



CITY COUNCIL

Public Hearing

Public Hearing
Council Chambers

Thursday, November 7, 2013
5:00 p.m.

I. Opening Matters

II. Purpose

The purpose of this hearing is to obtain public comment on the creation of a City of Revitalization and Improvement Zone Authority (CRIZ) as permitted through the enactment of House Bill 465-2013.

III. Presentation by City Administration

Ordinance – creating the City of Reading Revitalization and Improvement Zone Authority (CRIZ), as per the Municipalities Authorities Act and House Bill 465-2013. **(Man Dir)**

IV. Public Comment

Citizens wishing to comment on the proposed amendment need to register with the City Clerk before 5 pm the day of the 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 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.

Those commenting 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 at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance. 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.

V. Adjourn

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. _____
(Duly Enacted November 12, 2013)**

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION OF CITY COUNCIL TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “CITY OF READING REVITALIZATION AND IMPROVEMENT ZONE AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY AND FIXING THEIR TERM OF OFFICE; DESIGNATING THE PURPOSES FOR SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY, INCLUDING THE PUBLICATION OF REQUIRED PUBLIC NOTICE; AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL, AND EFFECTIVE DATE.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the “City”), is empowered to establish, organize, and incorporate an authority pursuant to §5603 of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”); and

WHEREAS, in preparation for the passage of this Ordinance, a public hearing was held by the City Council of the City pursuant to notice duly advertised as required by the Municipality Authorities Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same, as follows:

SECTION 1. INTENT. It is the intent of the City Council of the City to organize an authority under provisions of the Municipality Authorities Act.

SECTION 2. NAME OF AUTHORITY. The name of the authority shall be the “City of Reading Revitalization and Improvement Zone Authority”.

SECTION 3. ARTICLES OF INCORPORATION. The proposed Articles of Incorporation of said City of Reading Revitalization and Improvement Zone Authority are as follows:

CITY OF READING REVITALIZATION AND IMPROVEMENT ZONE AUTHORITY

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth of Pennsylvania.

In compliance with requirements of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”), and pursuant to the ordinance enacted by the City Council of the City of Reading, Berks County, Pennsylvania, expressing the intention and desire of the City Council of said municipality to organize a municipality authority under said Municipality Authorities Act, the incorporating municipality does hereby certify:

(a) The name of the Authority is “City of Reading Revitalization and Improvement Zone Authority”.

(b) The Authority is formed under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented, with all powers authorized by said Municipality Authorities Act.

(c) No other authorities have been organized under said Municipality Authorities Act, under the former Act of June 28, 1935 (P.L. 463, No. 191), or under the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, and is in existence in or for the incorporating municipality, except that the incorporating municipality has heretofore organized (i) the Reading Water Authority and (ii) the Reading Regional Airport Authority, as the sole incorporating municipality, and (iii) the Berks Area Reading Transportation Authority, as a joint incorporating municipality, each under the provisions of the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, which authorities are in existence in or for said incorporating municipality.

(d) The name of the incorporating municipality is the City of Reading, Berks County, Pennsylvania.

(e) The names and addresses of the members of the City Council of the City of Reading, the incorporating municipality, are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Francis Acosta	326 St. Nicholas Street Reading, PA 19607
Vice President	Marcia Goodman- Hinnershitz	564 South 15 th Street Reading, PA 19601

Council Member	Randy Corcoran	221 Beverly Place Reading, PA 19611
Council Member	Stratton P. Marmarou	1515 Linden Street Reading, PA 19604
Council Member	Donna Reed	1525 Argonne Road Reading, PA 19601
Council Member	Dennis M. Sterner	524 North 14 th Street Reading, PA 19604
Council Member	Jeffrey S. Waltman	<hr/> Reading, PA 19601

(f) The names, addresses and terms of office of the first members of the Board of the City of Reading Revitalization and Improvement Zone Authority, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>TERM OF OFFICE</u>
	<hr/> Reading, PA 19601	One Year
	<hr/> Reading, PA 19601	Two Years
	<hr/> Reading, PA 19601	Three Years
	<hr/> Reading, PA 19601	Four Years
	<hr/> Reading, PA 19601	Five Years
	<hr/> Reading, PA 19601	One Year
	<hr/> Reading, PA 19601	Two Years
	<hr/> Reading, PA 19601	Three Years

Reading, PA 19601

Four Years

(g) The terms of office of the first members of the Board of said City of Reading Revitalization and Improvement Zone Authority shall commence on the date of appointment and shall be computed from the first Monday in January of 2014.

(h) The term of existence of the City of Reading Revitalization and Improvement Zone Authority shall be for a period of fifty (50) years.

(i) Advertisement of notice of filing these Articles of Incorporation is submitted herewith.

IN WITNESS WHEREOF, the undersigned has executed these Articles on behalf of the City of Reading, Berks County, Pennsylvania, and has caused to be affixed the seal and attested this ____ day of November, 2013.

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

By: _____
Vaughn Spencer
Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

COMMONWEALTH OF PENNSYLVANIA :
 : SS.
COUNTY OF BERKS :

On this ____ day of November, 2013, before me a Notary Public in and for said Commonwealth, personally appeared the above named Vaughan Spencer and Linda A. Kelleher, who stated that their official positions in the City of Reading are, respectively, the Mayor and City Clerk of the City of Reading, and who, in due form of law, acknowledged the foregoing Articles of Incorporation to be the act and deed of said City of Reading for the purposes therein specified.

Notary Public

NOTARIAL SEAL

My Commission Expires: _____

SECTION 4. MEMBERS. The first members of the Board of said City of Reading Revitalization and Improvement Zone Authority, named in the aforesaid Articles of Incorporation, are hereby specifically appointed members of said Board for the terms set after their respective names, commencing on the date of appointment and computed from the first Monday in January, 2014.

SECTION 5. AUTHORITY TO EFFECT THE INCORPORATION OF THE AUTHORITY. The Mayor of the City is hereby authorized and directed to execute the Articles of Incorporation of the proposed City of Reading Revitalization and Improvement Zone Authority in substantially the form set forth in this Ordinance, and the City Clerk of the City is hereby authorized and directed to attest the same and to affix thereto the seal of the City. Such officers are authorized and directed to execute and deliver such other documents, agreements, certificates and instruments, and to do all acts necessary or appropriate to effect the incorporation of the proposed City of Reading Revitalization and Improvement Zone Authority, including, but not limited to, to cause notice of the substance of this Ordinance, including the substance of the foregoing Articles of Incorporation, and the proposed filing of such Articles of Incorporation, to be published as required by the Municipality Authorities Act.

The Mayor of the City and the City Clerk of the City are authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to effect the incorporation of the City of Reading Revitalization and Improvement Zone Authority, including payment of the required filing fees.

SECTION 6. PURPOSES AND PROJECTS AUTHORIZED. The City of Reading Revitalization and Improvement Zone Authority shall have all the purposes, powers, and rights, as provided by Article XVIII-C of House Bill No. 465, Session of 2013, including, but not limited to the designation of revitalization and improvement zones in the City, engaging in and financing the construction, including related site preparation and infrastructure, reconstruction or renovation of facilities within such revitalization and improvement zones, for purposes of taking any and all actions and performing any and all duties authorized by a Contracting Authority as defined in and authorized by Article XVIII-C of House Bill No. 465, Session of 2013, and shall have all the purposes, powers, and rights as provided by the Municipality Authorities Act.

SECTION 7. SEVERABILITY. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this City that such remainder shall be and shall remain in full force and effect.

SECTION 8. REPEALER. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.

SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect upon its advertisement and enactment as required by law.

**DULY ENACTED, THIS 12TH DAY OF NOVEMBER, 2013, BY THE
COUNCIL OF CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL
SESSION DULY ASSEMBLED.**

Attest:

CITY OF READING
Berks County, Pennsylvania

By:

Linda A. Kelleher CMC, City Clerk
Council

Francis Acosta, President of

(SEAL)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____