

AUTHORIZING THE MAYOR TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT OF COOPERATION BETWEEN THE CITY OF READING AND THE READING SCHOOL DISTRICT TO CHANGE BOTH THE NUMBER OF SCHEDULED MEETINGS PER YEAR AND THE MONTH OF THE ORGANIZATIONAL MEETING FOR THE READING RECREATION COMMISSION.

WHEREAS, the City of Reading and the Reading School District believe that the citizens of the City of Reading will benefit from a jointly supported recreational and educational program; and

WHEREAS, the City of Reading desires to amend the Agreement of Cooperation between the City of Reading and Reading School District to change both the number of scheduled meetings per year and the month of the organizational meeting for the Reading Recreation Commission; and

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

SECTION 1. The Mayor is authorized to exccute the attached First Amendment to the Agreement of Cooperation.

SECTION 2. This ordinance shall be effective ten (10) days after passage.

Enacted April 14, 2014

President of Council

Attest:
[Signature]
City Clerk

I, LUNDA 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 Resolution passed by the Council of the City of Reading, on the 14 day of April A. D. 20 14. Witness my hand and seal of said City this 14 day of April, 2014.
[Signature]
CITY CLERK

Submitted to Mayor: _____
Date: 4-15-14
Received by the Mayor's Office: _____
Date: 4/15/14
Approved by Mayor: [Signature]
Date: _____
Vetoed by Mayor: _____
Date: _____

FIRST AMENDMENT TO AGREEMENT OF COOPERATION

This FIRST AMENDMENT TO AGREEMENT OF COOPERATION is dated to be effective as of the ____ day of _____, 2014 by and between the CITY OF READING, a third class city of the Commonwealth of Pennsylvania (hereinafter referred to as "City"), and READING SCHOOL DISTRICT, (hereinafter referred to as "School District").

BACKGROUND

- A. The parties hereto entered into a certain Agreement of Cooperation dated to be effective as of July 25, 2011 as per Bill No. 33-2011 (the "Original Cooperation Agreement") and amended by an agreement approved on August 13, 2012 as per Bill No. 81-2012.
- B. Whereas, the Intergovernmental Cooperation Act (53 Pa. C.S. Section 2301 et. Seq., herein called the "Act") permits municipalities (under the Act the term "municipality" includes school districts) to enter into agreements to cooperate in the exercise or performance of their respective functions, powers or responsibilities, including recreation and parks.
- C. The parties now wish to amend certain provisions of the Agreement of Cooperation.

NOW, THEREFORE, intending to be legally bound, the parties agree as follows:

1. The Background clauses set forth above are incorporated herein by reference.
2. Section 5(d) of the Agreement of Cooperation is hereby amended and restated in its entirety to read as follows:

"(d) Officers. The Commission shall elect a Chairperson, Vice Chairperson, Secretary and Treasurer from the membership of the Commission. The Chairperson shall act as chair at all duly called meetings and shall be empowered to execute, together with an Secretary, all legally binding documents on behalf of the Commission. The Vice Chairperson shall serve in the absence of the Chairperson. The Secretary or his/her designee shall record the Commission's actions and be custodian of the Commission's records. The Treasurer or his/her designee shall receive and expend all Commission funds and shall keep an accounting of all of the Commission's finances including, but not limited to, employee payroll. The Treasurer shall also present monthly reports regarding the finances of the Commission to the Commission members. The Commission shall organize annually at the first meeting of each year, which shall be held in ~~January~~ **February**. All officers shall be elected at the Commission's ~~January~~ **February** organizational meeting and serve a one (1) year term of office, expiring ~~December 31~~ **the day of the advertised reorganizational meeting**. If an officer ceases to be a member of the Commission, a successor shall be elected."

3. Section 5(e) of the Original Agreement of Cooperation is hereby amended and restated in its entirety to read as follows:

“Section 5(e) Commission Meetings. The Commission shall have regularly scheduled ~~monthly~~ *bi-monthly* meetings. The Chairperson of the Commission may, when he or she deems it necessary or desirable, and shall, upon the request of our members of the Commission and/or the Director, call a special meeting of the Commission for the purpose of transacting any business designated in the call of the meeting. The call for any regular and special meeting shall be in accordance with the Pennsylvania Sunshine Act.”

4. All other provisions of the Original Agreement of Cooperation not amended hereunder are hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have set their hands and seals on the day and year first above written.

WITNESS:

CITY OF READING:

Attest:

By: _____

Name: Vaughn D. Spencer

Title: Mayor

READING SCHOOL DISTRICT:

Attest: _____

By: _____

Name: _____

Title: _____