CITY COUNCIL

Meeting Agenda

REGULAR MEETING **TUESDAY, MAY 26, 2015**
COUNCIL CHAMBERS **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 Jack Williams, First Century Worship Center
C. PLEDGE OF ALLEGIANCE
D. ROLL CALL

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

2. PROCLAMATIONS AND PRESENTATIONS

3. PUBLIC COMMENT – AGENDA MATTERS:

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

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

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

4. APPROVAL OF AGENDA

A. MINUTES: Regular meeting of May 11, 2015

B. AGENDA: Regular Meeting of May 26, 2015

5. Consent Agenda Legislation

A. Resolution – adopting a process to clear the zoning backlog for rental properties within the City

B. Award of Contract – for the PennDOT funded Penn Street lighting project to MBR Construction Services, Reading at the total amount of $867,840.78

C. Resolution – approving the appeal of the HARB Certificate of Appropriateness for 633 S 6th Street

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. 23-2015 – 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 ***Introduced at the May 11 regular meeting Advertised May 18th***

B. Bill No. 24-2015 - 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 ***Introduced at the May 11 regular meeting***

C. Bill No. 25-2015 – 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 ***Introduced at the May 11 regular meeting***

D. Bill No. 26-2015 - 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 ***Introduced at the May 11 regular meeting***

E. Bill No. 27-2015 – authorizing a budget transfer of $35,918 from Salary to Temporary Wages in the Human Relations Budget to fund the PT Investigator position ***Introduced at the May 11 regular meeting***

F. Bill No. 28-2015 – 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 ***Introduced at the May 11 regular meeting***

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance -

11. RESOLUTIONS

A. Resolution – appointing R. David Myers to the CRIZ Authority

B. Resolution – appointing David Farrar to the Main Street Board

C. Resolution – reappointing Elizabeth Stanley to the Charter Board

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

*****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

Monday, June 1
Nominations & Appointments Committee – Council Office – 5 pm
Strategic Planning Committee – Council Office – 5 pm

Monday, June 8
Committee of the Whole – Council Office – 5 pm
Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

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

Wednesday, May 27
Main Street Board – 2nd & Penn Sts 5th Floor – 3:30 pm
Parking Authority – Parking Authority Office – 5:30 pm

Thursday, May 28
Water Authority – Water Authority Office – 4:30 pm
CRIZ Authority – 3rd floor conference room – 5:30 pm

Monday, June 1
Shade Tree Commission – Public Works building – 6 pm

Tuesday, June 2
Charter Board – Penn Room – 7 pm

Wednesday, June 3
Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm
District 2 Crime Watch – St Paul's Lutheran Church – 6:30 pm

Thursday, June 4
Police Civil Service Board – Penn Room – noon
Glenside Community Council – Christ Lutheran Church – 6:30 pm
District 3 Crime Watch – Calvary Baptist Church

Monday, June 8
6th & Amity Neighborhood & Playground Assn – 6th & Amity field house – 6:30 pm

City of Reading City Council
Regular Meeting
May 11, 2015

Council Vice President Waltman called the meeting to order.
The invocation was given by Pastor Gerald Prentice, Reading Vicinity Ministerium Assn.

All present pledged to the flag.

An executive session was held about a HARB Appeal matter during the Committee of the Whole meeting held in the Council Office.

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

PROCLAMATIONS AND PRESENTATIONS

Council issued the following commendations:

- 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.)

The City Clerk administered the 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

PUBLIC COMMENT

Council Vice President Waltman stated that there are four (4) citizens registered to address Council on non-agenda matters. He asked if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected, the rule was suspended.

Councilor Daubert read the public speaking regulations adopted by City Council.

Shelia Perez of North 14th Street and Luis Tejada of North 14th Street, stated that a report on a proposed sustainable live poultry market was distributed to the mayor and Council last month. This business type would provide people with the option of purchasing freshly slaughtered poultry. They described the health benefits of consuming poultry versus beef and pork and the benefits of a sustainable lifestyle. They asked Council to consider allowing this business in the City.

Idella Hopkins, of North 11th Street, was not present.

Maryann Ciarlone, of North 5th Street, again read from the preliminary opinion written by Judge Sprecher in a RAWA lawsuit.

APPROVAL OF THE AGENDA & MINUTES

Council Vice President Waltman called Council's attention to the minutes of the April 27th meeting, and to the agenda for this meeting, including the legislation listed under the Consent Agenda heading. He noted the need to move Consent Agenda Resolution B regarding the removal of the Bushong Dam to the Resolution heading.

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. 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

C. Resolution No. 46-2015 – authorizing additional three provisional Sidewalk Vendor licenses for 2015

D. Resolution No. 47-2015 - authorizing an application for approval of a traffic warning signal on Morgantown Road in the vicinity of Eberly Street

E. Resolution No. 48-2015 - 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***

ADMINISTRATIVE REPORT

The Managing Director distributed the Administrative Report to Council at the meeting. She highlighted the following: topics:

- Opening of a new Dominican Restaurant in the 900 block of Penn Street this Thursday at 11 am
- Update on the fire that occurred on East Laurel Street and a thanks to the Fire personnel and Red Cross for handling this serious situation
- Opening of the downtown Farmers market in June at 5th and Penn Streets

Councilor Goodman-Hinnershitz described the tragic fire on East Laurel Street, a block that was formerly located within District 2. She thanked the Fire personnel who performed beyond the call of duty in dealing with this tragic event. She stated that she and Councilor Daubert will be working on a project to help restore this neighborhood.

AUDITOR'S REPORT

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

- Traffic and Fines Collection for the first quarter of 2015
- 2014 Appropriations Transfers
- Act 47 Town Meeting update

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

There were no reports issued at this meeting.

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***

Councilor Reed moved, seconded by Councilor Daubert, to enact Bill No. 19-2015.

Councilor Reed stated that she opposes making changes to these regulations while they are in effect during the current election cycle. She stated that she agrees that modifications are needed; however, the modifications should be considered by Council after the election cycle is completed.

Councilor Goodman-Hinnershitz noted that the regulations for campaign reporting were enacted in 2013. She agreed that modifications should be considered after the current election cycle.

Councilor Waltman agreed that further modifications should be considered after the election cycle and he questioned if these regulations are valid in 3rd Class Cities.

Bill No. 19-2015 was NOT enacted by the following vote:

Yeas: None - 0

Nays: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 6

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***

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

Councilor Reed stated that she disagrees with the concept of funding a complaint before one occurs.

Bill No. 20-2015 was NOT enacted by the following vote:

Yeas: None - 0

Nays: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman – 6

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***

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 21-2015.

Bill No. 21-2015 was enacted by the following vote:

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

Nays: None - 0

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***

Councilor Daubert moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 22-2015.

Councilor Daubert stated that creating this program unties the hands of the City's animal control agent, the Animal Rescue League, and allows them to cite or impound during period of more extreme weather conditions. He stated that this program will provide an additional level of welfare to dogs during inclement weather.

Councilor Goodman-Hinnershitz stated that the ordinance increases the health and welfare for dogs.

Bill No. 22-2015 was enacted by the following vote:

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

Nays: None - 0

INTRODUCTION OF NEW ORDINANCES

Councilor Goodman-Hinnershitz read the following ordinances into the record:

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

RESOLUTIONS

A. Resolution No. 49-2015 – appointing Charles Milch to the CRIZ Authority

B. Resolution No. 50-2015 – appointing Barbara Waller to the Code and License Appeals Board

C. Resolution No. 51-2015 – reappointing Andrew Molteni to the Environmental Advisory Council

D. Resolution No. 52-2015 – reappointing Michael Fiucci to the Berks County Convention Center Authority

Councilor Reed moved, seconded by Councilor Daubert, to adopt Resolution Nos. 49-52-2015.

Resolution Nos. 49-52-2015 were adopted by the following vote:

> **Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman - 6**
>
> **Nays: None - 0**

B. Resolution No. 45-2015 – authorizing the submission of a PA DEP application for the removal of the Bushong Dam

Councilor Reed moved, seconded by Councilor Daubert, to adopt Resolution No. 45-2015.

Councilor Reed described the safety and liability concerns that this deteriorated dam and mill race create. She stated that the dam and mill race were originally created to power a paper mill in 1892. The paper mill went out of business approximately 100 years ago. She noted that the PaDEP offers grant funding to remove the dam but nothing to make the required $600K in repair work. She stated that the removal of the dam will provide an opportunity to improve this park setting.

The Managing Director noted the deteriorated condition of the mill race. She stated that the removal of the mill race and the dam will allow improvements to the park area. She noted that the City can gain funding and partners only if the dam is removed.

Councilor Goodman-Hinnershitz stated that the Council must make dam decision. However, those decisions are based on the individual dams and the multitude of factors surrounding the issues identified at the dams.

Resolution No. 45-2015 was adopted by the following vote:

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

Nays: None - 0

COUNCIL COMMENT

Councilor Marmarou explained that the portion of Oak Lane that leads up the mountain to Skyline Drive is located in Lower Alsace and Alsace Townships, not in Reading. He explained that the Reading boundary ends just north of Bern and Oak Lane. He stated that these Townships were contacted about the need for road repairs.

Councilor Goodman-Hinnershitz stated that the maximization of the use of the Mt Penn area will begin through the strategic planning being conducted by the Pagoda Foundation.

Councilor Goodman-Hinnershitz stated that she and Councilor Daubert will be organizing some activities and events to assist those affected by the fire on East Laurel Street.

Councilor Waltman asked the City Clerk to place the sustainable poultry market issue on the Standards of Living agenda for June.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

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

RESOLUTION NO._____2015

WHEREAS, the City of Reading City Council enacted an amendment to the City's Zoning and Housing Permit Ordinances in December 2011, which will necessitate Conditional Use Hearings for the rental properties that are bound in a "backlog" due to incomplete applications or other administrative problems; and

WHEREAS, City Council and City staff developed a change in the process that will alter the process originally defined by Resolution 28-2012 to alleviate the backlog and allow the Conditional Use applications bound in the backlog to be handled in a reasonable and expedient manner.

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

Repealing Resolution 28-2012 and setting out the following process to handle Conditional Use Hearings for the properties currently bound in the zoning backlog:

1. **Independent Hearing Officer** shall conduct hearings for properties in all high density residential/commercial zones any zoning district with 6 units and less; however, hearings for all properties in the R1, R1A and R2 zoning districts and all hearings for properties seeking 7 or more units or rooms will be referred to a Full Council Conditional Use Hearing.
2. All applications shall be forwarded to the City Planning Commission at least 30 days prior to the hearing and the Planning Commission shall present their recommendation to approve or reject no later than the day of the hearing.
3. The Independent Hearing Officer's recommendation to approve or deny the applications shall each be forwarded for City Council approval no later than the first or third Monday of the month. Each recommendation of the Independent Hearing Officer shall contain the following information to support the recommendation:

a. The square footage of the units(s)
b. The year the property was purchased and the number of units the property had when it was purchased
c. How the property was purchased; through a realtor or by private sale
d. The year the property was registered with Property Maintenance and Zoning as a rental property

e. The history of paid housing permits issued by Property Maintenance
f. The number of off-street parking spaces provided or the executed lease agreement for off street parking in the vicinity of the rental unit
g. The number of electric meters provided
h. The building/trades permits pulled when the additional unit(s) were added
i. The year the efficiency unit was created, as applicable (the 2010 zoning ordinance prohibits efficiency units)
j. The year the rooming house was created, as applicable (the 2010 zoning ordinance prohibits rooming/boarding houses)
k. A copy of the business license, payment history and the year it was obtained
l. The date of the last Property Maintenance inspection at the property, the number of units identified and the year the property was in compliance with the local codes
m. The date the Health and Safety Inspection was performed and the year the property was in compliance with the local codes
n. Recommendation to approve or reject from the City Planning Commission

4. **Full Council** shall conduct Conditional Use Hearings for all properties located within low density zoning districts – R1, R1A and R2 and those seeking 7 or more rental units (including rooms)
5. With the adoption of this Resolution City Council also authorizes the Administration to retain the services of an Attorney who is a member of the Berks County Bar Association selected through the RFP process to conduct the hearings as set forth in Item 1 above and a transcriptionist obtained through the RFP process, to provide transcripts as requested for all hearings set forth herein.
6. This Resolution shall become effective immediately.
7. Proper officers of this City are authorized and directed to do such things as may be necessary to carry out the intent and purpose of this Resolution.
8. In the event any provision, section, sentence, clause or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this City that such remainder shall be and shall remain in full force and effect.

DULY ADOPTED by the Council of the City of Reading, Berks County, Pennsylvania, this ___ day of _____, 2015.

CITY OF READING,

Berks County, Pennsylvania

By _____

Francis Acosta, President of Council

Attest:_____

Linda A. Kelleher CMC, City Clerk

Hearing Master Conditional Use Template

Property Address_____
Owner_____

Date of Hearing_____ Zoning District_____ Council District_____

a. The square footage of the units(s)_____
_____
60-1203 D Apartment Square Feet
Efficiency or studio Not allowed
One-bedroom 550
Two-bedroom 700
Three or more bedroom 850
b. The year the property was purchased and the number of units the property had when it was purchased_____
c. How the property was purchased; through a realtor or by private sale_____
_____
d. The year the property was registered with Property Maintenance and Zoning as a rental property _____
e. The history of paid housing permits issued by Property Maintenance _____
_____
_____
f. The number of off-street parking spaces provided or the executed lease agreement for off street parking in the vicinity of the rental unit _____

_____

g. The number of electric meters provided _____

h. The building/trades permits pulled when the additional unit(s) were added ____

_____

i. The year the efficiency unit was created, as applicable (the 2010 zoning ordinance prohibits efficiency units)_____

_____

j. The year the rooming house was created, as applicable (the 2010 zoning ordinance prohibits rooming/boarding houses) _____

_____

k. A copy of the business license, payment history and the year it was obtained __

_____

l. The date of the last Property Maintenance inspection at the property, the number of units identified and the year the property was in compliance with the local codes.

_____

m. The date the Health and Safety Inspection was performed and the year the property was in compliance with the local codes

_____

n. Recommendation from Planning Commission: Approve_____ Reject_____

AGENDA MEMO

DEPARTMENT OF ADMINISTRATIVE SERVICES

TO:	City Council
FROM:	Tammi Reinhart, Purchasing Coordinator
PREPARED BY:	Tammi Reinhart, Purchasing Coordinator
MEETING DATE:	May 26, 2015
AGENDA MEMO DATE:	May 20, 2015
RECOMMENDED ACTION:	Awarding of Contract for the Penn Street Lighting Project

RECOMMENDATION

The recommendation is to award the contract for the Penn Street Lighting Project to MBR Construction Services, P.O. Box 14775, Reading, PA 19612.

BACKGROUND

The City of Reading solicited bids to increase lighting on Penn Street from 2nd and Penn Streets to 8th and Penn Streets in Reading, PA. The existing lighting averages about 75 watts per pole. The existing pole spacing ranges from 45 feet apart to 150 feet apart. The distance from sidewalk to fixture is approximately 15-16 feet. At this range, the light cast by the existing fixtures is dim. The purpose of this project is to create a brighter and more uniform lighting on the sidewalks along these blocks to enhance security, increase pedestrian traffic along Penn Street, and brighten the downtown to help draw new business to the area.

BUDGETARY IMPACT

The Department of Public Works has confirmed there are sufficient funds to cover the project. All expenses incurred will be funded by Penn Dot. The total amount is $867,840.78.

PREVIOUS ACTION

None

SUBSEQUENT ACTION

Formal action by Council is required to award the contract at the May 26, 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 Penn Street Lighting Project in order that contract may be awarded to MBR Construction Services.

cc: File

May 15, 2015

To the Mayor

City Hall

Reading, PA

The following bid was opened with a Contract to be awarded or the bid rejected.

THE BID FOR THE PENN STREET LIGHTING PROJECT FOR THE DEPARTMENT OF PUBLIC WORKS.

BIDDER	**BID PRICE**
MBR Construction Services, Inc.	$840,840.78
P.O. Box 14775	
Reading, PA 19612	

Tammi Reinhart

Purchasing Coordinator

R E S O L U T I O N NO.____-2015

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

Approving the appeal of the Certificate of Appropriateness, as attached in the findings of fact, for the installation of siding at 633 South 6th Street, owned by Bryan & Gloria Kroenig and approving the compromise approved by the Historical Architectural Review Board.

Adopted by Council_____, 2015

_____

Francis Acosta

President of Council

Attest:

_____

Linda A. Kelleher, City Clerk

Appeal of Historic Architectural Review Board

Certificate of Appropriateness

IN THE MATTER OF	§	**BEFORE THE**
	§	
BERKS COUNTY	§	**CITY OF READING**
	§	
BRYAN & GLORIA KROENIG	§	**CITY COUNCIL**
633 SOUTH 6th ST.	§	

FINDINGS OF FACT, CONCLUSIONS OF LAW,

ORDER, AND AGREED RESOLUTION

On Monday, May 4, 2015 the City of Reading City Council (Council) met to hear testimony on the appeal of the decision made by the Historic Architectural Review Board (HARB) on the Certificate of Appropriateness for the following exterior property improvements made by Bryan & Gloria Kroenig (Respondent), at 633 South 6th Street (Subject Property).

1. The installation of the vinyl siding is being appealed. The installation of a fiberglass door and the demolition of a rear frame addition were approved by HARB.

At their February 2015 meeting, HARB approved:

CERTIFICATE OF APPROPRIATENESS

Resolution No. 09-15

WHEREAS, the Reading Historical Architectural Review Board at its February 17, 2015 meeting reviewed the plans and specifications of Gloria & Bryan Kroenig, owners of 633 S. 6th St., Reading, Pennsylvania for the demolition of a rear addition, to retain vinyl siding installed at the eastern façade, and a fiberglass door at the

southern façade (violation) and granted a Certificate of Appropriateness for the proposed work as described in the attached report.

Now, therefore, on the 17th day of February, 2015, I, Amy Woldt Johnson, Historic Preservation Specialist, hereby issue a Certificate of Appropriateness for aforesaid work in the name of the Reading Historical Architectural Review Board.

READING HISTORICAL ARCHITECTURAL REVIEW BOARD

RESOLUTION # 09-15 - It is proposed to demolish a rear frame structure and to apply vinyl siding to the resulting exposed eastern façade; and to retain a solid six-panel Fiberglass door which replaced a wood and glass door at the southern façade (Violation, work has been completed) at 633 S. 6th St., Reading, PA.
OWNER /APPLICANTS: Gloria & Bryan Kroenig

The Historical Architectural Review Board, upon motion by Mr. Hart and seconded by Ms. LaSota, adopted the proposal to issue a Certificate of Appropriateness for the proposed work and specified the following:

1. The proposal to approve the demolition of a rear addition and to retain vinyl siding at the eastern façade, and to retain a solid six-panel Fiberglass door which replaced a wood and glass door at the southern facade (Violation, work has been completed) at 633 S. 6th St. was represented by Gloria & Bryan Kroenig.
2. The demolition of the rear frame addition, which was not original to the building, was approved.
3. The installation of vinyl siding at the eastern façade was denied based on the Secretary of the Interior's Standards for Rehabilitation #9 ("New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.").
4. The vinyl siding at the eastern façade must be removed and the exposed stucco surface beneath it must be repaired and painted to match the second floor painted brick wall above.
5. The solid six-panel Fiberglass replacement door installed at the southern façade is approved as installed due to the applicant's concerns about security.

The motion for the above work was approved with two members voting for and one member voting against.

Findings of Fact

1. The Historic Architectural Review Board (HARB) is part of the City of Reading Codified Ordinances Chapter 295 Part 1 – Historic and Conservation Districts. The HARB is a board of eleven (11) duly qualified members.

2. The Respondents received a violation letter informing them that the work they completed was done without the required Certificate of Appropriateness and that HARB approval was required as the property is within the Prince Historic District.

3. The Respondents attended the February HARB meeting and stated that brick and stucco are under the new siding; however, they stated that the originally exposed brick was not in good repair due to damage that occurred during the last three (3) floods so they applied a coating of stucco over the brick and then later installed the siding to make the wall waterproof and maintenance free. They expressed the belief that the siding is not truly visible from the public right of way.

4. At the hearing the Respondent questioned why their property is being singled out as many other properties in the neighborhood have siding.

5. The Respondents testified that they have health issues that limit their ability to complete the stuccoing themselves as approved by HARB and hiring someone to come and install the stucco would create a financial hardship.

6. The Respondents testified that they thought the Prince Historic District was repealed shortly after they purchased the property 32 years ago. However, they did not call the City to confirm that the district was repealed.

7. The Historic Preservation Specialist circulated photographs of the Subject Property showing the front Permastone façade and the siding covering the eastern façade. The materials provided by the Historic Preservation Specialist show that the property has a Composite Index Rating of only 22 and that the building is not a significant resource in the Prince District.

9. The Historic Preservation Specialist explained that the HARB Board offered a compromise to the property owners by approving the fiberglass door and the demolition of a rear frame addition, which was not original to the property. She stated that the Board also offered a compromise by allowing the stuccoing of the original façade, rather than the more costly restoration of the original brick façade.

10. The Historic Preservation Specialist stated that the most historically appropriate repair to the property would be to remove the siding and stucco and restore the brick façade. As the board realizes that the restoration of the brick would be cost prohibitive, they instead voted to remove the siding and to stucco over the exposed brick. The Historic Preservation Specialist stated that when the brick was last exposed it was partially covered with stucco.

Conclusions of Law

City Council, after considering all testimony and reviewing all Exhibits, APPROVES the appeal of the Certificate of Appropriateness for the installation of siding at the southern façade of 633 South 6th Street.

Order and Agreed Resolution

The City of Reading City Council hereby APPROVES the appeal of the COA for the installation of siding at 633 South 6th Street for the installation of the siding at the southern façade due to the extremely low composite rating of the property versus the high cost of the suggested repair.

Right to Appeal

If you disagree with the decision of City Council you may file an appeal with the Court of Common Pleas of Berks County within 30 days after notice of the decision has been made. Your failure to file the appeal within such 30 days shall preclude an appeal from such decision.

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
Extensive case file duplication	***Sum of actual costs***		
Phone call/dispatch recording	***Sum of actual costs***		
~~Local criminal check~~	~~$10~~	~~38-2011~~	~~N/A~~
Local criminal background report	***$20***		
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 **Extension #**
Date 4/30/2015

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
01-14-91-4933	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 borros 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 exceed***ing*** $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 revenut 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 of 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*** determine***d*** 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.~~

B I LL N O._____

A N O R D I N A N C E

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:

- $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 NO._____

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

That R. David Myers is appointed to the CRIZ Authority with a term ending December 31, 2020.

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 NO._____

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

That David Farrar is appointed to the Main Street Board with a term ending December 31, 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 NO._____

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

That Elizabeth Stanley is reappointed to the Charter Board with a term ending April 26, 2018.

Adopted by Council _____, 2015

_____
Francis G. Acosta
President of Council

Attest:

_____
Linda A. Kelleher
City Clerk