

CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, MAY 11, 2015
7:00 P.M.**

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

RULES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS

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

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

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Pastor Gerald Prentice, Reading Vicinity Ministerium Assn

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

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

2. PROCLAMATIONS AND PRESENTATIONS

- Recognizing National Historic Preservation Week, accepted by Historic Preservation Specialist Johnson and HARB Chair Booth
- Presentation of Historic Preservation Commendations from HARB:
 - 303 Windsor St. (Centre Park) - Big Brothers Big Sisters of Berks County, PA headquarters
 - 626 Centre Ave. (Centre Park)
 - 1700 Hampden Blvd. (Heights C.D.)
 - 1701 Alsace Rd. (Heights C.D.)

Oath of office to:

- 1st Deputy Fire Chief Sean L. Hart
- 2nd Deputy Fire Chief James G. Stoudt Jr.
- Fire Suppression Lieutenant David C. Williams

3. PUBLIC COMMENT – AGENDA MATTERS:

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

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

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

4. APPROVAL OF AGENDA

A. MINUTES: Regular meeting of April 27, 2015

B. AGENDA: Regular Meeting of May 11, 2015

5. Consent Agenda Legislation

A. Award of Contract – for the Local Limits Project to GHD, 1240 N Mountain Road Harrisburg PA 17112 with the total amount of the project at \$57,700

B. Resolution – authorizing the submission of a PA DEP application for the removal of the Bushong Dam

C. Resolution – authorizing additional three provisional Sidewalk Vendor licenses for 2015

D. Resolution - authorizing an application for approval of a traffic warning signal on Morgantown Road in the vicinity of Eberly Street

E. Resolution - Authorizing an Agreement with Norfolk Southern Railroad Pertaining to the Replacement of Certain Water Lines Associated with the Upgrade to the Waste Water Treatment Plant – *To be distributed Monday*

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. 19-2015 – Suspending Code of Ethics Section 12, Campaign Contributions and Reporting Requirements *Introduced at the April 13 regular meeting; Tabled on April 27*

B. Bill No. 20-2015 – amending the 2015 Budget by transferring \$250,000 from Contingency to the Board of Ethics *Introduced at the April 13 regular meeting; Tabled on April 27*

C. Bill No. 21-2015 – authorizing the transfer of cash reserves in the Shade Tree Fund (Fund 20) in the amount of \$201,000 and amending the 2015 Shade Tree Fund operating budget to allocate funds for the purchase of a bucket truck and chipper/shredder

Introduced at the April 27 regular meeting

D. Bill No. 22-2015 – amending the City Code, Chapter 141, Part 2 Animals, Section 205 Caring for Animals by adding Dog Code Blue and Code Red requirements *Introduced at the April 27 regular meeting; Advertised on May 4th*

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – Amending the Chapter 212 Fee Schedule of the City Code, Section 123 Police Department Miscellaneous Fees regarding copies of police reports, call recording and background reports *Advertised May 18th*

B. Ordinance - authorizing the transfer of \$4,585,914.00 among debt service accounts based on refinancing bonds 2008 C & D with bond 2014; refinancing a portion of bonds 2008 and RRA 2003 lease revenue with bond 2015A; and refinancing pension obligation bond 2006 with bond 2015B

C. Ordinance – amending the City of Reading Code of Ordinances, Chapter 5 Administrative Code, Section 5-806 Fiscal Provisions for consistency with the Purchasing Policies to and incorporate revisions recommended by the City’s Act 47 Coordinator as attached

D. Ordinance - amending the 2015 fiscal year employee position ordinance by reclassifying the Human Relations Investigator from one (1) full time position to one (1) part time position

E. Ordinance – authorizing a budget transfer of \$35,918 from Salary to Temporary Wages in the Human Relations Budget to fund the PT Investigator position

F. Ordinance – authorizing a budget transfer of \$75,000.00 between the above two accounts. This transfer has zero effect on General Fund Budgeted Spending to demolish the four properties on East Laurel Street damaged by the recent fire

11. RESOLUTIONS

A. Resolution – appointing Charles Milch to the CRIZ Authority

B. Resolution – appointing Barbara Waller to the Code and License Appeals Board

C. Resolution – reappointing Andrew Molteni to the Environmental Advisory Council

D. Resolution – reappointing Michael Fiucci to the Berks County Convention Center Authority

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, May 11

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, May 18

Standards of Living Committee – Council Office – 5 pm

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

Wednesday, May 20

HARB Appeal – 15 S 4th St – Council Chambers – 5 pm

****Monday, May 25****

City Hall Closed – Happy Memorial Day

****Tuesday, May 26****

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, May 11

6th & Amity Neighborhood & Playground Assn – 6th & Amity field house – 6:30 pm

Tuesday, May 12

Water Authority – Water Authority Office – 4:30 pm

District 11 Crime Watch – Orthodox Presbyterian Church – 7 pm

Wednesday, May 13

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, May 14

Police Pension Board – 3rd floor conference room – 9:30 am
Board of Ethics – Offices of Roland Stock – 5 pm
Outlet Area Neighborhood Assn – St Mark’s Lutheran Church – 6:30 pm

Friday, May 15

Fire Pension Board – Penn Room – 10 am

Monday, May 18

Library Board – 113 S 4th St – 4 pm

Tuesday, May 19

Fire Civil Service Board – Penn Room – 3 pm
HARB – Penn Room – 6:30 pm

Wednesday, May 20

O & E Pension Board – Penn Room – 1:30 pm
Redevelopment Authority – Redevelopment Authority Office – 5 pm

Tuesday, May 26

Environmental Advisory Council – Public Works Building – noon
Housing Authority Workshop – WC Building – 4 pm
Housing Authority – WC Building – 5 pm
Planning Commission – Penn Room – 7 pm
Penn’s Common Neighborhood Group – Penn’s Common meeting room – 7 pm

City of Reading City Council

Regular Meeting

April 27, 2015

Council President Acosta called the meeting to order.

The invocation was given by Pastor Junior Oriol, Freedom Gate Ministry.

All present pledged to the flag.

An executive session was held about litigation before the start of this meeting.

ATTENDANCE

Council President Acosta

Councilor Daubert, District 1

Councilor Goodman-Hinnershitz, District 2

Councilor Sterner, District 3

Councilor Marmarou, District 4

Councilor Reed, District 5

Councilor Waltman, District 6

City Auditor D. Cituk

City Solicitor C. Younger

City Clerk L. Kelleher

Managing Director C. Snyder

Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

Council issued the following commendations:

- Recognizing RHS Berks Best winter athletes
- Recognizing RHS Art and Music students

The mayor issued the following proclamations:

- Proclamation for Elia Auto Body, accepted by Chet Elia
- Recognizing Dan Luckey's 25 years of service to the Reading Housing Authority
- Proclamation for Lupus Awareness Month, accepted by Annette Boynes
- Proclamation for Sexual Assault Awareness Month, accepted by Mary Kay Bernosky

PUBLIC COMMENT

Council President Acosta stated that there are three (3) citizens registered to address Council on non-agenda matters and one (1) citizen registered to address Council on 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 regulations adopted by City Council.

Tim Daley, of Steuban Road, asked Council to retain the Ethics regulations for campaign reporting because changing the regulations now would create an unlevel playing field for those candidates who have been obeying the regulations. He expressed the belief that the regulations should not be suspended or repealed during this election cycle.

Maryann Ciarlone, of North 5th Street, distributed packets to City Council and expressed the belief that RAWA is not a transparent organization. She described her problems with the trash collection charges and the termination of her water service at a property she purchased in the 800 block of North 4th Street. She also reminded Council of the Judge Sprecher court decision which she in part read aloud.

Kelly Fegley, of South 16th Street, spoke about problems she has being a crossing guard at the 16th and Haak Elementary School. She stated that she has reported these problems to the mayor's office without resolve. She requested a stop sign at 17th and Haak Streets, a handicapped curb ramp, a reduced speed limit sign and an adjustment to the current drop-off zone to alleviate traffic back-ups. She also noted that the crossing guards have not gotten a pay increase for years and described her difficulty making ends meet. She questioned why the crossing guards, as part time employees, must pay the unemployment tax when they are ineligible for unemployment benefits.

Jennie Giles and Mary Jane Smith, from the Bethel AME Church, stated that the church would like to hold a carnival on the Windsor and Ritter playground and asked the City for permission to do so.

Councilor Reed stated that the playground belongs to the Reading School District.

Council President Acosta asked the Managing Director to assist in making the arrangements with the District.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the minutes of the April 13th meeting, and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He noted the addition of a Consent Agenda resolution regarding a solid waste minimization plan.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the agenda, including the legislation listed under the Consent Agenda heading, as amended and the minutes as listed. The motion was approved unanimously.

Consent Agenda

A. Resolution 39-2015 – authorizing streetlights for the Schuylkill Ave Bridge

B. Resolution 40-2015 – authorizing the removal of the Met Ed owned streetlights in Wyomissing Park

C. Resolution 41-2015 – promoting Fire Suppression Lieutenant James Stoudt Jr. to 2nd Deputy Fire Chief and Fire Fighter David Williams to Fire Suppression Lieutenant.

D. Resolution 42-2015 – authorizing the submission of a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST) for the incurrence of debt in the amount of \$37,214,485.00, for the purpose of financing/partially financing the improvements to the WWTP.

E. Resolution 43-2015 – authorizing Ballard Spahr's engagement as outside labor counsel for the City

F. Resolution 44-2015 – authorizing the development of a plan to encourage solid waste minimization

ADMINISTRATIVE REPORT

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

- Update on the Scoop Sessions and Town Meetings
- Announcing the first Micro Enterprise Grant
- Reporting on the celebration of the 30th anniversary of Arbor Day

Councilor Reed requested additional information on the repairs required for the Public Works building located at 14th and Walnut Streets. She noted that this is an historic building.

Council President Acosta agreed, noting that the façade of the building is made of stone from the former City prison, formerly located at 11th and Penn Streets.

AUDITOR'S REPORT

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

- 2015 Admissions Tax collection
- 2015 Transfer Tax collection

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

There were no reports issued at this meeting.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 17-2015 – Amending the City Code § 453-205 by increasing the number of Sidewalk Vending Licenses for food related sales issued annually to 20. *Introduced at the April 13 regular meeting; Advertised on 4-20-15*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to table Bill No. 17-2015.

Bill No. 17-2015 was tabled by the following vote:

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

C. Bill No. 18-2015 – Repealing and rewriting Chapter 564 Health and Safety, Part 105 Storage of Motor Vehicle Nuisances, by providing clarification on the prohibition of parking commercial and recreational vehicles in Residential and Preservation zoning districts and providing the PennDOT classification sheets explaining the types of commercial vehicles that are affected *Introduced at the April 13 regular meeting; Advertised on 4-20-15*

Councilor Daubert moved, seconded by Councilor Marmarou, to enact Bill No. 18-2015.

Bill No. 18-2015 was enacted by the following vote:

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

D. Bill No. 19-2015 – Suspending Code of Ethics Section 12, Campaign Contributions and Reporting Requirements

Councilor Reed moved Bill No. 19-2015. The motion failed due to the lack of a second.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to table Bill No. 19-2015.

Bill No. 19-2015 was tabled by the following vote:

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

Nays: None - 0

E. Bill No. 20-2015 – amending the 2015 Budget by transferring \$250,000 from Contingency to the Board of Ethics

Councilor Reed moved, seconded by Councilor Daubert, to table Bill No. 20-2015.

Bill No. 20-2015 was tabled by the following vote:

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

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

The Council President read the following ordinances into the record:

A. Ordinance – authorizing the transfer of cash reserves in the Shade Tree Fund (Fund 20) in the amount of \$201,000 and amending the 2015 Shade Tree Fund operating budget to allocate funds for the purchase of a bucket truck and chipper/shredder.

B. Ordinance – amending the City Code, Chapter 141, Part 2 Animals, Section 205 Caring For Animals by adding Dog Code Blue and Code Red requirements

RESOLUTIONS

No resolutions were considered at this meeting.

COUNCIL COMMENT

Councilor Marmarou noted the problems created by the closure of the gate enclosing the bleachers at Baer Park.

Council President Acosta noted the investment made to this facility by Baseball Town and he recalled that the bleachers are reserved for coaches and players. He suggested that the Rec Commission review this issue.

Councilor Goodman-Hinnershitz congratulated all who participated in the community sponsored events held over the past weekend. She noted the importance of community ownership of various City issues.

Councilor Reed expressed the belief that some candidates are confused by the new Ethics Code campaign reporting regulations and that changes to the regulations should not occur until the election cycle has been completed. She stated that she is holding a community meeting on the proposed removal of the Bushong Dam on April 29th at 6 pm at the Christ Lutheran Church.

Council President Acosta thanked everyone for their prayers and well wishes for his mother who has recently taken ill. He described the success of the Project Peace event sponsored by the Reading School District this past Saturday. He noted the commitment and engagement of Dr. Mumin with all young and adult community members.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk



AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: May 11, 2015
AGENDA MEMO DATE: May 05, 2015
RECOMMENDED ACTION: Awarding of Contract for the Local Limits Project.

RECOMMENDATION

The recommendation is to award the contract for the Local Limits Project to GHD, 1240 N Mountain Road Harrisburg PA 17112.

BACKGROUND

The City of Reading solicited proposals from selected consulting firms for delivery of consulting services for the evaluation and development of local Limits and other related Industrial Pretreatment Program support. The City is required to perform certain projects under a Department of Justice Consent Decree. The consent Decree requires the city to complete various upgrades to the Fritz Island Waste Treatment Plant and the City's sewer collection and conveyance system as well as perform certain tasks relative to the US EPA-mandated Pretreatment Program. In the context of the WWTP upgrades PA DEP issued a renewal to the NPDES permit requiring re-evaluation of the local limits based upon a head works analysis.

BUDGETARY IMPACT

The Department of Public Works has confirmed there are sufficient funds to cover the project. The account code to be charged is 54-07-43-4222. Total amount of the project is \$57,700

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the May 11, 2015 meeting.

RECOMMENDED BY

Mayor, Managing Director, Public Works Director, Acting Director of Administrative Services, Controller and Purchasing Coordinator.

RECOMMENDED MOTION

Approve/Deny the recommendation for the Local Limits Project be awarded to GHD.

A RESOLUTION BY THE CITY OF READING

TO REMOVE TULPEHOCKEN (BUSHONG) DAM

WHEREAS, the Pennsylvania Department of Environmental Protection (PA DEP) declared that the City of Reading is the owner of the Tulpehocken (Bushong) Dam, PA DEP Dam # D06-009; and

WHEREAS, the Tulpehocken Dam was originally built in 1892 for power generation to operate a paper mill, but that use was abandoned resulting in the dam no longer providing a useful purpose; and

WHEREAS, the Tulpehocken Dam poses a public safety hazard with liability issues; and

WHEREAS, the Tulpehocken Dam is in deteriorated condition, such that the cost of repairing the dam to current Dam Safety Standards would pose an undue financial hardship on the City of Reading; and

WHEREAS, the City of Reading is desirous to return the park area adjacent to the dam to a safe and functioning park area; and

WHEREAS, the cost of removing Tulpehocken Dam and rehabilitating the park area is a one-time expenditure and is significantly less cost than the cost of repairing the dam, removing surrounding hazards, and operating and maintaining the dam to increasing Dam Safety Standards ; and

WHEREAS, removing the Tulpehocken Dam would provide for the passage of fish and other aquatic species and would improve riparian buffer habitat of the Tulpehocken Creek in the Schuylkill River watershed; and

WHEREAS, removing the Tulpehocken Dam would significantly improve public safety and reduce overall liability in the vicinity of the dam; and

WHEREAS, numerous state agencies and private partnering organizations are providing technical and/or potential financial assistance to the City of Reading for the removal of Tulpehocken Dam;

NOW BE IT THEREFORE RESOLVED by the Mayor and Council of the City of Reading that removal of Tulpehocken Dam be selected as the most cost effective and beneficial management option available to the City.

BE IT FURTHER RESOLVED that the City of Reading makes applications with private partnering organizations for multiple grant sources to assemble project funding. Potential grant sources may include the PA DEP's Growing Greener Grant program, the PA Fish and Boat Commission's Quittapahilla-Tulpehocken Grant program, the National Fish and Wildlife Foundation's Five Star and Urban Waters Restoration Grant program, and other grants as may be appropriate for the dam removal and park development and restoration.

Approved and adopted this ____ day of _____, 2015.

President of Council

Attest:

City Clerk

Drafted by	City Clerk
Sponsored by/Referred by	City Council
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:

Authorizing the approval of an additional three (3) provisional Sidewalk Vendor licenses, in conformance with the regulations contained in City Code Chapter 453, Part 2 Sidewalk Vendors for the 2015 season.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION _____ - 2015

**AUTHORIZING AN APPLICATION FOR APPROVAL OF A TRAFFIC WARNING SIGNAL
ON MORGANTOWN ROAD IN THE VICINITY OF EBERLY STREET**

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

1. Authorizing and directing the Director of Public Works to submit an application to the Pennsylvania Department of Transportation seeking approval for the installation of a flashing warning device for the curve on State Route 10 (Morgantown Road) in the vicinity of Eberly Street, attached hereto as Exhibit A.
2. Authorizing the President of Council to execute a Resolution to this effect in such form as provided by the Pennsylvania Department of Transportation, included in the attached Exhibit A.

Adopted by Council on May 11, 2015

President of Council

Attest:

City Clerk

Drafted by	Solicitor
Sponsored by/Referred by	WWTP Manager
Introduced on	N/A
Advertised on	N/A

RESOLUTION NO. _____ 2015

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY

The Council of the City of Reading resolves as follows:

That the Mayor, Vaughn D. Spencer, be and is authorized by and directed to execute, under the seal of the City of Reading, attested to by the City Clerk, a License Agreement with Norfolk Southern Railway Company. Said License Agreement is attached to this Resolution as set forth as Exhibit "A."

Adopted by Council on May 11, 2015

Council President

Attest:

City Clerk

Drafted by	City Clerk
Sponsored by/Referred by	Council President Acosta
Introduced on	April 13, 2015
Advertised on	Not required

B I L L N O. ____2015
A N O R D I N A N C E

AN ORDINANCE SUSPENDING CHAPTER 5 ADMINISTRATIVE CODE, PART 10, CODE OF ETHICS, SECTION 1012, CAMPAIGN CONTRIBUTIONS AND REPORTING REQUIREMENTS

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

SECTION 1. Suspending Chapter 5 Administrative Code, Part 10, Code of Ethics, Section 1012, Campaign Contributions and Reporting Requirements until March 31,2016 which will provide time for City Council, the Solicitor and the Board of Ethics to make amendments to improve the provisions of the regulations provided.

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: _____



AGENDA MEMO

CITY COUNCIL

TO: City Council
FROM: Council President Acosta
PREPARED BY: City Clerk
MEETING DATE: April 13, 2015
AGENDA MEMO DATE: April 10, 2015
REQUESTED ACTION: Authorize transfer from the Contingency Fund to the Ethics Board to fund potential complaints regarding Campaign Contributions to Candidates

RECOMMENDATION

Requesting the following transfer of funds:

- \$250,000 from the Contingency Account to Ethics Board as detailed below:
 - \$250,000 From GF Contingency Account Code #01-14-91-4739
 - \$250,000 To Board of Ethics Account Code #01-17-91-4776

BACKGROUND

The request of the transfer of these funds will cover the potential costs of complaints filed against candidates running for City elected positions re Ethics Code Section 1012, Campaign Contributions and Reporting Requirements.

BUDGETARY IMPACT

There is \$1,142,550 in this line item and no transfers or expenses were recorded to date.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

RECOMMENDED BY

Council President.

RECOMMENDED MOTION

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

**BILL ____ -2015
AN ORDINANCE**

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE 2015 BUDGET BETWEEN THE GENERAL FUND CONTINGENCY ACCOUNT AND THE ETHICS BOARD

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the following transfer within the 2015 Budget:

\$250,000 from the Contingency Account to Ethics Board as detailed below:

- o \$250,000 From GF Contingency Account Code #01-14-91-4739
- o \$250,000 To Board of Ethics Account Code #01-17-91-4776

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____ 2015

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

TO: Members of City Council
FROM: David Kersley
PREPARED BY: David Kersley
MEETING DATE: April 22, 2015
AGENDA MEMO DATE: April 27, 2015
RECOMMENDED ACTION: Approve Shade Tree Fund Appropriation

BACKGROUND:

The City's Shade Tree Fund (Fund 20) is supported by an annual .2 mil property tax allocation. The Shade Tree Fund's budgeted expenditures include personnel and related expenses, and costs associated with maintaining trees in City parks and other public property. This fund typically collects more in allocated revenue than it expends, and has accumulated approximately \$300,000 in cash reserves. The proposed appropriation will enable the Department of Public Works to acquire, on behalf of the Shade Tree Fund, a replacement for a 20-year-old bucket truck and a new chipper/shredder. These items will be acquired through a process of competitive quotes among qualified vendors participating the Commonwealth of Pennsylvania's COSTARS procurement system.

BUDGETARY IMPACT:

A transfer of \$218,000 in Fund 20 cash reserves to the 2015 Fund 20 operating budget. There will be no impact on the General Fund budget.

PREVIOUS ACTION:

None

RECOMMENDED BY:

David Ruyak, Operations Division Manager of Public Works

Ralph Johnson, Public Works Director

Carole Snyder, Managing Director

RECOMMENDED MOTION:

Approve the request.

Drafted by:	Senior Business Analyst
Sponsored by/Referred by:	Director of Public Works
Introduced on:	April 27, 2015
Advertised on:	

BILL NO. ___2015

AN ORDINANCE

AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN THE SHADE TREE FUND IN THE AMOUNT OF \$218,000 TO PURCHASE CAPITAL EQUIPMENT

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

Section One: Council hereby authorizes the transfer of cash reserves in the Shade Tree Fund (Fund 20) in the amount of \$218,000, and amends the 2015 Shade Tree Fund operating budget to allocate funds for the purchase of a bucket truck and chipper/shredder.

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: _____



CITY OF READING CITY COUNCIL

Brief

Agenda Item: Dog Code Blue
and Code Red

From: Councilor Daubert

Date: April 27, 2015

SUBJECT: Create Code Blue and Code Red regulations for dogs during periods of extreme cold or heat.

SUMMARY: This ordinance was drafted to protect the health and safety of dogs and provides the City's Animal Control Agent – the Animal Rescue League (ARL) – with the discretionary authority to declare a Code Blue/Red which requires owners/caretakers to bring the dog indoors. The ARL supports this initiative.

The ordinance was crafted using the Philadelphia Code Blue/Red as a model. However, Philadelphia handles animal control internally and does not outsource that function to an outside agency. Philadelphia's Code Blue/Red for Dogs is applied when the City declares a Code Blue/Red for the homeless.

Using a City required Code Blue declaration for the homeless in Reading was considered approximately 7 years ago; however, it was learned that if the City requires a Code Blue for the homeless the City would create an immediate capacity problem for the homeless providers. At that point in time, Council and the Administration decided it would be best for the area homeless providers to make the declaration of Code Blue which allows them to make the declaration based on their capacity. This ordinance uses that same premise.

This ordinance:

- A. A Code Blue may be called when the National Weather Service (NWS) predicts a wind chill temperature of 20 degrees Fahrenheit or below or precipitation with temperatures below 32 degrees Fahrenheit.
- B. A Code Red may be called when the National Weather Service (NWS) predicts an extended weather forecast that includes at least three consecutive days of 95 degrees Fahrenheit or above temperatures.
- C. It is not mandatory for the Code Blue/Red to be declared. The ordinance provides the ARL with the discretionary power to make the declaration.
- D. The declaration of the Code Blue or Code Red must be placed on the ARL's website, forwarded to all local media outlets, and posted on the social media outlets it regularly uses to communicate with the public. A minimum of eight (8) hours notice must be provided to Reading residents.
- E. The 8 hour notification period will enable the ARL to assemble a team to assist in responding to complaints that may include the Reading Police Department and the PSPCA.
- F. Those who do not comply may have their dog impounded and they may be cited and subject to a fine of not less than \$100 nor more than \$1,000 plus costs.
- G. The 8 hour notification period will enable the ARL to assemble a team to assist in responding to complaints that may include the Reading Police Department and the PSPCA.

Drafted by	City Clerk
Sponsored by/Referred by	Councilor Daubert
Introduced on	April 27, 2015
Advertised on	May 5, 2015

BILL NO. _____2015

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE, CHAPTER 141, PART 2 ANIMALS, SECTION 205 CARING FOR ANIMALS BY ADDING DOG CODE BLUE REQUIREMENTS.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

WHEREAS, it is the objective and mission of Council to protect the public health and safety of its citizens and to promote the general welfare of the citizens and animals residing within the City. Animal ownership is encouraged and welcomed within this City; however, strong emphasis is placed on the responsible ownership of animals. Animal owners are encouraged to respect the rights of their fellow citizens and also those of their animals; and

WHEREAS, As the City's Animal Control Agent, the Animal Rescue League's (ARL) mission is to impact all aspects of humane treatment of animals through quality service, accommodation, and education of pet owners and the community.

SECTION 1. Amending the City Code, Chapter 141, Part 2 Animals, Section 205 Caring For Animals by adding Dog Code Blue and Code Red requirements and renumbering the Section, as follows:

§ 141-205. Caring for animals.

1. Pa. Code Animal Regulations; see 18 Pa.C.S.A. § 5511.
2. The City's Animal Control Agent shall have the authority to announce/call a Code Blue, relating to extreme cold, or Code Red, relating to extreme heat, requiring the owners of dogs to protect the unattended dog from the extreme heat or cold by bringing the dog into the place where the owner or person who has custody, control or possession of the dog resides.
 - H. A Code Blue may be called by the Animal Control Agent when the National Weather Service (NWS) predicts a wind chill temperature of 20 degrees Fahrenheit or below or precipitation with temperatures below 32 degrees Fahrenheit.
 - I. A Code Red may be called by the Animal Control Agent when the National Weather Service (NWS) predicts an extended weather forecast that includes at least three consecutive days of 95° F or above temperatures.
 - J. The Animal Control Agent shall announce the declaration of the Code Blue or Code Red on its website, to all local media outlets, and to the social media outlets it regularly uses to communicate with the public. A minimum of eight (8) hours notice shall be provided to Reading residents.
 - K. In addition to the requirements of the Pa. Code Animal Regulations as per Section 1 herein, any person who owns or has possession, custody or control of a dog shall not allow the animal to remain unattended outdoors (except for brief walks and brief periods of exercise) whenever a Code Blue or Code Red weather emergency has been declared by the City's Animal Control Agent.
 - L. If the City's Animal Control Agent finds that any person who owns or has possession, custody or control of a dog has not complied with the regulations herein, the City's Animal Control Agent shall have the ability to impound the dog, as per § 141-214. Impoundment Part 6.

M. Upon impoundment, the City's Animal Control Agent shall follow the procedures in § 141-215. Notice to owner and redemption.

N. Any person in violation of this Part shall be subject to the provisions of § 141-221 Violations and Penalties, herein.

SECTION 2. This ordinance shall become effective in ten (10) days of approval in accordance with Section 221 of the City of Reading Home Rule Charter.

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	Senior Business Analyst
Sponsored by/Referred by	Police Chief
Introduced on	
Advertised on	

BILL NO. ____-2015

AN ORDINANCE

MODIFYING CHAPTER 212, FEES, SECTION 123, POLICE DEPARTMENT MISCELLANEOUS FEES

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

Section One: The Fee Schedule of the City of Reading, Chapter 212, Section 123 Police Department Miscellaneous Fees of the City Code regarding case file duplication, recording and background reports, is hereby amended as set forth at Exhibit A hereof.

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: _____

EXHIBIT A

§ 212-123. Police Department miscellaneous fees.

Description	Fee	Ordinance	No. Code Citation
Use of pistol range	\$25 per person	38-2011	N/A
Certified copy of police report	\$15	38-2011	N/A
<i>Extensive case file duplication</i>	<i>Sum of actual costs</i>		
<i>Phone call/dispatch recording</i>	<i>Sum of actual costs</i>		
Local criminal check	\$10	38-2011	N/A
<i>Local criminal background report</i>	<i>\$20</i>		
Bomb squad/K-9 squad	Sum of costs and manpower used	38-2011	N/A
Standby charges	\$88 per hour per officer	38-2011	N/A



BUDGET TRANSFER

TO: Members of City Council

FROM: Christian F. Zale
City Controller

PREPARED BY: Christian F. Zale
City Controller

MEETING DATE: May 11, 2015

AGENDA MEMO DATE: May 1, 2015

RECOMMENDED ACTION: Budget Transfer

BACKGROUND:

The 2015 budget includes \$4,585,914.00 of debt service related to various bonds (2008 C&D, Portion of 2008 and RRA 2003 Lease Revenue and Pension Obligation 2006). These bonds have been refinanced with new accounts established to distinguish the debt service of the new bonds.

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

RECOMMENDED BY:

City Controller

RECOMMENDED MOTION:

Approve the request.

BILL NO. _____ - 2015

AN ORDINANCE

AUTHORIZING THE TRANSFER OF FUNDS AMONG DEBT SERVICE ACCOUNTS BASED ON REFINANCING BONDS 2008 C&D WITH BOND 2014; REFINANCING A PORTION OF BONDS 2008 AND RRA 2003 LEASE REVENUE WITH BOND 2015A; AND REFINANCING PENSION OBLIGATION BOND 2006 WITH BOND 2015B

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$4,585,914.00 among various accounts based on debt refinancing. (Attached) This transfer has zero effect on total 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: _____

**CITY OF READING
REQUEST FOR APPROPRIATION TRANSFER**

01-06-04-03
Appropriation Transfer No.

Requested by Division of Finance
Prepared by Angela Hemmig
Date 4/30/2015

Extension #

FROM		AMOUNT	TO	
Account Number	Account Name		Account Number	Account Name
01-14-91-4781	Interest - GOB Series 2008 C	\$ 706,638.00	01-14-91-4792	Interest-Series 2014
01-14-91-4782	Principal - GOB Series 2008 C	\$ 10,000.00	01-14-91-4793	Principal-Series 2014
01-14-91-4783	Interest - GOB Series 2008 D	\$ 560,863.00	01-14-91-4792	Interest-Series 2014
01-14-91-4784	Principal - GOB 2008 Series D	\$ 14,400.00	01-14-91-4793	Principal-Series 2014
50-15-96-4783	Interest - GOB Series 2008 D	\$ 77,508.00	50-15-96-4792	Interest-Series 2014
54-07-91-4783	Interest - GOB Series 2008 D	\$ 140,215.00	54-07-91-4792	Interest-Series 2014
01-14-91-4861	GOB Series 2008 Interest Exp	\$ 668,263.00	01-14-91-4026	Interest Series 2015A
01-14-91-4862	Principal GOB 2008	\$ 368,520.00	01-14-91-4025	Principal Series 2015A
01-07-50-4203	Rentals/Lease	\$ 124,178.00	01-14-91-4026	Interest Series 2015A
01-07-50-4203	Rentals/Lease	\$ 115,000.00	01-14-91-4025	Principal Series 2015A
01-14-91-4833	Interest Expense - 2006 GOB	\$ 1,800,329.00	01-14-91-4937	Interest_Series 2015B

REASON FOR TRANSFER: debt refinancing

APPROVALS:

Division Manager	SIGNATURE	DATE
Department Director	SIGNATURE	DATE
Budget Manager	SIGNATURE	DATE
Finance Director	SIGNATURE	DATE
Managing Director	SIGNATURE	DATE
TRANSFER MADE ON CITY BOOKS	SIGNATURE	DATE

Drafted by	Deputy City Clerk/Legal Specialist
Sponsored by/Referred by	Administrative Manual Group/PFM
Introduced on	

BILL NO. _____-2015

AN ORDINANCE

AMENDING THE CITY OF READING CODE OF ORDINANCES, CHAPTER 5 ADMINISTRATIVE CODE, SECTION 5-806 FISCAL PROVISIONS FOR CONSISTENCY WITH THE PURCHASING POLICIES TO AND INCORPORATE REVISIONS RECOMMENDED BY THE CITY'S ACT 47 COORDINATOR AS ATTACHED

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

Section 1. Amending the City of Reading Code of Ordinances, Chapter 5 Administrative Code, Section 5-806 Fiscal Provisions for consistency with the Purchasing Policies as attached.

Section 2. This ordinance shall become effective ten (10) days after it adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted: _____, 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: _____

§5-806 Fiscal Provisions

A. Fiscal year.

Editor's Note: Provisions of the Charter are set forth below:

§ 901. Fiscal year.

The fiscal year of the City shall be the calendar year. If not prohibited by law, the Council may, by ordinance, adopt a different fiscal year, specifying an orderly procedure for financial and budgetary controls in making such transition.

B. Administrative Services Director.

- (1) Bonding. The Administrative Services Director shall be bonded in such amount as determined by the Administrative Code. He/She shall assist the Managing Director in determining which personnel in the Administrative Services Department shall be bonded.
- (2) Policies and procedures. The Administrative Services Director shall be responsible for preparing policies and procedures as required by the

Administrative Code. These policies and procedures shall be available to the public for inspection. Copies may be made for the public at a reasonable cost not in excess of reproduction which may include both direct and indirect costs of such reproduction.

- (3) Securities. The Administrative Services Department is authorized and empowered on behalf of the City to establish and maintain accounts with those banks and brokers as are necessary and convenient for the purchase and sale of any and all forms of securities which are in accordance with the City's investment policy *as per Part D herein*.

C. Regulations concerning appropriations and transfers

- (1) The authorization and expenditure of all funds and preparation of department budgets shall be in accordance with a policy adopted by the Council and a financial procedure manual to be prepared and periodically reviewed and updated by the Administrative Services Department. Expenditures shall be executed in a uniform manner for every City Department.
- (2) The Administrative Services Director shall prepare and submit a monthly report to the Mayor, the Managing Director, and Council. This monthly report shall include all revenues, expenditures, borrowing, and any use for each City department and each City Fund account, and status reports comparing those expenditures with the adopted budget, The report shall include an estimate of the fiscal year end projections for both revenues and expenditures. All reports shall also include the receipt or forecast of nonrecurring revenues. for the purpose of this policy, nonrecurring revenues shall include land or asset sales, use of fund balance, transfers from other funds that exceed ongoing and sustainable levels, and transfers from other funds that exceed legal limits. Nonrecurring revenues also include any revenue that is anticipated to be received for only one year.

In addition to these monthly reports, the Managing Director shall also submit quarterly financial reports as outlined in initiative FI04 of the City's Act 47 Recovery Plan dated June 11, 2010.

- (3) In order to allow flexibility in the administration of the City's business, departments may transfer money between line items within the department. A majority of Council ~~in response to any monthly report,~~ may place a limit on the amount of additional-excess expenditure allowed for any program or line item. This is not intended to restrict unduly the Mayor's *and/or Managing Director's* ability to manage and administer the budget.
- (4) Justification for transferring, borrowing or any use of funds between departments and/or City Fund accounts must be presented to and approved by Council *ordinance*. The financial procedures manual will stipulate the following:
- (a) Expenditure procedures.
 - (b) Justification procedures for transferring money between line items.
 - (c) Justification procedures for transferring money between departments.
 - (d) Administration of petty cash funds.
 - (e) Justification procedures for transferring, borrowing, or any use of money between City Fund accounts.
- (5) Interfund Borrowing: The City will limit its use of interfund borrowing to obtain cash from one fund type or reserve to fund activities of another fund type or reserve, and will apply the following conditions to limit such borrowings:
- (a) The borrowing deemed a lawful use of such funds;
 - (b) The Director of Administrative Services has determined that the funds to be borrowed will not be needed by the lending fund during the lending period;
 - (c) The borrowing is for a temporary period with repayment scheduled during the same fiscal year;
 - (d) Any borrowing activity that cannot be repaid by the end of the fiscal year, other than temporary lags in reimbursements, will be disclosed

along with a plan for replenishment within ten (10) calendar days of the transaction;

(e) No such borrowing shall cause the City to be in noncompliance with its policy on structurally balanced budgets;

(f) No such borrowing shall cause the City to be in noncompliance with applicable federal and/or state requirements or agreements; and

(g) For existing borrowings that are not in compliance with this policy, the City shall adopt budgets and a plan to come into compliance by the end of 2015.

Any actions taken to borrow money under these conditions must be separately disclosed in the City's periodic financial reports to City Council with an anticipated repayment date. If the cumulative amount that one fund borrows from another fund(s) during the calendar year is more than \$500,000, any amount in excess of \$500,000 must be approved by Council. Similarly, if the cumulative amount borrowed from one fund by any other fund(s) during the calendar year is more than \$500,000, any amount in excess of \$500,000 must be approved by Council.

(6) Fund Transfers and Subsidies: The City may make permanent, annual transfers from other City funds into the General Fund under the following conditions:

(a) Use a cost allocation method to allocate administrative and overhead costs to other funds or programs receiving administrative services from the City. The cost allocation method must be applied consistently across funds and years. The cost allocated to each fund must be sustainable by those other funds. A summary of cost allocation method for each allocated cost shall be maintained in writing.

(b) There shall be an adopted schedule for transfers included in the annual budget. Transfers that are not annual shall occur at least quarterly. The City may also make transfers from enterprise funds according to the following conditions:

- (1) The transfer complies with all applicable federal and/or state requirements and agreements.
- (2) The transfer is based on an adopted calculation methodology applied each year. This methodology may be based on percentage of revenues, return on investment, percentage of net revenues, or other calculation adopted by the City Council. The methodology should be adopted consistently each year.
- (7) Requiring an amendment to the City's annual Budget Ordinance to authorize any cumulative modification to any departmental overall budget or line item exceeding \$10,000 including fund transfers and subsidies. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred, borrowed or used at least two weeks before the transfer is required.
- (8) Requiring City Council approval, via ordinance, for the following:
 - (a) Salary increases for Department Directors that were not approved in or included in the budget for the fiscal year and fall outside the labor contract for union employees. Please see Personnel Code Section 701 for salary increases for other employees.
 - (b) All expenditures not approved and listed in the operating or capital budgets for the fiscal year prior to those expenditures occurring.
 - (c) All expenditures and allocations of ~~\$25,000~~ **\$10,000** or more from and to any and all line items falling in the Departmental and Non-departmental area of the General Fund.
- (9) Structurally Balanced Budget: The City's objective is to achieve and maintain a structurally balanced budget in all funds such that recurring revenues fund recurring expenditures. Non-recurring revenues and budget surpluses should replenish reserve levels, support outstanding liabilities and pay for non-recurring expenditures, including capital projects, in that order.

To that end, the Director of Administrative Services shall report to the Managing Director and City Council on the inclusion of any non-recurring revenues in each budget, forecast or actual report of financial results. That report should include the amount and use of any non-recurring revenues. For the purpose of this policy, non-recurring revenues shall include land or asset sales, use of fund balance, transfers from other funds that exceed ongoing and sustainable levels, and transfers from other funds that exceed legal limits. Non-recurring revenues also include any revenue that is anticipated to be received for only one year.

- (10) Report on Policy Compliance: The elected City Auditor will report quarterly to City Council on the City's compliance with these policies. This report shall be made available to the public.

D. Bank and investment accounts

- (1) The City of Reading City Council shall, annually, authorize all bank and investment accounts opened and used by the City by resolution on or before the last day of January of the new calendar year.
- (2) New bank and investment accounts shall only be opened under the signature of the Director of Administrative Services, the City Auditor, *Mayor or* ~~and~~ the Managing Director and shall be approved by Council resolution before any funds are deposited.

E. Purchasing

- (1) Responsibility. The Administrative Services Director, in consultation with the Managing Director, shall develop a purchasing policy and procedure for the purchase of supplies and materials and the sale of personal and real property; such policy and procedure under these fiscal provisions is made a part hereof and marked "Exhibit A" and hereafter referred to as "Policy and Procedure."
- (2) Purchasing policy

- (a) The overall authority and responsibility for City purchasing is centralized *within* ~~as a Division of Finance in~~ the Department of Administrative Services.
 - (b) The purchasing policy and procedure is applicable to all departments, *offices and agencies* and shall include the service function of ordering and buying goods and services. In addition, functions such as planning and scheduling purchases, seeking competition, assuring the preparation of proper specifications, and enforcing compliance with all purchasing regulations and procedures shall be part of the purchasing policy and procedure.
- (3) Purchasing Manager
- (a) The Purchasing Manager shall have the authority to:
 - [1] Purchase or contract for all materials, supplies, equipment and contractual services for all City departments, *offices and agencies* with the exception of:
 - [a] Books, subscriptions
 - [b] Business meeting expenses
 - [c] Charitable contributions
 - [d] Dues
 - [e] Items that can legitimately be purchased via the petty cash process
 - [f] Postage
 - [g] Tuition
 - [h] Travel, meals, mileage
 - [i] Utility services

- [2] Review all requisitions for the purchase of materials, supplies, equipment and services not exempted from this regulation for quality and cost.
 - [a] The purchasing process will begin with the Department Director's formulation of specifications that identify and describe the product or service to be purchased.
 - [b] The Purchasing Manager will assure that the specifications meet the Department's needs, but do not call for features or a level of quality not necessary for the item's use.
 - [c] If there is a lack of agreement between the Purchasing Manager and the Department Director concerning any specifications, the Purchasing Manager will refer the matter and all support documentation to the *Administrative Services Director* ~~Managing Director~~ for final determination.
- [3] Prepare, in cooperation with department directors, standard written specifications for supplies and/or services not exempted by this regulation especially those common to various City functions.
- [4] Place orders for all supplies, materials, equipment, or services, not exempted by this regulation, by the issuance of a purchase order.
 - [a] It is the general policy of the City to make awards to the responsible vendor who meets the specifications for the items or services to be purchased at the lowest cost. Factors such as delivery time, quality, operating and maintenance costs, service, etc., as well as initial price, should be considered by the Purchasing

Manager to determine the lowest-cost vendor who meets the specifications.

[b] When the Purchasing Manager or department director deems that an award should be made to other than the lowest-cost vendor or when the Purchasing Manager and the department director fail to agree, the matter with all supporting information shall be referred to the *Purchasing Committee* ~~Managing Director~~ for final determination.

[5] Dispose of surplus or unused material supplies or equipment after they have been declared as surplus by the Department Director wherein the materials, etc., are located and such declaration is agreed to by the Purchasing Manager. In the event the Purchasing Manager and the department director fail to agree on what materials are surplus, the matter with all supporting information shall be referred to the Managing Director for final determination. Disposal shall be on an annual basis or more frequent basis as needed and in accordance with the policy and procedure.

[6] Enforce all purchasing regulations and procedures, and any such purchases pursuant to this section shall be done in accordance with the policy and procedure.

(b) The Purchasing Manager has the following responsibilities:

[1] Procure for the City the highest quality in commodities and services that meet the user's needs at the lowest cost.

[2] Purchase as many items as feasible in bulk to take full advantage of discounts.

[3] Keep informed of current development in the field of purchasing including prices and market developments.

- [4] Keep accurate and up-to-date records of all verbal and written solicitations and bids in a manner that they are available for public inspections.
 - [5] Provide assistance to any department director as required to draft specifications.
 - [6] Formulate and circulate for approval, modification or additions to purchasing regulations and procedures as deemed necessary.
 - [7] Contact Pennsylvania Department of Labor and Industry when the invitation to quote/bid is formulated, if the Pennsylvania Prevailing Wage Act, 43 P.S. § 165-1 et seq., is applicable.
- (4) Emergency authority. In case of an emergency, purchase authority is delegated to the individual department directors when the Purchasing Manager is unavailable, i.e., after normal working hours. Such purchase authority shall be exercised in the manner set forth in the policy and procedure.
- (5) Department directors
- (a) The department directors have the authority to:
 - [1] Determine the need for all materials, supplies, equipment and service for his/her department.
 - [2] Formulate specifications that are clear, concise and descriptive of all the requirements for all intended purchases.
 - (b) The department directors have the responsibility to:
 - [1] Furnish the Purchasing Manager with all necessary information to assure that the purchase will be correct in all details.

- [2] Provide specifications that are clear and rated for the use intended.
- [3] Provide a justification when requesting a proprietary item.
- [4] Provide a list of suggested vendors. This will assist the Purchasing Manager in locating the item, although it does not restrict the Manager in looking elsewhere.
- [5] Notify Purchasing Manager when the material, supplies, or equipment is delivered and if it is inferior in quality or unsatisfactory.
- [6] Notify Purchasing Manager annually, by the date established by the Purchasing Manager, of any surplus, obsolete or scrap materials or equipment that exist in the department.

F. Investments

- (1) Responsibilities. The Administrative Services Director shall be responsible for identifying money (except monies belonging to pension funds) to be invested, understanding the options available and for what time period, communicating this information to the Managing Director, implementing the decision, and making regular reports regarding these actions to the Mayor, Managing Director and Council. *All investments shall comply with PA Act 72 as currently constituted.*
- (2) Types of investments. The Administrative Services Director shall invest in these types:
 - (a) Any obligations of the United States government for one year or less.
 - (b) United States Treasury Bills.
 - (c) Short-term obligations of the United States government or its agencies.
 - (d) Savings accounts or time deposits of Pennsylvania institutions insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund up to the amount covered by insurance

with the remainder covered by approved collateral pledged by the depository.

- (e) Obligations of the United States, State of Pennsylvania, any political subdivision of the state and any of their agencies or instrumentalities, backed by their full faith credit.
 - (f) Prime commercial paper (unsecured promissory notes issued by any industrial, common carrier, public utility or finance company or corporations of \$1,000,000,000,000 of assets or more) having no litigation pending or threatened against the prime commercial paper, being not in default upon any of its outstanding obligations, whose credit has been approved by the national credit office, incorporated or its successor and the investments make up 10% or less of the City's total portfolio.
 - (g) Certificates of deposit from institutions having their principal place of business in the state and insured and collateralized as in Subsection F(2)(d) above.
 - (h) Shares of investment companies properly registered investing only in the investments in Subsection F(2)(a) through (g) above.
- (3) Combining investments. Investment monies may be combined to purchase investment(s), provided such funds are accounted for separately in all respects and earnings from investments that are separately and individually computed and recorded and credited to the accounts from which the investment was purchased. Investment monies can be combined to purchase investment(s) pooled with other political subdivisions and municipal authorities in accordance with P.L. 180 of July 12, 1972, 53 Pa.C.S.A. § 2301 et seq., provided there is separate and equal computation, recording and distributions of earnings. All investments shall comply with PA Act 72.

G. Signing checks

- (1) Documentation. The issuing and signing of all City checks shall be in accordance with the following:

- (a) The amount expressed in the request is allocated for in the department budget.
 - (b) The person presenting the request shall provide evidence that the amount due is for the payee in whose name it is drawn.
 - (c) Supplies, services or other consideration for payment has been processed by purchasing regulations if required.
 - (d) Supplies, services or other consideration for payment has been verified that they have been furnished or performed according to law or contract.
- (2) Check signatures
- (a) The Administrative Services Director and the City Auditor shall sign all checks drawn against the City Treasury. Facsimile signatures may be used.
 - (b) In the event of the absence of the Administrative Services Director, the Mayor shall have the authority to sign checks in his/her place and stead.
 - (c) In the event of the absence of the City Auditor, the auditing coordinator in the office of the City Auditor *or the City Solicitor* shall have the authority to sign checks in his/her place and stead.
 - (d) "Absence," as used in this section, is hereby defined as failure to be present in Reading City Hall for a period of three consecutive full business days or more for any reason including, but not limited to, vacation, illness, mental or physical incapacity or death.
- (3) Limitations. No signed check shall be distributed, mailed, or released unless there is sufficient money in the particular budget from which it is drawn, as well as the checking account to cover it at the time the check has been issued. *Exception is made for payroll as it is subject to FLSA and Federal wage and overtime regulations.*

H. Record of assets. The Administrative Services Director shall keep a complete record of books and accounts under appropriate titles, to show separately and distinctly all of the assets, property inventory, trusts, and indebtedness and all of the receipts and expenditures of the various departments. He/she shall supervise and control the accounts of all of the departments, and may require a written statement of all money or property of that department.

I. Annual budget

(1) Submission and adoption.

Section 902 of the Charter provides:

§ 902. Submission of Balanced Budget and Capital Program.

On or before 90 days prior to the ensuing fiscal year the departments heads will submit a proposed budget and capital program to the Managing Director. On or before 90 days prior to the ensuing fiscal year the Mayor will submit to the City Council a balanced budget, capital program, and an accompanying message. The proposed balanced budget and capital program shall be in such form as the Mayor deems desirable, unless otherwise required by Council.

(2) Budget message

(a) Section 903 of the Charter provides:

§ 903. Budget message.

The budget shall be accompanied by a message which shall include:

- A. An explanation of the expenditures and revenues in the proposed budget, indicating and explaining major changes from the current year and the prior year.*
- B. An outline of proposed programs and an explanation of new, expanded, or abolished programs or functions.*
- C. A summary of the City's debt position.*

D. *Such other material that will inform the Council and the public of municipal goals.*

(3) Budget organization and content.

(a) Section 904 of the Charter provides:

§ 904. Budget

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year in accordance with all generally accepted accounting principles and, except as required by this Charter, shall be in such form as the Mayor deems desirable or the Council may require. In organizing the budget, the Mayor shall utilize the most feasible combination of expenditure classification by fund, organization unit, program, purpose or activity, and object. The budget shall contain, among other things, the following:

A. It shall begin with a general summary of its contents.

B. It shall show in detail all estimated income, indicating the existing and proposed tax levies, as well as other assessments, fees and charges.

The estimated income shall mean the total of estimated revenue plus the prior fiscal year's fund balance. If a deficit exists, a plan to eliminate that deficit must be included in the budget.

C. It shall show all proposed expenditures, including debt service, for the ensuing fiscal year.

D. It shall show the number of proposed employees in every job classification and the proposed salaries of all exempt employees beginning in 2009.

[Amended 1-26-2009 by Ord. No. 3-2009]

The budget shall include the position ordinance, defined in § 5-212, Ordinances, which shows the number of all proposed employees in every job classification, as defined in § 70-201, Categories of employment, highlighting *changes and the*

proposed salaries of all exempt employees beginning in 2009 (plain italic language required by Bill No. 3-2009 enacted January 26, 2009, and approved by the Mayor January 27, 2009).

[Amended 10-26-2009 by Ord. No. 60-2009; 8-27-2012 by Ord. No. 86-2012]

- [a] In some cases, however, prudent succession management may call for temporarily exceeding the position allowance in a particular department. Some examples are:
 - [i] When there is a known planned retirement of an individual in a highly technical position, smooth operations would call for an extended period of knowledge transfer that would require hiring the replacement individual prior to the retirement.
 - [ii] In the case of extended apprenticeships or training periods, such as police, it would make sense to consider the historic rate of attrition when determining the ideal class size. This would provide a more consistent number of trained staff versus the current system which can produce peaks and valleys.
- [b] Therefore, in order to manage the operations of the City more effectively, City Council may, by ordinance, authorize the Managing Director to exceed the position ordinance for any department with the following conditions:
 - [i] No departmental position ordinance will be exceeded for a period of time greater than six months.
 - [ii] The temporary addition of employees will not cause the total wages of the City to exceed budgeted levels.

- [iii] The Managing Director will report to Council on all planned hires which will exceed any position ordinance and will report on the status of all such hires on a regular basis.
- [iv] At no time will the total number of City employees exceed the total number of employees authorized under position ordinances by more than 10 employees.

E. It shall be so arranged as to show comparative figures for actual and estimated income and expenditures for the current fiscal year and actual income and expenditures of the preceding four fiscal years.

F. It shall indicate proposed expenditures during the ensuing fiscal year, detailed by offices, departments and agencies, in terms of their respective work programs and the methods of financing such expenditures.

G. It shall indicate proposed capital expenditures during the ensuing fiscal year, detailed by office, departments and agencies when practicable, and the proposed method of financing each such capital expenditure. The Mayor will include this separate capital program section in the annual budget and submit to Council with appropriate supporting information as to the necessity for such programs.

H. It shall indicate anticipated net surplus or deficit for the ensuing fiscal year of each utility owned or operated by the City and the proposed method of its disposition; subsidiary budgets for each such utility giving detailed income and expenditure information shall be attached as appendices to the budget.

The total of proposed expenditures shall not exceed the total of estimated income.

Editor's Note: Section 901 of the Charter provides:

§ 901. Fiscal year.

The fiscal year of the City shall be the calendar year. If not prohibited by law, the Council may, by ordinance, adopt a different fiscal year, specifying an orderly procedure for financial and budgetary controls in making such transition.

(4) Adoption.

(a) Section 905 of the Charter provides:

§ 905. City Council action on budget.

1. *Notice and hearing. Council shall publish in one or more newspapers of general circulation in the municipality the general summary of the budget with a notice stating:*
 - A. *The times and places where copies of the budget message and budget document are available for inspection by the public.*
 - B. *The time, place, and date, not less than 15 days or more than 30 days after such publication, for a public hearing on the budget. The public hearing shall not be on the date of a regular Council meeting.*
 - C. *The proposed budget shall be available for public inspection at City Hall and copies shall be available for the public at a reasonable fee to be set by the Council.*

(5) Amendments.

(a) Section 905 of the Charter provides:

§ 905 (b) Amendment before adoption.

After the public hearing, the City Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than

total estimated income and thereby allowing for line item changes by the City Council.

If the amended budget increases, decreases, or readjusts funding requirements by more than 5% or adds or deletes a program, the budget shall be returned to the Mayor immediately for comment and resubmission to the Council within three normal City workdays.

Council shall provide for another public hearing to be held within five days after the Mayor has resubmitted the budget.

(b) *After the public hearing, the City Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income and thereby allowing for line item changes by the Council.*

(c) *If the amended budget increases, decreases, or readjusts funding requirements by more than 5%, or adds or deletes a program, the budget shall be returned to the Mayor immediately for comment and resubmission to the Council within three normal business days.*

Three normal City work and/or business days ("normal business days" shall mean weekdays and shall exclude Saturdays, Sundays and holidays).

(d) *Council shall provide for another public hearing to be held within five regular business days after the Mayor has resubmitted the budget.*

Five normal City work and/or business days ("normal business days" shall mean weekdays and shall exclude Saturdays, Sundays and holidays).

(6) Adoption.

(a) Section 905 of the Charter states:

§ 905 (c) Adoption. Council must adopt an annual budget by no later than December 15 of the fiscal year currently ending. If Council fails to adopt a budget by December 15, then the Mayor's original proposed balanced budget shall become the official budget of the City for the ensuing fiscal year.

- (b) The Council must adopt an annual budget by no later than December 15 of the fiscal year currently ending. If Council fails to adopt an annual budget by that date, the Mayor's original proposed balanced budget shall become the official budget of the City for the ensuing fiscal year.
- (c) Within 30 days after the adoption of a budget ordinance, the Administrative Services Director shall file a copy of the budget with the appropriate state agency.

(7) Revised budget.

- (a) Section 906 of the Charter provides:

§ 906. Revised budget. Notwithstanding any other provisions of this article, when the fiscal year of the City is the calendar year, in any year following a municipal election year the Council may, within 45 days after the start of the fiscal year, revise the budget and tax levies adopted by the previous Council. The procedures for adopting a revised budget shall be in accordance with §§ 905, 906, with the time periods adjusted to 45 days after the start of the fiscal year. Ordinances adopting a revised budget shall be effective as of the start of the fiscal year and shall rescind and replace the budget ordinance of the previous Council. It is the intent of this Charter that a new Council, in the year following a municipal election, shall have the power to revise the budget and tax levies adopted by the previous Council.

- (b) Within 15 days after the adoption of an amended budget ordinance, the Administrative Services Director shall file a copy with the appropriate state agency.

(8) Amendments after adoption.

(a) Section 908 of the Charter provides:

§ 908. Amendments after adoption.

1. *Emergency appropriations may be made by the Council to meet a public emergency posing a sudden, clear and present danger to life or property. Such appropriations may be made by emergency ordinance in accordance with the provisions of § 220 of this Charter.*
2. *Supplemental appropriations may be made by the Council by ordinance upon certification by the Mayor that there are available for appropriation revenues in excess of those estimated in the budget.*
3. *Transfer of appropriations may be made in accordance with provision of the Administrative Code.*

Editor's Note: Section 220 of the Charter provides:

§ 220. Emergency ordinance.

An emergency ordinance may be adopted to meet a public emergency posing a sudden, clear and present danger to life or property. An emergency ordinance shall be introduced in the form and manner prescribed for ordinance generally, except that it shall be plainly designated as an emergency ordinance and shall describe in clear and specific terms the nature of the emergency. Every emergency ordinance shall automatically stand repealed as of the 91st day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance if the emergency still exists.

- (b) Transfer of appropriations may be made in accordance with the provision of the Administrative and Fiscal Codes in accordance with the provisions of § 908 of the Charter.

J. Capital Program

[Amended 10-22-2012 by Ord. No. 98-2012]

- (1) Definitions.
 - (a) Capital improvement program (CIP). A five-year plan that shall contain eligible capital projects listed in order of priority for funding during the five-year period.
 - (b) Capital project. Any project funded or proposed to be funded by public monies in part or whole to build, restore, retain, rehabilitate, purchase or repurchase any equipment, property, facility, infrastructure, vehicle, hardware for information technology, park facility, or building that is to be used for the public benefit or is a public asset, and has minimum total value of \$50,000.
 - (c) Capital program budget. An annual budget that shall identify the total funding and source of funding for each capital project adopted in the capital improvement plan that to be executed during the fiscal year.
 - (d) Capital purchase. Any purchase of a vehicle or other motorized equipment.
 - (e) Capital expenditure. An allocation from the capital budget for an approved capital project.

K. Capital priorities. Each year in the first week of May, the Mayor shall provide an annual statement of CIP priorities to the Council and to the departments funded by the CIP. The statement of priorities shall indicate substantive outcomes that the City is seeking to achieve through projects funded through the CIP and operational goals.

- (1) Project and purchase proposals.
 - (a) Each year in the first week of June, the Administrative Services Department (ASD) shall issue a formal request to each City department for capital project proposals. The request shall be via a standard format set by the ASD that includes an estimate of the aggregate size, in dollar figures, of the proposed capital budget for the fiscal year.

(b) Each capital project and purchase proposal shall be submitted to the ASD by the first week of July and shall include the following:

[1] For projects:

- [a] A description of the geographic location of each proposed capital project. If a capital expenditure is for a general Citywide project, the description shall list anticipated locations, but note that the list may not be exhaustive;
- [b] An estimated timeline for the completion of the capital project;
- [c] An estimated total budget for the capital project;
- [d] Any potential impact the capital project may have on the City's operating budget;
- [e] The estimated useful life of the capital project;
- [f] For capital projects related to the general maintenance of infrastructure, the total projected funds required to improve or rehabilitate the infrastructure type citywide to an acceptable state of function or repair;
- [g] The departmental priority for each capital project submitted;
- [h] A statement of whether the capital project will impact public safety or public health;
- [i] A statement of whether the project is CDBG eligible;
- [j] A proposed source of financing;
- [k] A statement of whether the capital project is consistent with the City Comprehensive Plan.

[2] For purchases:

- [a] A description of the proposed vehicle's use;
 - [b] A description of the condition of the vehicle being replaced including mileage and age;
 - [c] The inventory of vehicles used by the department with a statement of primary purpose and frequency of use;
 - [d] An estimated total budget for the capital purchases.
- (c) Charter § 911 (b) (6) states that *All Capital Projects must be included in the Capital Program Budget.*
- (2) Capital Improvement Program Committee, the CIPC.
- (a) The Capital Improvement Program Committee (CIPC) shall advise the Mayor and City Council on the selection and prioritization of all capital projects and ensure that the CIP is properly administered. The membership of the CIPC shall consist of the following ~~nine~~ *seven* members:
- [1] Director of Administrative Services;
 - [2] Director of Community Development;
 - [3] Director of Public Works;
 - [4] Chief of the Fire Department;
 - [5] Chief of the Police Department;
 - [6] City Auditor;
 - [7] One Member of City Council, appointed by the President of City Council.
- (b) The Chair or assignee of the CIPC shall provide a complete listing of all capital project proposals for the CIPC members to review and analyze prior to the meeting on the proposed projects.

(c) The Chair or assignee of the CIPC shall produce a report on the findings of the committee.

(3) Contents of the CIPC Report.

(a) Each year the CIPC shall produce a report, as required by Section 911(d) (1) of the Home Rule Charter, Preliminary feasibility study, that details the following:

[1] A clear general summary of its contents;

[2] Cost estimates and recommended time schedules for each improvement of other capital expenditure;

[3] Method of financing, upon which each capital expenditure is to be reliant;

[4] The annual cost of operating and maintaining the project to be constructed or acquired.

[5] The percentage of total funds to be allocated to capital purchases versus capital projects.

Charter § 911 (b) (2) also requires a list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for each;

(b) Each capital project proposal shall be ranked by the CIPC according to the following criteria:

[1] Projects that will resolve an imminent threat to public or employee safety or health;

[2] Achieve compliance with federal or state statutory mandates;

[3] Reduce expenditures in the operating budget;

- [4] Improve efficiency or effectiveness of service delivery;
 - [5] Comply with the City's Comprehensive Plan;
 - [6] Achieve community or economic revitalization;
 - [7] Any other criteria as determined by the Committee.
- (c) The CIPC shall also evaluate the five-year CIP and propose any changes that are necessary to ensure that the plan is consistent with the City's capital needs.
 - (d) The CIPC Report shall be provided to the Mayor by no later than the first week of September of each year, and the Chair of the Committee or assignee shall draft the report.
- (4) Submission and approval.
 - (a) The Mayor shall prepare and submit to the City Council a five-year capital program no later than the final date for submission of the budget. The capital program shall include a capital budget. The proposed five-year capital program and budget shall be posted on the City's website for public review on the date the budget is submitted to Council.
 - (b) The Mayor, with the assistance of the Managing Director, Administrative Services Director and the Director of Community Development and in accordance with the provision of the Municipalities Planning Code (53 P.S. § 10209.1), the Managing Director shall be responsible for developing administering the capital budget. The Mayor shall prepare and submit to the City Council a five-year capital program no later than the final date for submission of the budget.
 - (c) The Council approval of capital projects in this preliminary feasibility study will require a simple majority vote in order to move on to a final approval and funding acceptance.
- (5) Final proposal and financing Charter §911 (d).

- (a) The final capital project proposal and financing shall include:
 - [1] A clear general summary of its purpose and justification.
 - [2] The cost estimates and time schedule for the capital project, including the cost of the post-project-completion audit.
 - [3] The method of financing and sources upon which this capital project is reliant.
 - [4] The annual cost of operating and maintaining the project to be constructed or acquired.
 - [5] This final capital project proposal will be published and made available for the public to review (use notice and hearing notice, Charter § 912). Capital project replaces capital program.
 - [6] The final Council approval of capital projects will require five votes to approve.
- (b) The contracts for capital projects shall be subject to the procurement process established by the Charter and the Code.
- (6) City Council action on the capital improvement program (Charter § 912)
 - (a) *Notice and hearing. Council shall publish in one or more newspapers of general circulation in the municipality the general summary of the capital program with a notice stating:*
 - [1] *The times and places where copies of the capital program message and capital program document are available for inspection by the public.*
 - [2] *The time, place, and date, not less than 15 days or more than 30 days after such publication, for a public hearing on the capital program. The public hearing shall not be on the date of a regular Council meeting or on hearing date of the operating budget.*

[3] *The proposed capital program shall be available for public inspection at City Hall and copies shall be available for the public at a reasonable fee to be set by the Council.*

(7) *Adoption. [Charter § 912(3)(b)] Council must adopt an annual capital program by no later than December 15 of the fiscal year currently ending. If Council fails to adopt a capital program by December 15, then the Mayor's original capital program shall become the official capital program of the City for the ensuing year.*

(8) *Capital project execution. [Charter § 911 (d) (3), Capital project reporting.]*

(a) *Current projects. All capital projects in process must be reported on a quarterly basis and provide an update on cost, completion date, and estimated revised operating costs. This information is to be supplied by the Administrative Services Director and the Project Manager to the City Council in such a form that it is available to the public.*

(b) *Quarterly report. The quarterly report on all capital projects approved for the current budget year shall be distributed to Council by the last day of each fiscal quarter. The report shall include the following:*

[1] *A clear general summary of its purpose and justification.*

[2] *A statement of each project's status as of the date of the report.*

[3] *A statement of whether the project is 50% more or less completed.*

[4] *The cost estimates and time schedule for each capital project, including the cost of the post project completion audit.*

[5] *The method of financing and sources upon which this capital project is reliant.*

[6] *The annual cost of operating and maintaining the project to be constructed or acquired.*

Also refer to Charter §911 (d)(3)(a)

Current projects. All Capital Projects in process must be reported on a quarterly basis and provide an update on cost, completion date, and estimated revised operating costs. This information is to be supplied by the Finance Manager and the Project Manager to the City Council in such a form that it is available to the public.

- (c) Extended projects. If commencement of a capital project does not begin by end of the fiscal year following the year in which final approval is obtained, the project must go through § 911(d)(1) and (2) of and as required by the Charter § 911(d)(3), and Subsection K(1), (2) and (3) of this section in the subsequent year.
- (d) Post-project-completion audit. (Charter § 911(d)(4)) *Following completion of the capital project, a complete and detailed audit must be published and made available to the public. This post audit is to be completed by an independent auditor appointed by the Council. The purpose of the post audit is to confirm the estimates of costs and explain any deviation between actual and estimated costs.*

L. Annual Financial Report

- (1) Section 308 of the Charter provides:

§ 308. Powers and duties of the Mayor.

The Mayor shall have the following powers and duties:

(c) Inform City Council and the public each January of the financial and general condition of the City.

- (2) The Mayor, with the assistance of the Managing Director, Administrative Services Director and other appropriate department directors, shall:
 - (a) Inform Council and the public by the end of each January of the financial and general condition of the City. This report shall be as complete as possible but shall not be in the detail required under Subsection K(2)(b).

- (b) Report (under oath) to the Council and appropriate state agency, by the end of each March, a comprehensive financial report in accordance with the standards set forth by GASB and GAAP.
- (c) Prepare, review and update as necessary procedures necessary to implement this section, which shall include the following:
 - [1] The format of the report (taking into consideration the maximum standards of the GASB and the commonwealth).
 - [2] Dissemination to the public.
 - [3] A descriptive and textual analysis of the state of the City, and the City's finances.
- (d) When a new Mayor has been elected, the Mayor leaving office must submit as comprehensive a report as possible by December 31 of the final year of his/her term. The new Mayor shall review this report by January 31 of the year he/she takes office and proposed comments and additions to the report in preparing his/ her report pursuant to Subsection K(2)(a).

M. Risk Management.

- (1) Responsibility. The Administrative Services Director shall collaborate with the Managing Director in developing a risk management procedures manual. Additionally, the Administrative Services Director is responsible for joint reports to the Mayor, Managing Director and Council.
- (2) Reports. Reports issued by the Administrative Services Director shall include the following:
 - (a) Status of insurance (including self-insurance, requests for proposals for insurances which shall be considered professional services under this code), competitive bidding procedures.
 - (b) Claims.
 - (c) Bonds.

(d) Other items under risk management.

N. Contracts

(1) Approval of contracts.

(a) Section 915 of the Charter provides:

§ 915. Bidding process.

(a) Whenever the estimated cost of any construction, erection, installation, completion, alteration, repair of, or addition to, any project subject to the control of the City shall exceed \$10,000, it shall be the duty of said City to have such work performed pursuant to a contract awarded to the lowest responsible bidder [subject to Subsection d)], after advertisement for bids. Every such contract shall contain a provision obligating the contractor to the prompt payment of all material furnished, labor supplied or performed, rental for equipment employed, and services rendered by public utilities in or in connection with the prosecution of the work, whether or not the said material, labor, equipment or service enter into and become component parts of the work or improvement contemplated. Such provision shall be deemed to be included for the benefit of every person, co-partnership, association or corporation who, as subcontractor or otherwise, has furnished material, supplied or performed labor, rented equipment or service in or in connection with the prosecution of the work as aforesaid, and the inclusion thereof in any contract shall preclude the filing by any such person, co-partnership, association or corporation of any mechanics' lien claim for such material, labor or rental of equipment.

(b) The City may make contracts for carrying into execution the provisions of the Code, ordinance and the laws of the State of Pennsylvania. Council approval shall be required of all contracts with a value of ~~\$50,000~~ **\$35,000** and over, and all collective bargaining agreements. Any contracts for ~~less than \$50,000~~

~~\$34,999.99 or less~~ shall be entered into by the ~~executive branch~~ *Mayor and Managing Director* as ~~it shall be determined~~ without requirement of approval by Council. All contracts or purchase not in excess of \$10,000 shall be ~~by note or memorandum signed~~ *approved by the Mayor and* the Managing Director.

(c) Ethics Code §6 Prohibited Behaviors Letter H Awarding Contracts

H. **Awarding Contracts**

1. To the extent that it is not inconsistent with federal or state law: (i) a City Employee, (ii) a City Official, (iii) any Immediate Family of a City Employee or City Official; or (iv) any for-profit business entity in which the City Employee, City Official, or any Immediate Family has a Material Interest, shall not enter into any Contract valued at Five Hundred Dollars (\$500.00) or more with the City or any City agency or instrumentality, unless the Contract has been awarded through an open and public process, in accordance with Pennsylvania law, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the City Official or City Employee shall not have any supervisory or overall responsibility for the implementation or administration of the Contract. Any Contract or subcontract made in violation of this subsection may be subject to further penalties, pursuant to the terms and provisions of the Pennsylvania Public Official and Employee Ethics Act (65 Pa. C.S.A. §1101.1, et. seq.).
2. Prior to entering into or awarding any No-Bid Contract, the City Employee, Official, agent or instrumentality entering into such No-Bid Contract on behalf of the City, must immediately provide the Board of Ethics with the following information:
 - i. The name and address of all contracting parties;
 - ii. A draft copy of the contract to be entered into;
 - iii. A report, in compliance with 25 P.S. §3260a (Section 1641 of the Pennsylvania Election Code), as amended, which shall provide the following:
 - a. An itemized list of all political contributions known to each contracting party by virtue of the knowledge possessed by every officer, director, associate, partner, limited partner, or individual owner that has been made by:

1. Any officer, director, associate, partner, limited partner, individual owner or members of the immediate family of the aforementioned parties when the contributions exceed an aggregate of One Thousand Dollars (\$1,000.00) by any individual during the preceding year; or
2. Any employee or members of his or her immediate family whose political contribution exceeded One Thousand Dollars (\$1,000.00) during the preceding year.

iv. Any other information that the Board of Ethics may require.

3. In the event that the intended recipient of a City No-Bid Contract or any officer, director, associate, partner, limited partner, individual owner, member, employee, or Immediate Family of any of the aforementioned parties has made a donation to a political committee of a City Employee, City Official, agent or instrumentality, in excess of the contribution limitations set forth in Section 1-199.22 during any of the preceding two (2) calendar years from the date the draft copy of the proposed contract is submitted to the Board of Ethics, then and in that event the City is prohibited from awarding that No-Bid Contract to that intended party.
4. For purposes of this Section, the office that is considered to have ultimate responsibility for the award of the Contract shall be as provided for by the established purchasing policies of the City of Reading.

~~O. Requiring that as of March 13, 2001, City Council must, by ordinance, approve any salary increase that has not been approved in or included in the budget for the fiscal year and falls outside the labor contract for union employees.~~

BILL NO. _____

AN ORDINANCE

AN ORDINANCE AMENDING THE 2015 FISCAL YEAR EMPLOYEE POSITION ORDINANCE BY RECLASSIFYING THE HUMAN RELATIONS INVESTIGATOR FROM ONE (1) FULL TIME POSITION TO ONE (1) PART TIME POSITION.

The City of Reading hereby ordains as follows:

Section One. The 2015 Position Ordinance, Bill No. 93-2014, is hereby amended and will reclassify the one (1) full time Human Relations Investigator to one (1) part time Human Relations Investigator.

Section Two. There will be no changes made to the compensation allocated for the position and they will be paid from the Temporary Wages budget line item, previously approved by City Council, for the sole purpose of extending the duration of the employee's term and to better serve the City.

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

Enacted _____, 2015

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

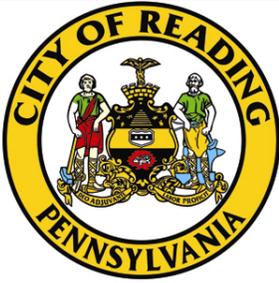
Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____



AGENDA MEMO

CITY COUNCIL

TO: City Council
FROM: Kimberly Talbot, Director Human Relations Commission
PREPARED BY: Kimberly Talbot
MEETING DATE: May 11, 2015
AGENDA MEMO DATE: May 6, 2015
REQUESTED ACTION: Authorize intra-department transfer of entire sum for previously approved full time Investigator position from Salary to Temporary Wages to fund part-time Investigator position.

RECOMMENDATION

Requesting the following transfer of funds:

- \$35,918 within the General Fund as detailed below:
 - \$35,918 From GF Account Code #01-18-91-4000 to GF Account Code #01-18-91-4016

BACKGROUND

The transfer, if permitted, will enable the RHRC to manage the employee's hours to fulfill the constituents' demands as requests for grants, programs, and stipends reach peak service times. Ultimately, reclassifying the Investigator position from full to part time will enable the City to convert the benefits portion of the compensation into salary and extend the term for the successful candidate hired into the Commission.

BUDGETARY IMPACT

There is \$35,918 previously approved, including wages and benefits, that has not been expended and no additional costs are being requested.

PREVIOUS ACTIONS

None

SUBSEQUENT ACTION

RECOMMENDED BY

Kimberly Talbot

RECOMMENDED MOTION

Approve the ordinance authorizing the transfer of funds as requested.

**BILL ____ -2015
AN ORDINANCE**

AN ORDINANCE AUTHORIZING AN INTRA-DEPARTMENT TRANSFER OF FUNDS WITHIN THE 2015 BUDGET GENERAL FUND.

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the following transfer within the 2015 Budget:

\$35,918 within the General Fund as detailed below:

- o \$35,918 From GF Account Code #01-18-91-4000 to GF Account Code #01-18-91-4016 in the Human Relations Commission

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____ 2015

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BUDGET TRANSFER

TO: Members of City Council

FROM: Christian F. Zale
City Controller

PREPARED BY: Christian F. Zale
City Controller

MEETING DATE: May 11, 2015

AGENDA MEMO DATE: May 1, 2015

RECOMMENDED ACTION: Budget Transfer

BACKGROUND:

The 2015 budget includes \$1,142,550.00 of contingency expense for unforeseen expenses not included in other expense line items. The May 4, 2015 fire on East Laurel Street

necessitates the demolition of four properties (address: 939, 941, 943 & 945). The estimated \$75,000.00 cost of this demolition is not budgeted in a specific line item and requires funding from contingency. All insurance proceeds from this event will be applied to a City revenue account.

BUDGETARY IMPACT:

None

PREVIOUS ACTION:

None

RECOMMENDED BY:

City Controller

RECOMMENDED MOTION:

Approve the request.

Drafted by	Controller
Sponsored by/Referred by	Managing Director
Introduced on	May 11, 2015

BILL NO. _____ - 2015

AN ORDINANCE

AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT (01-14-91-4739) TO TRADES'S CONTRACTED SERVICES ACCOUNT (01-10-38-4216) TO PAY FOR DEMOLITION OF FOUR PROPERTIES DESTROYED BY FIRE ON EAST LAUREL STREET.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$75,000.00 between the above two accounts. This transfer has zero effect on 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: _____

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. _____

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

That Charles Milch is appointed to the CRIZ Authority with a term ending December 31, 2019.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

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

RESOLUTION NO. _____

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

That Barbara Waller is appointed to the Code and License Appeals Board with a term ending May 11, 2018.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

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. _____

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

That Andrew Molteni is reappointed to the Environmental Advisory Council with a term ending May 11, 2018.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

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

RESOLUTION NO. _____

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

That Michael Fiucci is reappointed to the Berks County Convention Center Authority with a term ending August 29, 2019.

Adopted by Council _____, 2015

Francis G. Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk