-Nov-16	300,000.00	6.0000%	1,239,150.00	1,539,150.00	2,778,300.00
1-May-17			1,230,150.00	1,230,150.00	-
1-Nov-17	685,000.00	6.0000%	1,230,150.00	1,915,150.00	3,145,300.00
1-May-18			1,209,600.00	1,209,600.00	-
1-Nov-18	695,000.00	6.0000%	1,209,600.00	1,904,600.00	3,114,200.00
1-May-			1,188,750.00	1,188,750.00	-

19	-					19					
1-Nov-19	1,050,000.00	5.000%	492,250.00	1,542,250.00	2,034,500.00	1-Nov-19	2,515,000.00	6.0000%	1,188,750.00	3,703,750.00	4,892,500.00
1-May-20	-		466,000.00	466,000.00	-	1-May-20			1,113,300.00	1,113,300.00	-
1-Nov-20	1,075,000.00	5.000%	466,000.00	1,541,000.00	2,007,000.00	1-Nov-20	2,575,000.00	6.0000%	1,113,300.00	3,688,300.00	4,801,600.00
1-May-21	-		439,125.00	439,125.00	-	1-May-21			1,036,050.00	1,036,050.00	-
1-Nov-21	1,100,000.00	5.000%	439,125.00	1,539,125.00	1,978,250.00	1-Nov-21	2,645,000.00	6.0000%	1,036,050.00	3,681,050.00	4,717,100.00
1-May-22	-		411,625.00	411,625.00	-	1-May-22			956,700.00	956,700.00	-
1-Nov-22	1,135,000.00	5.000%	411,625.00	1,546,625.00	1,958,250.00	1-Nov-22	2,725,000.00	6.0000%	956,700.00	3,681,700.00	4,638,400.00
1-May-23	-		383,250.00	383,250.00	-	1-May-23			874,950.00	874,950.00	-
1-Nov-23	1,170,000.00	5.000%	383,250.00	1,553,250.00	1,936,500.00	1-Nov-23	2,810,000.00	6.0000%	874,950.00	3,684,950.00	4,559,900.00
1-May-24	-		354,000.00	354,000.00	-	1-May-24			790,650.00	790,650.00	-
1-Nov-24	1,210,000.00	5.000%	354,000.00	1,564,000.00	1,918,000.00	1-Nov-24	2,900,000.00	6.0000%	790,650.00	3,690,650.00	4,481,300.00
1-May-25	-		323,750.00	323,750.00	-	1-May-25			703,650.00	703,650.00	-
1-Nov-25	1,255,000.00	5.000%	323,750.00	1,578,750.00	1,902,500.00	1-Nov-25	2,995,000.00	6.0000%	703,650.00	3,698,650.00	4,402,300.00
1-May-26	-		292,375.00	292,375.00	-	1-May-26			613,800.00	613,800.00	-
1-Nov-26		5.000%	292,375.00	1,587,375.00		1-Nov-26	3,100,000.00	6.0000%	613,800.00	3,713,800.00	

26	1,295,000.00				1,879,750.00						4,327,600.00
1-May-27	-		260,000.00	260,000.00	-	1-May-27			520,800.00	520,800.00	-
1-Nov-27	1,340,000.00	5.000%	260,000.00	1,600,000.00	1,860,000.00	1-Nov-27	3,215,000.00	6.0000%	520,800.00	3,735,800.00	4,256,600.00
1-May-28	-		226,500.00	226,500.00	-	1-May-28			424,350.00	424,350.00	-
1-Nov-28	1,385,000.00	5.000%	226,500.00	1,611,500.00	1,838,000.00	1-Nov-28	3,335,000.00	6.0000%	424,350.00	3,759,350.00	4,183,700.00
1-May-29	-		191,875.00	191,875.00	-	1-May-29			324,300.00	324,300.00	-
1-Nov-29	1,435,000.00	5.000%	191,875.00	1,626,875.00	1,818,750.00	1-Nov-29	3,465,000.00	6.0000%	324,300.00	3,789,300.00	4,113,600.00
1-May-30	-		156,000.00	156,000.00	-	1-May-30			220,350.00	220,350.00	-
1-Nov-30	1,490,000.00	5.000%	156,000.00	1,646,000.00	1,802,000.00	1-Nov-30	3,600,000.00	6.0000%	220,350.00	3,820,350.00	4,040,700.00
1-May-31	-		118,750.00	118,750.00	-	1-May-31			112,350.00	112,350.00	-
1-Nov-31	1,540,000.00	5.000%	118,750.00	1,658,750.00	1,777,500.00	1-Nov-31	3,745,000.00	6.0000%	112,350.00	3,857,350.00	3,969,700.00
1-May-32	-		80,250.00	80,250.00	-						
1-Nov-32	1,585,000.00	5.000%	80,250.00	1,665,250.00	1,745,500.00		#####		#####	#####	#####
1-May-33	-		40,625.00	40,625.00	-						
1-Nov-33	1,625,000.00	5.000%	40,625.00	1,665,625.00	1,706,250.00						

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Drafted by	City Clerk
Sponsored by/Referred by	City Council
Introduced on	February 23, 2015
Advertised on	March 9 th , March 16 th , 2015

BILL NO. _____-2015
A N O R D I N A N C E

AMENDING THE CITY OF READING CODIFIED ORDINANCES CHAPTER 27, §27-1204 C PROVIDING FOR CONDITIONAL USE APPLICATIONS AND PROCEDURES ELIMINATING THE ABILITY OF THE CITY AND PROPERTY OWNER TO WAIVE A DECISION MADE BY CITY COUNCIL.

SECTION 1. Amending the City of Reading Codified Ordinances Chapter 27, Zoning Section §27-1204 C Conditional Use Applications and Procedures as follows:

§27-1204 Conditional Use Applications and Procedures.

C. If the Zoning Administrator has determined that the conditional use sought is one which is specifically authorized as a conditional use in the Zoning District wherein the applicant's property is located, one copy of the Application shall be forwarded to the City Planning Commission for its review; one copy shall be retained by the Zoning Administrator and one copy shall be forwarded to the City Clerk for review by City Council or its designated member or independent attorney appointed as a hearing officer pursuant to 53 P.S. § 10913.2.

1. The application shall be reviewed at one (1) or more advertised hearings of City Council or its designated hearing officer with the initial hearing being commenced within sixty (60) days of receipt of the completed application, unless the applicant agrees in writing to an extension of time. Each subsequent hearing shall be held within forty-five (45) days of the prior hearing. The City Council shall either approve or disapprove the application in writing within forty-five (45) days after the date of the final

hearing. If a hearing officer is so designated and appointed by City Council the hearing officer shall submit written findings and recommendations to City Council in sufficient time to permit a decision by Council or findings, where no decision is called for, within the allotted time for decision as provided herein.

2. Notices of all hearings shall be given in accordance with the requirements of Section 410 A. of this Chapter (§27-410)
3. The hearing shall be conducted by the designated hearing officer or City Council in accordance with the same procedures and safeguards as those specified in Section 410 D. through L of this Chapter (§27-410)
4. The Decision and/or Findings of City Council shall be made in accordance with the same requirements as those set forth for the Zoning Hearing Board in Section 412 of this Chapter (§27-412).
5. Notice of the Decision and/or Findings by the hearing officer or City Council shall be made in accordance with the same requirements as those set forth for the Zoning Hearing Board in Section 413 of this Chapter (§27-413)
6. In the case of a proposed Conditional Use that may be subject to additional regulation and control by State or Federal regulation(s) or statute(s), City Council may defer a final decision for up to 30 additional days or longer upon receipt of written request therefor from the applicant.
- ~~7. In cases where a hearing officer is appointed the applicant, in addition to the City, may, prior to the decision of City Council, waive decision or findings by City Council and accept such decision or findings of the hearing officer as final.~~
8. The granting of permission to conduct a Conditional Use does not exempt the applicant from acquiring all approvals required by the Subdivision and Land Development provisions of the City of Reading Consolidated Code.
9. All appeals from the Decision of City Council shall be made in compliance with the provisions of the Pennsylvania Municipalities Planning Code, as amended.

SECTION 2. All other parts of the Ordinance remain unchanged.

SECTION 3. This Ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 and 221 of the City of Reading Home Rule Charter.

Drafted by	City Clerk
Sponsored by/Referred by	Council President Acosta
Introduced on	March 9, 2015
Advertised on	March 10 and March 16, 2015

BILL NO. __2015

ORDINANCE

AMENDING CHAPTER 339 OF THE READING CITY CODE, ENTITLED “LICENSES AND PERMITS,” BY CREATING A NEW PART 3 ADDING DEFINITIONS, DUTIES, PENALTIES, EXCEPTIONS, PROHIBITED ACTS, LICENSING REQUIREMENTS AND OTHER RELATED ITEMS REGARDING PROVISION OF IMMIGRATION ASSISTANCE SERVICES; ALL UNDER CERTAIN TERMS AND CONDITIONS.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS:

SECTION 1. Chapter 339 of the Reading City Code is hereby amended to add a new Part 3 as follows:

PART 3. REGULATION OF BUSINESSES, TRADES AND PROFESSIONS.

§ 339-301. Immigration Assistance Services.

Definitions. As used in this Section:

“BIA” means the Board of Immigration Appeals as determined under Title 8 (Aliens and Nationality) of the Code of Federal Regulations, as amended.

“Director” means the Director of the Administrative Services Department

“Compensation” means money, property, services, promise of payment, or anything else of value.

“CSC” means Customer Service Center.



“Department” means the Department of Administrative Services.

"Employed by" means that a person is on the payroll of the employer and the employer deducts from the employee's paycheck social security and withholding taxes, or receives compensation from the employer on a commission basis or as an independent contractor.

~~“Immigration matter” means any proceeding, filing or action affecting the status~~ of any person which arises under immigration and naturalization law, regulations, procedure, executive order or presidential proclamation, including those which arise under actions or jurisdiction of the United States Department of Homeland Security, the Department of Justice, the United States Department of Labor, the United States Department of Revenue, the United States Department of State or any successor agencies or department(s).

"Immigration assistance service" means the business of providing any form of assistance, for a fee or other compensation, to any person in an “immigration matter.”

“Provider” means any person or entity, including but not limited to a corporation, partnership, limited liability company, sole proprietorship or natural person, that provides immigration assistance services, but shall not include persons or entities exempt under Subsection (2).

§ 339-301. Exemptions. Nothing in this Part shall regulate any business to the extent that such regulation is prohibited by state or federal law. The requirements of this Part shall not apply to any of the following persons or entities if such person or entity can prove eligibility for an exemption as follows:

(a) Any person who is a member in good standing of the bar of the highest court of any state, possession, territory, commonwealth or the District of Columbia, and is not under any order of any court suspending, enjoining, restraining, disbaring, or otherwise restricting him or her in the practice of law, or any person working under the supervision of such person;

(b) Any organization recognized by the BIA that provides immigration assistance services via representatives accredited by such board to appear before the Department of Homeland Security or the Executive Office for Immigration Review, that does not charge a fee or charges nominal fees, as defined by the BIA;

(c) Any person employed by the federal government or by the Commonwealth of Pennsylvania and authorized to provide services in an immigration matter, when acting within the scope of such employment or authority;

(d) Any elected official who, acting within the scope of his or her official capacity, without a fee or other payment makes inquiries in an “immigration matter”;

(e) Any City official or employee who, acting within the scope of his or her duties, without requiring a separate fee or other payment, makes inquiries in an “immigration matter” on behalf of an individual.

§ 339-303. Provider Requirements.

(a) Registration. In addition to obtaining a business privilege license as required under Chapter 339, Part 2, a provider shall register with the CSC annually, pursuant to such registration process as may be established by the Department. A single registration shall include all locations at which a provider performs immigration-related services.

(1) At the time of registration, a provider must sign a form designated by the Department, attesting the provider’s knowledge and consent to conduct business in accordance with the provisions of this Part, and acknowledging that any violation of the provisions of this Part by the provider may result in fines and penalties in addition to those stated in Part 339, as well as cease operations orders and suspension or revocation of the provider’s business privilege license.

(2) At the time of registration, a provider must provide proof of a surety bond in the amount of \$50,000 in order to ensure payment of all final judgments and decrees entered against the provider for damages arising from the provision of immigration assistance services. The surety bond shall be in effect for the entire period in which the provider provides immigration assistance services, plus one year after the provider ceases all operations.

(b) Signs. All providers shall post signs at the provider's place of business, and every location where the provider regularly meets with customers. Signs shall be posted in a conspicuous interior location where the signs will be visible to customers who enter the office. Signs shall meet all of the following requirements:

(1) Each sign shall be at least 11 inches by 17 inches

(2) If the signs are placed on the exterior of the building or are located in a window the signs shall comply with Zoning and Historic Preservation regulations

(3) Notice signs shall contain the following statement:

(i) “This office is not an authorized government agency. I am not an attorney licensed to practice law or a representative accredited by the Board of Immigration Appeals. I cannot represent you before any immigration authority or agency and may not give legal advice or accept fees for legal advice. Fingerprints taken at this location will not be accepted by the United States Department of Homeland Security for any purpose. You may cancel any contract within three (3) business days and get your money back for services not performed. If you have a

complaint about this business, contact the City of Reading Customer Services Center.”

(4) Notice signs shall be designed and approved by the Department or its designee and posted in a downloadable Portable Document Format (PDF) on the Department’s website. The notice signs shall contain the statements required under this Section in English and any other language as determined

by the Department. Providers shall reproduce the PDF from the Department website, without modification, and post as required herein.

(4) A fee sign, which contains a schedule of all services and fees regularly charged, shall be posted.

(c) Brochure. Before providing any services, a provider shall provide each customer with a brochure or handbill containing all disclosures in the form required under this section. Such brochure or handbill shall be designed and approved by the Department, and shall be posted on the Department’s website in PDF Format. Providers shall reproduce and distribute the brochure exactly as obtained from the Department website, without modification. The brochure or handbill shall be in English and any other language as determined by the Department.

(d) Documents. Providers shall retain copies of all documents prepared or obtained in connection with services provided to a customer for a period of three (3) years after the date a written contract is executed by the provider and the customer, whether or not the contract is subsequently cancelled.

(1) Documents shall be retained at the provider’s principal place of business and made available for confirmation of such retention by the Director or his representative upon demand, during normal business hours.

(e) Advertising. When advertising immigration assistance services by signs, pamphlets, newspapers, internet, television, radio or any other means, a provider shall post or otherwise include with the advertisement a notice in English and in every other language in which the person provides or offers to provide assistance. The notice shall be of a conspicuous size and shall state the following: "The individual offering to provide assistance to you is NOT an attorney licensed to practice law or a representative accredited by the Board of Immigration Appeals. The individual cannot represent you before any immigration authority or agency and may not give legal advice or accept fees for legal advice.”

(1) No advertisement for immigration assistance services shall expressly or impliedly guarantee that the licensee will achieve any particular government action, including, but not limited to, the granting of employment authorization, lawful permanent residence status, citizenship, or any other form of immigration benefit or

relief.

(2) Advertising posted at a provider's place of business shall be subject to confirmation of compliance with subsection (3) (e) by the Director or his representative, upon demand, during normal business hours.

(3) All advertising in violation of this Section may be subject to penalties.



(f) Providers shall comply with all reasonable and lawful requests by the Department.

§ 339-304. Legal Duties of a Provider. Each provider may only perform the following immigration assistance services:

(a) Transcribing responses to a government agency form which is related to an immigration matter, but not advising a customer as to his or her answers on those forms;

(b) Translating information on forms, including the instructions, to a customer and translating the customer's answers to questions posed on those forms, but not advising a customer as to his or her answers on those forms;

(c) Securing for the customer supporting documents, requested by the customer, currently in existence, including but not limited to birth and marriage certificates, foreign passports, tax forms, police clearances and educational credentials, which may be needed to submit with government agency forms;

(d) Translating documents from a foreign language into English;

(e) Notarizing signatures on government agency forms, if the person performing the service is a notary public licensed in Pennsylvania;

(f) Arranging for the performance of medical testing and the obtaining of reports of such test results;

§ 339-305. Written Agreements.

(a) Each provider shall execute a written contract with the customer before providing any form of assistance in an immigration matter.

(1) The written contract shall include the following provisions:

(a) Name, address and telephone number of the provider;

(b) Itemization of all services to be provided and performed for the customer;

(c) Identification of all compensation and costs to be charged to the customer for the services to be performed;

(d) A statement that any originals of documents prepared, submitted or obtained may not be retained by the provider for any purpose, including payment of compensation or costs;

(e) A statement that the provider shall give the customer a copy of each document filed with a government entity;

- (f) A statement that the customer is not required to obtain supporting documents through the provider, but may obtain such documents himself or herself;
 - (g) A statement, on the face of the contract and in print larger and more conspicuous than other print on the contract, in plain language and substantially similar to the following: “The individual providing assistance to you under this contract is not an attorney licensed to practice law or accredited by the Board of Immigration Appeals to provide representation to you and may not give legal advice or accept fees for legal advice.”;
 - (h) A statement that the customer may rescind the contract within three (3) business days, which shall be conspicuously set forth in the contract in plain language substantially similar to the following: "You have three (3) business days to cancel this contract. Notice of cancellation must be in writing. If you cancel this contract within three (3) business days, you will get back your documents along with any fees that you have paid.”;
 - (i) A statement conspicuously set forth in plain language substantially similar to "The individual providing assistance to you under this contract is prohibited from disclosing any information or filing any forms or documents with immigration or other authorities without your knowledge and consent.";
 - (j) A statement conspicuously set forth in plain language substantially similar to "A copy of all forms completed and documents accompanying the forms shall be kept by the service provider for three years. A copy of the customer's file shall be provided to the client on demand and without fee.";
 - (k) A statement that the provider has financial surety in effect for the benefit of any customer in the event that the customer is owed a refund, or is damaged by the actions of the provider, together with the name, address and telephone number of the surety. The statement should be in plain language and substantially similar to “The provider is required by law to have
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insurance, which is called a financial surety. If you are not given the services you agreed on, as the customer you may be able to get your money back through this insurance.”

(2) The contract shall be in a language understood by the customer, an English language version of the contract shall also be provided.

(3) A copy of the contract shall be provided to the customer upon the customer's execution of the contract.

(4) Receipts shall be issued for all services provided, and any guarantee must be made in writing.

(5) The customer has the right to cancel the contract within three (3) business days after his or her execution of the contract, without fee or penalty.

(6) The contract may be cancelled at any time after execution. If the contract is cancelled after three (3) business days, the provider may retain fees for services rendered, and any additional amounts actually expended on behalf of the customer. All other amounts must be returned to the customer within fifteen (15) days after cancellation.

(7) If any interpreter services are provided, the contract shall include an attestation from the interpreter affirming the accuracy of the translation and the translator's certification that he or she is competent to translate from the specified foreign language into English.

(8) Upon demand of the customer, providers must provide to the customer any documents prepared, submitted or obtained in relation to an immigration matter.

(9) Signature—Where a form has a section for the preparer to fill out, the provider must provide his or her own information and sign the form as the preparer.

§ 339-306. Prohibited acts. It shall be unlawful for any provider, person, or business entity engaged in the business of immigration assistance services to:

(a.) In the course of dealing with customers or prospective customers:

(1) Make any statement that the person can or will obtain special favors from or has special influence with the United States Department of Homeland Security, the Department of Justice or any other government agency; or threaten to report the client to immigration or other authorities or undermine in any way the client's immigration status or attempt to secure lawful status;

(2) Make any guarantee or promise to a customer, regarding outcomes in an immigration matter;

(3) Demand or retain any compensation for service not performed or costs that are actually not incurred;

(4) Fail to provide a customer with copies of documents filed with a governmental entity, or refuse to promptly return documents supplied by, prepared by, or paid for by the customer upon the request of the customer, or upon termination of the contract, even if there is a fee dispute between the licensee and the customer;

(5) Give any legal advice concerning an immigration matter or otherwise engage in the practice of law, including, but not limited to, any advice regarding the selection of forms to be completed and submitted to any government agency in connection with an immigration matter;

(b) Represent or advertise, in connection with the provision of assistance in immigration matters, the title of lawyer or attorney at law, or equivalent terms in the English language, or any other language, including, but not limited to, "notary public," "accredited representatives of the Board of Immigration Appeals" or "immigration consultant," that could reasonably cause a customer to believe that the person possesses any form of license, accreditation, or official authorization to provide advice on an immigration matter. Provided, however, that a notary public licensed in Pennsylvania may use the term "notary public" if such use is accompanied by the statement that the person is not an attorney;

(c) State, imply, offer or otherwise represent that a person, business, agency, office or organization is authorized to provide fingerprinting services which will be accepted by the United States Department of Homeland Security (DHS) for the process of DHS applications or for any other purpose;

(d) Charge fees, directly or indirectly, for referring an individual to an attorney for any immigration matter. Provided, however, that a person may charge a fee

for notarizing documents as permitted by the Pennsylvania laws regarding notary publics;

(f) Represent that a fee may be charged, or charge a fee, for the distribution, provision or submission of any official document or form issued or promulgated by a state or federal governmental entity, or for the referral of the customer to another person or entity that is qualified to provide services or assistance which the provider will not provide;

(g) Disclose any information to, or file any forms or documents with, immigration or other authorities without the knowledge or consent of the customer.

(h) Refuse to comply with any reasonable and lawful request from a Department inspector acting within the scope of responsibility under this Part.

(i) Perform, or offer to perform, any immigration assistance services or other act which requires a business privilege license under this Chapter and registration under this Part without a valid business privilege license issued by the Department and registration approved by the Department.

(j) Fail to adhere to any provision of this Part.

§ 339-307. Penalties and Enforcement.

(a) Enforcement. In addition to any other penalty provided by law, any person who violates any provision of this Part shall be subject to appropriate Code enforcement proceeding and subject to fines and penalties specified. Each day that a violation of any provision of this Part continues shall constitute a separate and distinct offense. Any person who violates any provision of this Part shall further be liable in a private action as provided herein.

(b) Penalties. Upon the Department's determination that a provider is in violation of this Part hereof, or upon receipt of information of a provider's violation of this Part, the Department may take appropriate action against the individual or business entity, including:

(1) Suspension or Revocation of License. Suspension or revocation of licenses granted under Part 339 Part 2 for all premises operated by the individual where violations have occurred. During any period of license suspension, each and every location of the individual's business shall cease operation as an immigration assistance service provider.

(2) Cease Operations Order. The Department may issue a Cease Operations Order for each business location operated by the individual whose

license(s) has been suspended in accordance with the same procedures as set out in Part 339, Part 2, provided that the Cease Operations Order shall identify the prohibited operations and shall state that the applicable license has been suspended for violation(s) of the Code.

(3) No License. No new license shall be issued for a business location posted with a Cease Operation Order or a license suspension, so long as any person under a license suspension imposed by the Department, or any member of such person's immediate family, or, in the case of a corporation, the corporation or any affiliated business entities, retain a pecuniary interest in the property at that location.

§ 339-308. Private right of action. Any person aggrieved by any violation of this Section or any rule or regulation promulgated hereunder, may bring an action in an appropriate court against any person subject to this Part, for injunction against the violation or for such other or additional relief as may be appropriate to deter, prevent or compensate for the violation. Remedies for violation of this Ordinance shall be cumulative, and shall include costs, compensatory damages, and punitive damages, to the extent allowed by law. Any judgment obtained against a provider under this Part may be provided to the Department and provide a basis for a suspension of license and cease operations order.

SECTION 2. The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional or illegal, the validity of any other remaining provisions of the Ordinance shall not be affected thereby. It is hereby expressly declared as the intent of the City Council of the City of Reading that this Ordinance would have been adopted had such unconstitutional or illegal provision or provisions had not been included herein.

SECTION 3. This ordinance shall become effective six (6) months after its adoption and in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 2015

President of Council

Attest:

City Clerk

DATE: March 4, 2015

FROM: Linda A. Kelleher, City Clerk

Please place the following ad in the Reading Eagle Times in the Public Notice Section on March 10th and March 16th

City of Reading

Ordinance Introduction

The City of Reading City Council introduced the following ordinances at their regular business meeting on Monday, March 9, 2015:

Ordinance – Amending Chapter 339 Of The Reading City Code, Entitled “Licenses And Permits,” by creating a New Part 3 adding definitions, duties, penalties, exceptions, prohibited acts, licensing requirements and other related items regarding provision of immigration assistance services provided by Notary Public businesses and individuals; all under certain terms and conditions

This ordinance is eligible for enactment at Council’s March 23, 2015 regular business meeting. For more information or for a copy of the complete ordinance please contact the City Clerk’s Office, City Hall, 815 Washington St, Rdg, PA during regular business hours or by E Mail at Council@readingpa.org. A copy of the ordinance is also available on the City’s website on the Regular Meeting agenda March 9th and March 23rd.

Drafted by	Deputy City Clerk
Sponsored by/Referred by	Council Nominations and Appointments Committee
Introduced on	N/A
Advertised on	N/A

R E S O L U T I O N N O. _____ 2015

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

That Richard McDougall is reappointed to the Downtown Improvement District Authority with a term ending January 1, 2020.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk
