Drafted by	City Clerk
Sponsored by/Referred by	Councilor Marmarou
Introduced on	January 25, 2016
Advertised on	February 1, 2016

BILL NO. 8 2016

AN ORDINANCE

AMENDING THE CITY OF READING CODE OF ORDINANCES CHAPTER 23 BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS, PART 4 FIRST ENERGY STADIUM COMMISSION, BY ADDING A LIAISON REPRESENTING COUNCIL AND THE PUBLIC WORKS DEPARTMENT.

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

SECTION 1. The City of Reading Code of Ordinances Chapter 23 Boards, Commissions, Committees and Councils Part 4 First Energy Stadium Commission is amended by adding liaisons from the Public Works Department and City Council, as attached.

SECTION 2. All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4. This Ordinance shall be effective ten (10) days after adoption pursuant to City of Reading Home Rule Charter Article II Section 219.

Enacted March 28, 2016

Council President

Attest:

City Clerk

Submitted to Mayor:

Date: 3/29/16

Received by the Mayor's Office:

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 28 day of March A. D. 2016. Witness my hand and seal of the said City this 4 day of April A. D. 2016.

CITY CLERK

Date: _____

Approved by Mayor: _____

Date: 3/31/14

Vetoed by Mayor: _____

Date: _____

PART 4

First Energy Stadium Commission
[Adopted 2-28-2000 by Ord. No. 2-2000 (Ch. 1, Part 5I, of the 2001 Code of Ordinances)]

§ 23-401. Creation and members. [Amended 4-24-2006 by Ord. No. 32-2006]

A First Energy Stadium Commission ("Commission") is hereby created which shall consist of nine qualified electors of the City of Reading ("City") to serve as liaison between the "City" and the ~~Reading Phillies~~ ***Reading Fightin Phils or other baseball franchise*** organization.

§ 23-402. Appointments and vacancies.

The members of the Commission shall be appointed by the Mayor and confirmed (four affirmative votes) by Council. Three of the members first appointed under this section shall serve for terms of one year, three for terms of three years, and three for terms of five years, respectively, from the date of the approval of this section and until their respective successors have been duly appointed. Appointments of successors, in each case, will be for a period of five years. Any vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in the same manner as original appointments. ***An ex-officio member representing the Public Works Department will be designated by the Mayor and an ex-officio member representing Council will be appointed via resolution.***

§ 23-403. Removal of members. [Added 7-26-2010 by Ord. No. 36-2010; amended 8-26-2013 by Ord. No. 35-2013]

Any member may be removed for misconduct or neglect of duty or for other just cause by a majority vote of Council taken after the member has received 15 days' advance notice of the intent to take such vote. Failure of a member to attend three consecutive regular meetings of the Board will constitute grounds for immediate removal from the Commission by City Council. Failure of a member to attend at least 50% of the regular meetings of the Board in a calendar year will constitute grounds for immediate removal from the Commission by City Council. The Chairperson of the Board shall inform the City Clerk in writing when a member has failed to comply with this attendance policy. Following such notification, City Council may vote to remove the member and seek applicants to fill the vacant position.

§ 23-404. Compensation. [Amended 7-26-2010 by Ord. No. 36-2010]

Members of the Commission shall serve without compensation.

§ 23-405. Officers and procedural rules. [Amended 7-26-2010 by Ord. No. 36-2010]

The members of the Commission shall elect their own Chairman and Vice Chairman/Secretary and select all other necessary officers to serve for a period of one year. The Commission shall adopt rules and regulations for its internal organization and procedure and for the conduct of all business within its jurisdiction.

§ 23-406. Powers and duties. [Amended 7-26-2010 by Ord. No. 36-2010]

A. The Commission, in cooperation with the City and the Reading Phillies Organization, shall supervise the operation of the First Energy Stadium. The Commission will assist

the City and the Reading Phillies Organization in identifying the capital needs and repairs for the stadium, as listed in the revised and restated lease agreement dated October 25, 1999, "lease agreement." The Commission shall submit to the Public Works Director and City Council, no later than July 1 of each year, its recommendation for capital repairs and improvements to the stadium for inclusion in the City's operating budget and five-year capital plan.

B. The lease agreement transfers the responsibility of the beer sales from the City and the prior Stadium Commission to the Reading Phillies Organization. The $4,200 retained by the prior Stadium Commission to purchase beer products for the 2000 season shall be placed in an accounted titled "Stadium Capital." These monies will be expended for the capital repairs to the stadium as identified by the Commission and approved by the Public Works Operations Division Manager, as outlined in the lease agreement. This account will remain independent from all other City accounts and funds and will not be combined with the City's general fund at the end of any fiscal year. The City administration will appropriate a minimum of $5,000 per year in this account for each fiscal year.

C. The Commission will supply a copy of all meeting minutes to the City Clerk and shall make an annual report to Council on the operations of the Commission.