



CITY COUNCIL

Strategic Planning Committee

Monday, May 5, 2014
Meeting Report

Attending: J. Waltman, C. Daubert (Co Chairs); M. Goodman-Hinnershitz, D. Sterner, D. Reed, F. Acosta, S. Marmarou

Others Attending: L. Kelleher, C. Younger, D. Kersley, C. Snyder

The meeting was called to order by Mr. Waltman and Mr. Daubert at approximately 5:30 pm.

1. Project Labor Agreement (PLA) Ordinance

Mr. Acosta explained that this ordinance was sent to the Council Office for inclusion on the April 28th Agenda; however, it was not moved forward due to the need to obtain additional information.

Mel Fishburn stated that he is the business manager for the local IBEW and the president of the Building and Trades Board. He distributed a PLA information packet to Council. He stated that PLAs were used for the construction of the Sovereign Center. He noted that each PLA agreement is different and project specific. He stated that the main goal of a PLA is to obtain quality trades professionals on projects.

Mr. Fishburn explained that PLAs coordinate and unify terms for building and trades professionals. Two other PLA examples are Cabela's and the UGI solar panel project. He stated that contractors from outside Berks County agree to use local labor. He stated that the current Doubletree Hotel project has a construction schedule of 18 months; a PLA could reduce that construction schedule to 12 months. He noted that although a PLA requires prevailing wages, a quicker completion time provides balance.

Mr. Fishburn stated that prior to a PLA a feasibility study must occur to justify the need. The City's cost for each study is approximately \$25,000. He stated that the ordinance currently requires a PLA for a project estimated at \$250,000 however, he stated that that number is far too low. He stated that it is best to set the number in the multi-million area. He noted that the use of

a PLA does not prohibit or deter bidding. He also noted that a PLA is not a “union-non-union” issue.

Mr. Fishburn suggested setting the value at \$5M.

Mr. Acosta announced the need for an executive session to discuss an applicant for the Fire Chief position at 5:50 pm. The executive session concluded and the meeting was reopened at 6:12 pm.

Mr. Marmarou left the meeting.

2. Public Comment and Public Behavior at Council Meetings

As several Councilors were disturbed with the behavior of the public at the April 28th meeting, Ms. Kelleher was asked to review the current regulations and find a better way to convey the regulations and expectations to the public. Mr. Waltman distributed a sample regular meeting agenda that provides guidance on how to behave at a public meeting under the Call to Order agenda heading.

The group listened to the public comment period for the April 28th meeting on the BCTV website. All agreed that a new course of action is required to stem this behavior.

Mr. Acosta suggested that the police officer at the meeting take a more participatory role by listening to the comments and stepping in if threats are made or if a person approaches the Council tables. Chief Heim will be consulted about this change.

Mr. Acosta stated that the last time Council experienced this type of behavior was in early 2012 when the mayor tried using various people to intimidate Council into approving various appointments he wanted to make. He stated that once again the mayor is taking this approach with regard to the water system and making the matter about a personal attack rather than about the facts.

Mr. Acosta stated that the signs displayed by the AFSCME at the April 28th meeting were derived from the surveys Council and the Auditor completed in Executive Session when the modeling exercises were occurring. In this particular exercise Council and the Auditor rated the importance of various items as they related to the use of the expected money realized through the RFP for the water system. The results were then averaged out. He stated that the sheets were not labeled with the name of the person completing the sheet and that they were to be held in a confidential manner.

The only sheet that was distributed was the sheet showing the outcome to Council, the Auditor and the mayor. He stated that at the April 28th meeting union employees accused him of voting to layoff employees and that employees were of little value, which was in no way a part of the exercise. He stated that obviously the mayor or his staff shared that information with the employees and that was another violation of the ground rules in place at the time.

Mr. Acosta stated that earlier today Ms. Kelleher forwarded RAWA minutes to Council and one outtake says that if RAWA cannot work out a lease arrangement with the Administration, they will work with Council.

The mayor's flyer announcing his May 7th town meeting was discussed along with the political thrust of the announcement.

Mr. Waltman distributed the Fact Sheet for the group's review. They agreed that the message needed to be more concise and readable. They asked Ms. Kelleher to prepare a brochure conveying the key points for distribution at the mayor's meeting.

Mr. Acosta noted that the majority of Council does not include Mr. Daubert and Mr. Marmarou, as they have individually agreed to serve on the mayor's negotiating team. Mr. Daubert stated that to date he has not attended any meetings with the mayor's team and he stated that he disagrees with dissolving RAWA.

Mr. Waltman stated that any deal RAWA agrees to will be based on taking out additional debt to make the large cash payment to the City, rather than monetizing which is selling additional water to gain the revenue needed to make the payment. He stated that allowing additional debt on the water system is damaging to this asset. He noted the need to find a partner who will run the system responsibly and avoid taking out new debt.

Council collectively expressed the belief that they will not privatize or sell the system.

Mr. Waltman stated that due to the amount of time spent on other issues, he and Mr. Daubert did not have time to speak with Ms. Snyder about the agenda for this meeting. Therefore the topics will be deferred until the next meeting

3. UGI Meters

Mr. Waltman expressed the belief that the meeting with the PUC was unproductive as the PUC was more interested in explaining why they could not assist in a proactive manner as UGI installs meters. He stated that the PUC only reacts to complaints filed so he suggested that we send a complaint on the meters that have been installed to date.

Ms. Kelleher stated that Mr. Kersley and Ms. Snyder have developed an approach to handle this issue in a way that complies with the PUC's regulations and approach.

Ms. Snyder and Mr. Kersley stated that during some brainstorming sessions with various internal colleagues, the idea to add the gas meters to the QoL program and have the tickets sent to the UGI with copies to the PUC. UGI would be ticketed rather than the property owner because the meter is owned by UGI.

Mr. Kersley stated that five (5) of the Property Maintenance Inspectors (PMIs) are certified plumbers and are qualified to inspect the meters after they receive some training from the Plumbing and HVAC inspectors. He said that when he showed the photos displayed at the meeting with the PUC to the HVAC and Plumbing Inspectors they immediately identified a variety of problems, apart from corrosion. The PMIs can be trained on what to look for and then issue tickets to those in violation. He also noted that Mr. Coleman is working with the PUC's attorney to make sure that our new regulation does not encroach into PUC territory.

Ms. Snyder stated that she recently learned that the former Chief Building Inspector gave UGI a reduced meter installation permit rate due to the amount of permits they needed to pull. The discounted rate will be eliminated.

4. Meeting Updates

There were no updates provided.

Mr. Waltman adjourned the meeting at approximately 7 pm.

Respectfully Submitted by Linda A. Kelleher CMC, City Clerk