

AN ORDINANCE OF THE CITY OF READING AMENDING THE CITY OF READING CODIFIED ORDINANCES CHAPTER 16 PARKS AND RECREATION BY ADDING A NEW PART 4 AS ATTACHED RELATING TO PUBLIC PRIVATE PARTNERSHIPS FOR CITY PARKS AND PLAYGROUNDS

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

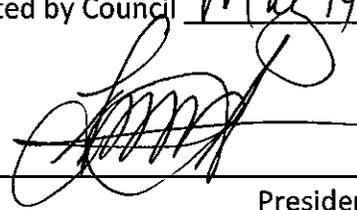
Section 1. The purpose of this ordinance is to authorize the City of Reading to enter into public private partnerships with private, non-profit organizations for the maintenance of City parks.

Section 2. The City of Reading Codified Ordinances Chapter 16 Parks and Recreation is amended by adding a new Part 4 as attached.

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

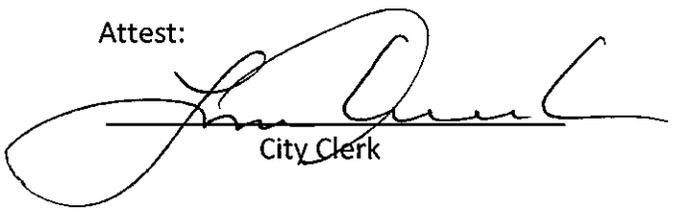
Section 4. Any and all ordinances which are contrary to the amendment are hereby repealed.

Enacted by Council May 14, 2012



President of Council

Attest:



City Clerk

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 14 day of May A. D. 2012. Witness my hand and seal of the said City this 14 day of May A. D. 2012.



CITY CLERK

(Council Staff)

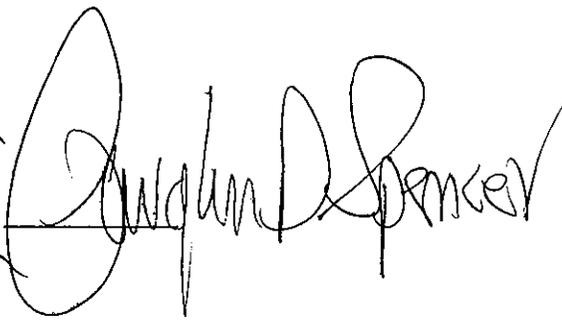
Submitted to Mayor: 
Date: 5/15/12

Received by the Mayor's Office: 

Date: 5/15/12

Approved by Mayor:

Date: 5/15/12

A large, handwritten signature in black ink, which appears to read "William D. Spencer". The signature is written over the "Approved by Mayor:" line and extends to the right.

Vetoed by Mayor: _____

Date: _____

Chapter 16 Parks and Recreation

Part 4

Public Private Partnerships

16-401 Purpose

The purpose of this part is to authorize the City to enter into public private partnerships with private organizations for the maintenance of City parks. Nothing in this part shall be construed as prohibiting the City from entering into such partnerships for the maintenance of other City facilities or for any other purpose authorized by Pennsylvania Statute, City Charter, or other law.

16-402 Definitions

For the purposes of this part:

Organization – an association, corporation or other entity having a formal structure

Park – includes athletic fields, tennis courts, swimming pools, playgrounds or other park area, facility or group of such facilities under the control, maintenance and management of the City of Reading

Public Private Partnership Agreement or Agreement – includes any contractual agreement or concession, or both, for the maintenance of a City park

Public Works Director – the Director of the City of Reading Public Works Department

16-403 Authorization

The City Public Works Department may enter into a public private partnership agreement with an organization to maintain a City park or designated portion thereof.

Any organization selected to maintain a City park shall be selected pursuant to the procedures and requirements as outlined and contained in this Part.

16-404 Public Private Partnership Agreement

An agreement shall be in the form as established by the City and shall contain:

1. The name of the organization
2. The address of the organization
3. The name of the contact person within the organization
4. The address of the contact person

5. The phone number of the contact person
6. The name of the park/playground/facility
7. The maintenance to be performed
8. The maintenance schedule

A Public Private Partnership Agreements entered into between the City and an organization pursuant to this Part shall expressly provide that:

1. The supervision and control over the maintenance of the park rests with the City and any structural or landscaping modifications to the park and any structure therein is prohibited without the prior consent of the City;
2. The City shall have the right to terminate the agreement at the City's sole discretion if the organization is not satisfactorily performing its maintenance responsibilities or complying with any provision of the agreement;
3. The park shall remain open and be accessible to all members of the public during park hours;
4. No fees may be charged for the use of the park or any facility therein other than the fees established by ordinance;
5. The Agreement does not constitute a lease; and
6. The Agreement shall conform and be subject to all applicable ordinances and policies of the City, the rule-making authority of the City's departments and any trust requirements, restrictions or conditions.

16-405 Qualifications of Organizations

The City shall specify the minimum qualifications of an organization and its officers and employees, including previous experience in maintaining a park or comparable facility, the organization's financial stability including funds available to the organization, a business plan indicating how it will fund the maintenance of the facility, and any other factors that indicate its ability to adequately maintain the park.

The purpose of the organization shall be consistent with the maintenance of the park for public benefit.

16-406 – Notice to Council

Prior to executing an Agreement for a public private partnership pursuant to this Part, ~~the Public Works Director shall inform~~ City Council shall approve said agreement via

ordinance/resolution in writing of the Agreement and provide which shall include a copy of the Agreement.