

Julio Guridy, President
Ray O'Connell, Vice President
Joseph Davis
Jeanette Eichenwald
Daryl Hendricks
Cynthia Y. Mota
Peter Schweyer



Allentown City Council
435 Hamilton Street
Allentown, Pa. 18101
AllentownPa.Gov

Facebook: Allentown City Council

COUNCIL MEETING
April 2, 2014
COUNCIL CHAMBERS

COUNCIL MEETING – 7:00 PM

1. Invocation: Jeanette Eichenwald
2. Pledge to the Flag
3. Roll Call
4. Courtesy of the Floor
5. Approval of Minutes
6. Old Business
7. Communications

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Schweyer

Public Safety: Chairperson Eichenwald

Community and Economic Development: Chairperson Davis

Parks and Recreation: Chairperson Mota

Public Works: Chairperson O'Connell

Human Resources, Administration and Appointments: Chairperson Hendricks

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

OTHER COMMITTEE REPORTS

Controller's Report

Managing Director's Report

9. APPOINTMENTS:

Jeff Glazier Allentown Planning Commission 01/01/2017

10. ORDINANCES FOR FINAL PASSAGE:

Bill 6 Lehigh Valley Health Network RACP

Amending the 2014 General Fund Budget to provide for a supplemental appropriation of One Million Two Hundred Twenty-Five Thousand Eight Hundred Three Dollars (\$1,225,803), as a result of a grant from the Commonwealth of Pennsylvania to the City of Allentown in the form of a RACP pass through grant to the Lehigh Valley Health Network.

11. ORDINANCES FOR INTRODUCTION:

Bill 9 Reprogram Certain funds

Amending the Consolidated Plan One Year Action Plan for the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth years of the Community Development Block Grant Program (CDBG) which re-programs Forty-Six Thousand Six Hundred Forty-Five (\$46,645) Dollars of unexpended funds

Bill 10 CDBG account

Providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

Bill 11 Rental Rehabilitation

An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

Bill 12 Pool Rates

Amending Article 400.05, of the **Department of Parks & Recreation Fees** by adopting a new fee schedule for daily admission and season pass fees, and adopting new categories for the same for the city's four public swimming pools.

Bill 13 Parking Regulations

Amends Traffic Regulations by, changing enforcement hours to run Monday through Saturday from 8 am to 9 pm, expanding acceptable forms of payments, modifying the notice of violations provisions, and changing the fine for the parking of inoperable or illegally registered vehicles.

Bill 14 Transfer for Snow Costs

Amending the 2014 Liquid Fuels Fund, the 2014 General Fund, the 2014 Trexler Fund, the 2014 Golf Fund and the 2014 Solid Waste Fund by appropriating funds from the unappropriated balances for partial restoration of the following accounts: premium pay, shift differential, repairs and maintenance, contracted services, repair and maintenance supplies, rentals, operating and materials and supplies due to unprecedented amount of expenditures for snow removal, plowing, materials and salting for the recent storms.

12. CONSENT AGENDA: None**13. RESOLUTIONS ON SECOND READING:****R6 Cellular Tower Lease - 1325 Oxford Drive**

Authorizes the Administration to Sign a ground Lease with Crown Castle for the property located at 1325 Oxford Drive

14. RESOLUTIONS ON FIRST READING:**R9 Jordan Park Playground Project**

Authorizes the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources (DCNR) for replacement of the Jordan Park Playground

R10 Action Plan

Authorizes the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources (DCNR) for replacement of the Jordan Park Playground

16. GOOD AND WELFARE**17. ADJOURNED**

Council meetings are held on the first and third Wednesday of each month beginning at 7:00 pm in Council Chambers. For copies of the agenda or meeting announcements, please visit our website at www.allentownpa.gov or contact the Clerk at Michael.Hanlon@allentownpa.gov to receive an email notice of the meetings.



Allentown
City without limits.

Ed Pawlowski, Mayor
City of Allentown
435 Hamilton Street
Allentown, PA 18101-1699
Office 610.437.7546
fax 610.437.8730
Ed.Pawlowski@allentownpa.gov

TO: Michael Hanlon
City Clerk

FROM: Ed Pawlowski *EP.*
Mayor

DATE: February 21, 2014

SUBJECT: Authorities, Boards, Commissions Appointments

Mayor Pawlowski has approved the following appointment for City Council's consideration.

<u>Name</u>	<u>Authority/Board/Commission</u>	<u>Term to Expire</u>
Jeff Glazier	Allentown Planning Commission	01/01/2017

Mr. Glazier is fulfilling the expired term of Martin Velazquez. I am attaching his resume for your review.

EP/kal

Attachments

RECEIVED

APR 24 2014

REQUEST FOR APPOINTMENT

DATE 3-20-14

AUTHORITY, BOARD OR COMMISSION YOU ARE REQUESTING APPOINTMENT TO: ^{MAYOR'S OFFICE} Allentown Planning Commission

NAME: Jeff Glazier

HOME ADDRESS: 2915 Parkway Blvd

BUSINESS ADDRESS: 159 Hamilton St.

TELEPHONE NO. (RESIDENCE) 610-657-8507 BUSINESS 610-432-0409

EMAIL: glaziersfurniture@rcn.com

PRESENTLY EMPLOYED BY: Self

JOB TITLE: Merchant

EMPLOYMENT (Prior): See RESUME

EDUCATION: HIGH SCHOOL GRADUATE: YES NO COLLEGE OR UNIVERSITY GRADUATE: YES NO DEGREE/FIELD OF STUDY: Labor studies, economics, public administration

CURRENT MEMBERSHIP IN ORGANIZATIONS AND OFFICES: Board member Allentown City Aggregate Pension Fund

PAST ORGANIZATIONAL MEMBERSHIP AND OFFICES

HELD: Allentown School board, Allentown library board,
Allentown City Council

DO YOU LIVE IN THE CITY OF ALLENTOWN: YES NO

HAVE YOU EVER BEEN ARRESTED?

no

IF SO, WHY?

DO YOU HAVE A SIGNIFICANT "BUSINESS" OR "PROPERTY" INTEREST IN ALLENTOWN? PLEASE EXPLAIN:

own 2 properties in town:
RESIDENCE & a commercial property.

ARE YOU A REGISTERED VOTER: YES NO

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? BE SURE TO INCLUDE WHAT VALUE YOU WILL BRING TO THE BOARD:

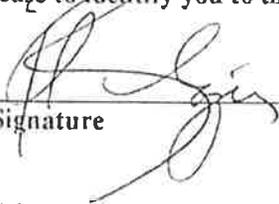
This another opportunity to serve the
community.

DO YOU ANTICIPATE A CONFLICT OF INTEREST BY SERVING AS A MEMBER OF AN AUTHORITY, BOARD OR COMMISSION: YES NO

IF YES,
EXPLAIN:

IF YOU ARE BEING CONSIDERED FOR REAPPOINTMENT, PLEASE INDICATE HOW MANY TERMS YOU HAVE SERVED _____ AND THE YEAR YOU WERE FIRST APPOINTED _____.

NOTE: This information will be used for making appointments to authorities, boards and commission and in the event you are appointed/reappointed, it may be used as a news release to identify you to the community.



Signature

3-20-14

Date

Please forward this request for appointment, along with a resume to:

Mayor'S Office
City Hall
435 Hamilton Street
Allentown, PA 18101

JEFF GLAZIER

2915 Parkway Boulevard. Allentown, PA 18104

610.657.8507

glaziersfurniture@rcn.com

PROFILE

Experience in public, private and non-profit sectors, excellent written and verbal communications skills, author of numerous op-eds and position papers and regular participant on local public affairs program.

WORK EXPERIENCE

1991- Current: 3rd generation owner Glazier's Furniture, Allentown, PA.

- * Actively involved in all business operations from accounting through purchasing
- * Manage inventory to reduce costs and improve cash flow
- * Migrated advertising to the web to increase advertising budget effectiveness
- * Manage and motivate four employees

2012-2013 Administrator, Allentown School District Foundation

- * Responsible for financial management
- * Develop programs and write grants
- * Complete federal and state reporting in an accurate and timely manner
- * Support president and board of directors

1985 - 1991 Rothrock Motor Sales, Allentown, PA:

1985 - 1987 Personnel manager

- * Responsible for 200+ employees
- * Revised employee handbook and standardized employee job descriptions
- * Implemented Right to Know material safety data sheet program
- * Wrote company newsletter
- * Aggressively managed unemployment compensation issues to reduce costs

1987 – 1991 Assistant service manager/Manager on duty

- * Responsible for operating four-man team of technicians
- * Honed customer service skills in high-pressure environment
- * Named one of Nissan's 10 best service managers in the nation in 1989

1983 – 1985 Auditor, Pennsylvania Treasury Harrisburg, PA

- * Responsible for Department of Welfare expenditures: specifically, data processing, tele-communications, security & printing contracts
- * Saved taxpayers over \$200,000 through accurately and consistently applying contract terms to invoices

1982 – 1983 Capital City Communications/Knight Ridder, Inc.

- * Operated one of the first electronic legislative reporting services in the country
- * Reported on all aspects of Pennsylvania House and Senate actions
- * Sales and support to Pennsylvania associations and Fortune 500 corporations

COMMUNITY SERVICE

2014 Member City of Allentown Aggregate Pension Board

2012-2014 Allentown City Councilman

- * Chair of Human Resources Committee
- * Member Finance Committee and Aggregate Pension Board

1999 – 2011 Allentown School District Board of Directors

- * Responsible for overseeing Pennsylvania's 4th largest school district, 17,500+ students, 2,300+ employees and \$230 million budget.
- * Served as president 6 years, vice president 2 years, finance committee co-chair 9 years
- * Actively managed diverse board to achieve an environment of respect, collegiality and consensus
- * Managed nationwide superintendent search process
- * Involved in district goal setting and evaluating progress toward those goals
- * Performed ground breaking research that detailed state's inequitable funding of ASD. This led to a state education costing out study that increased state support for the district by over 15 percent.
- * Public voice of board in print, TV and radio

2005 – 2011 Allentown Public Library Board of Directors

- * Finance Committee 2005 – 2011 and Vice President 2007 – 2011
- * Helped devise budgets that allowed library to continue operating after significant state funding cuts
- * Updated library's capabilities by encouraging shift to e-books

2009 – 2012 Allentown School District Foundation, Allocation Committee member

- * Devised rubrics for innovative teaching grants
- * Evaluated grant applications
- * Assessed program effectiveness
- * Presented grants program to district teachers

EDUCATION

The Pennsylvania State University

1980 Masters in Public Administration

Concentration in program analysis and personnel administration

1979 Bachelor of Arts

Major: Labor Studies Minor: Economics

REFERENCES

Lee Butz: CEO Alvin H. Butz Co. [labutz@butz.com](mailto:labut@butz.com)

John Freund III: partner King, Spry, Herman, Freund & Faul, llc jef@kingspry.com

Susan Williams: Susan Williams & Associates suewill@ptd.net

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 6 - 2014

March 19, 2014

AN ORDINANCE

Amending the 2014 General Fund Budget to provide for a supplemental appropriation of One Million Two Hundred Twenty-Five Thousand Eight Hundred Three Dollars (\$1,225,803), as a result of a grant from the Commonwealth of Pennsylvania to the City of Allentown in the form of a RACP pass through grant to the Lehigh Valley Health Network.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes an increase to the unappropriated balance of the General Fund in the amount of One Million Two Hundred Twenty-Five Thousand Eight Hundred Three Dollars (\$1,225,803), reflecting receipt of grant funds.

SECTION TWO: That City Council authorizes a supplemental appropriation from the unappropriated balance of the General Fund in the following manner:

**Department of Finance
Finance and Budget Administration:**

000-02-0602-0003-48	Grant, Non-City Charges	\$1,225,803
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SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Finance

- **Summary and Facts of the Bill**

Purpose of the ordinance is to appropriate the revenue and expense from the Lehigh Valley Health Network RACP grant and is a pass through grant.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City’s Vision/Mission/Priorities**

Construction of the Pediatric Clinic at Lehigh Valley Hospital, 17th and Chew Streets is complete and the reimbursement of funds is ready to happen.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

Because this is a pass through, there is no financial impact. They provided up front funding plus match for the construction. This is for reimbursement as per the RACP grant.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

Redevelopment Assistance Capital Project, RACP, funding comes from the Office of the Budget, Commonwealth of PA.

- **Priority status/Deadlines, if any**

We expect payment to be made to the City in the next few months. Payment will not be made to LVHN, Inc. until we receive payment from the Commonwealth of PA.

- **Why should Council unanimously support this bill?**

This grant supports residents needing health care in the City.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 9 - 2014

APRIL 2, 2014

AN ORDINANCE

Amending the Consolidated Plan One Year Action Plan for the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth years of the Community Development Block Grant Program (CDBG) which re-programs Forty-Six Thousand Six Hundred Forty-Five (\$46,645) Dollars of unexpended funds.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: Federal Regulations require the City of Allentown to amend a Consolidated Plan One Year Action Plan whenever it decides not to carry out an activity, to add an activity, or to substantially change an activity. This legislation provides for the re-programming of unexpended funds from the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth years of the CDBG program.

SECTION TWO: That the Mayor is authorized to reprogram the amounts in the accounts listed below.

700-01-7504-0111	Old Allentown Preservation Association	\$18,700
700-01-7601-0109	Self-Forgiving Loan Program	1,493
700-01-7603-0114	Turning Point	2,098
700-01-7605-0101	Allentown Redevelopment Authority	780
700-01-7605-0109	Planning	934
700-01-7703-0102	Family Answers	1,428
700-01-7803-0104	Lehigh Carbon Community College	1,212
700-01-7804-0110	Voluntary Relocation.....	<u>20,000</u>
TOTAL.....		\$46,645

SECTION THREE: That the amount of Forty-Six Thousand Six Hundred Forty-Five (\$46,645) CDBG Dollars be added to the amount of funds available for the Fortieth year of the CDBG program year.

SECTION FOUR: That this Ordinance will take effect ten (10) days after final passage.

SECTION FIVE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Consolidated Grants Program - Ordinance #1 Reprogram Certain Funds

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

Consolidated Grants Program - Ordinance #1 Reprogram Certain Funds
Reprogram Certain Funds

Summary: This legislation is required to close unspent CDBG and HOME accounts and "roll the funds" over to be used for the upcoming program year (July 1, 2014 to June 30, 2015). These accounts represent activities which have been completed with funds remaining, or activities which were later deemed to be not feasible.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance provides the City with the first step needed to allow the City to apply for and then access \$3,385,377 in grant funds for the July 1, 2014 to June 30, 2015 program year. All activities funded comply with the CDBG, HOME and ESG regulations as promulgated by HUD and allow the City to further its Community and Economic Development Initiatives. This bill provides the first step in the process which forms the basis to complete the strategies of the fifth and final year of the City of Allentown's Consolidated Plan for the period July 1, 2010 to June 30, 2015.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

Ordinance #1 Reprogram Certain Funds

This ordinance allows for \$ 46,645 in CDBG funds to be re-programmed as part of the funds available for the 2014-2015 program year. Funds are rolled over for a variety of reasons, but mainly because the program/activity is complete and costs were not as great as originally anticipated, or an alternative funding source may have been identified. At times, agencies decide to refuse their allocation if they have difficulty raising the additional funds necessary to run their program/activity. This legislation has no adverse financial impact on the City and the General Fund.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding source for this ordinance is the federal Community Development Block Grant Program (CDBG).

- **Priority status/Deadlines, if any**

This bill has a high priority status. Failure to submit the application to HUD by May 14, 2014 could result in the loss of this money.

- **Why should Council unanimously support this bill?**

This legislation allows additional funds to be available to complete the myriad of activities described in Ordinance #2. Furthermore, this allows old accounts, which are no longer active, to be closed.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 10 - 2014

APRIL 2, 2014

AN ORDINANCE

Providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the Mayor is authorized to expend Three Million Three Hundred Eighty-Five Thousand Three Hundred Seventy-Seven (\$3,385,377) Dollars in Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grants Program (ESG) funds for the July 1, 2014 to June 30, 2015 grant year, for housing and community development programs pursuant to the approved Consolidated Plan, appropriate Federal Law and United States Department of Housing and Urban Development (HUD) regulations.

SECTION TWO: That the Mayor is directed to establish and maintain any and all accounts and records as are necessary and to make such transfers as may be required to expend and account for said CDBG, HOME and ESG Funds in accordance with the approved Consolidated Plan, appropriate Federal law, and HUD regulations.

SECTION THREE: That this act of the Council of the City of Allentown is undertaken pursuant to Act 292 of 1974 in accordance with the opinion of the Pennsylvania Attorney General (Opinion 72-75) which holds that CDBG, HOME, and ESG Funds are General Municipal Funds for the purpose of Act 292 of 1974.

SECTION FOUR: That, in accordance with the Action Plan, the Council of the City of Allentown authorizes the appropriation of Three Million Three Hundred Eighty-Five Thousand Three Hundred Seventy-Seven (\$3,385,377) Dollars in the following manner:

CODE ENFORCEMENT AND REHABILITATION (CDBG)

700-01-7001-0204	Acquisition.....	\$228,000
700-01-7001-0206	Property Disposition and Management	200,000
700-01-7001-0207	Site Clearance	200,000
700-01-7001-0212	Hazard Elimination Program	100,000

700-01-7001-0214	Lead Grant Rehabilitation	45,000
700-01-7001-0215	Program Delivery (Includes Salaries to be Apportioned).....	<u>145,000</u>
TOTAL	\$918,000	

PUBLIC SERVICES (CDBG)

700-01-7002-0201	Allentown YMCA and YWCA	\$9,567
700-01-7002-0202	Lehigh Valley Center for Independent Living	10,000
700-01-7002-0203	The Literacy Center	10,000
700-01-7002-0204	Lehigh County Conference of Churches – Daybreak.....	10,000
700-01-7002-0205	Grace Episcopal Church – Grace Montessori School	10,000
700-01-7002-0206	Youth Education In the Arts	10,000
700-01-7002-0207	The Baum School of Art.....	7,500
700-01-7002-0208	Communities in Schools of the Lehigh Valley	10,000
700-01-7002-0209	Community Action Committee of the Lehigh Valley – Community Action Financial Services	10,000
700-01-7002-0210	Neighborhood Housing Services of the Lehigh Valley – HOOP.....	10,000
700-01-7002-0211	Boys and Girls Club of Allentown.....	10,000
700-01-7002-0212	St. Luke’s Neighborhood Center.....	10,000
700-01-7002-0213	Family Answers – Ways to Work	7,500
700-01-7002-0214	Community Bike Works.....	10,000
700-01-7002-0215	Embrace Your Dreams	8,888
700-01-7003-0203	Allentown Public Library.....	10,000
700-01-7003-0204	Lehigh Carbon Community College	9,684
700-01-7003-0206	Syrian Arab American Charity Association	10,000
700-01-7003-0207	Program for Women and Families	10,000
700-01-7003-0208	Allentown Economic Development Corporation – Securing Industrial/Commercial Properties.....	10,000
700-01-7003-0211	City of Allentown Bureau of Health – Alliance Summer Recreation	5,500
700-01-7003-0212	Valley Youth House	10,000
700-01-7003-0213	Focus Area Job Search Program.....	<u>25,000</u>
TOTAL	\$233,639	

NEIGHBORHOOD REVITALIZATION (CDBG)

700-01-7004-0201	Front Street Development Project.....	\$100,000
700-01-7004-0202	Neighborhood Housing Services of the Lehigh Valley – CPP Program	100,000
700-01-7004-0203	Syrian Arab American Charity Association – Building Restoration	10,000
700-01-7004-0205	Neighborhood Public Improvements	330,495
700-01-7004-0206	Habitat for Humanity	<u>150,000</u>
TOTAL	\$690,495	

CDBG – ADMINISTRATION AND ECONOMIC DEVELOPMENT

700-01-7005-0102	Community Action Development Corporation of the Lehigh Valley	\$25,000
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700-01-7005-0203	Allentown Economic Development Corporation – Economic Development.....	100,000
700-01-7005-0207	Administration	362,075
700-01-7005-0208	Fair Housing	25,000
700-01-7005-0210	Economic Development.....	<u>100,000</u>
TOTAL.....		\$612,075

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

700-01-7007-0204	Administration	\$75,407
700-01-7007-0205	Alliance for Building Communities – CHDO Operating	15,000
700-01-7007-0206	Alliance for Building Communities – CHDO Activity.....	113,111
700-01-7007-0207	Affordable Housing Project (To Be Determined).....	<u>550,557</u>
TOTAL.....		\$754,075

EMERGENCY SOLUTIONS GRANTS PROGRAM (ESG)

700-01-7008-0201	Community Action Committee of the Lehigh Valley - Sixth Street Shelter.....	\$33,926
700-01-7008-0202	Allentown Rescue Mission	33,926
700-01-7008-0203	The Salvation Army.....	33,926
700-01-7008-0204	Administration	13,093
700-01-7008-0205	Lehigh County Conference of Churches – Rapid Re-housing.....	44,222
700-01-7008-0206	Lehigh County Conference of Churches – Daybreak.....	<u>18,000</u>
TOTAL.....		\$177,093

SECTION FIVE: That this Ordinance will take effect ten (10) days after final passage.

SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

40 Ordinance #2 Establish CDBG accounts

Summary: This legislation is required to establish expenditure accounts for the City budgeting system, in addition to listing all the activities/programs which will be funded for the 2014-2015 Consolidated Grants Program year. It provides the basis for the creation of the Action Plan which is submitted to HUD as the application for the CDBG, HOME and ESG program funds which the City receives every year.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance provides the City with the second step needed to allow the City to apply for and then access \$3,385,377 in grant funds for the July 1, 2014 to June 30, 2015 program year. All activities funded comply with the CDBG, HOME and ESG regulations as promulgated by HUD and allow the City to further its Community and Economic Development Initiatives. This bill provides the second step in the process which forms the basis to complete the strategies of the fifth year of the City of Allentown's Consolidated Plan for the period July 1, 2010 to June 30, 2015.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

This ordinance provides the City the ability to expend \$ 3,385,377 in federal funds to complete a variety of activities including acquisition and disposition, public services, neighborhood improvements, administration of the programs, etc. This legislation has no adverse financial impact on the City and the General Fund.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding sources for this ordinance are the federal Community Development Block Grant Program (CDBG), the HOME Investment Partnerships Program (HOME) and the Emergency Solutions Grant Program (ESG).

- **Priority status/Deadlines, if any**

This bill has a high priority status. Failure to submit the application to HUD by May 14, 2014 could result in the loss of this money.

- **Why should Council unanimously support this bill?**

The City has again followed the scoring process approved by Council and used in the past to develop this budget. In addition, funding decisions were made by complying with HUD's regulations, which require the City to address concerns/needs noted in its five year Consolidated Plan.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 11 - 2014

APRIL 2, 2014

AN ORDINANCE

An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the Mayor is authorized to expend Thirty Thousand (\$30,000) Dollars received from the repayment of loans made through the Rental Rehabilitation Program in accordance with regulations issued by the United States Department of Housing and Urban Development (HUD).

SECTION TWO: That the Mayor is directed to establish and maintain any and all such accounts and records as are necessary and to make such transfers as may be required to expend and account for said funds in accordance with HUD regulations.

SECTION THREE: That the funds be used for eligible HOME Investment Partnerships Program activities.

SECTION FOUR: That this act of the Council of the City of Allentown is undertaken pursuant to Act 292 of 1974 in accordance with the opinion of the Pennsylvania Attorney General (Opinion 75-23), which holds that Rental Rehabilitation Program Funds and its program income are General Municipal Funds for the purpose of Act 292 of 1974.

SECTION FIVE: That the Council of the City of Allentown authorizes the appropriation of Thirty Thousand (\$30,000) Dollars in the following manner:

HUD Supplemental Grants
Chart of Accounts

700-01-7009-0201-50	Rental Rehabilitation Program	<u>\$30,000</u>
	Total	\$30,000

SECTION SIX: That this Ordinance will take effect ten (10) days after final passage.

SECTION SEVEN: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

40 Ordinance #3 Rental Rehabilitation

This legislation will allow the City to expend \$30,000 in funds on the rehabilitation of rental units in the City. This legislation has no adverse financial impact on the City and the General Fund.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance provides the City with the third piece of legislation which creates the funding available for the 2014-2015 Consolidated Grants Program Year. It adds additional funds to be used for the rehabilitation of rental units in the City.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

This legislation will allow the City to expend \$30,000 in funds on the rehabilitation of rental units in the City. This legislation has no adverse financial impact on the City and the General Fund.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding source for this ordinance is the repayment of Rental Rehabilitation loan funds.

- **Priority status/Deadlines, if any**

This bill has a high priority status.

This resolution allows for the budgeting of funds to be used for the rehabilitation of rental units within the City.

- **Why should Council unanimously support this bill?**

Allows for additional funds to be budgeted/spent to provide low interest loans to rehabilitate rental properties in the City.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 12 - 2014

April 2, 2014

AN ORDINANCE

Amending Article 400.05, of the **Department of Parks & Recreation Fees** by adopting a new fee schedule for daily admission and season pass fees, and adopting new categories for the same for the city's four public swimming pools.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Amending Article 400.05, of the **Department of Parks & Recreation Fees** by updating swimming pool entry fees and season pass fees for the city's four public swimming pools.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes the following schedule of fees for use of city public swimming pools for the 2014 season and thereafter.

400.05 SUMMER RECREATION FEES

SWIMMING POOLS RATES FOR 2005 2014

Daily <u>Adult</u> Rate at Cedar, Mack and Jordan Pools (18-59)	5.50
	<u>6.00</u>
Daily Junior <u>Youth</u> Rate at Cedar, Mack and Jordan (4-17)	3.50
	<u>4.00</u>
Daily Rate at Fountain and Irving	1.00
	<u>2.00</u>
Daily Junior Rate at Fountain and Irving	1.00
	N/A
Daily Rate for Children Under 5	Free
N/A	
Daily Rate for Children Under 3	N/A
<u>Free</u>	
(14270 §1 3/3/05)	
Junior Season Ticket at Cedar, Mack and Jordan	45
	N/A
Adult Season Ticket at Cedar, Mack and Jordan (<u>18-59</u>)	75
	<u>50</u>
<u>Non-resident Adult Season Ticket at Cedar, Mack and Jordan (18-59)</u>	N/A
	<u>80</u>

Children at same address at above pools	35	
	N/A	
Youth Season Ticket at Cedar, Mack and Jordan (4-17)	N/A	
	50	
Non-resident Youth Season Ticket at Cedar, Mack and Jordan (4-17)	N/A	
	80	
Senior Season Ticket at Cedar, Mack and Jordan (60+)	0	
	25	
Disabled Season Ticket at Cedar, Mack and Jordan	0	
	NA	
Veteran/Active Military Season Ticket at Cedar, Mack and Jordan	N/A	
	25	
Non-resident Senior Season Ticket at Cedar, Mack and Jordan (60+)	0	
	50	
Non-resident Disabled Season Ticket at Cedar, Mack and Jordan	0	
	N/A	
Non-resident Veteran/Active Military Season Ticket at Cedar, Mack and Jordan	N/A	
	50	
Resident Family Pass at Cedar, Mack and Jordan	N/A	
	150	
Resident Family Pass (Additional Child) at Cedar, Mack and Jordan	N/A	
	25	
Non-resident Family Pass at Cedar, Mack and Jordan	N/A	
	300	
Non-resident Family Pass (Additional Child) at Cedar, Mack and Jordan	N/A	
	40	

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Parks and Recreation, Recreation Board and the Controller's Office

- **Summary and Facts of the Bill**

Presenting a new schedule of swimming pool fees, including decreases and increases, streamlining, and inclusion of new categories.

Revenue Categories

- Include Veterans and Active Military members on the discounted \$25.00 season pass.
 - o This is a new initiative. City never discounted military personnel.
 - o Pass will only apply to individual not family.
- Impose a new flat charge of \$25.00 discounted season pass rate for seniors.
 - o This is a major change, since we have not charged seniors in the past.
 - o Comparable municipalities all charge seniors, except for Whitehall Township where only seniors swim for free.
- Include a family season pass to help families save money per a recommendation from the Board of Recreation.
 - o This is a new initiative. Resident family pass at \$150.00; non resident family pass at \$300.00.
- Include higher non-resident rates for all season pass categories. Research suggests that 69 percent of surveyed residents feel that non-residents should pay a higher rate.
 - o This is consistent with strategic plan of having non-residents pay more.

Other Important Changes

- Eliminate coin currency for all fees per suggestion from 2013 Controller's Office aquatic fee study.
 - Simplify resident youth and adult season passes by making them the same rate (\$50.00).
- **Purpose – Please include the following in your explanation:**
 - o **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - o **What are the Benefits of doing this/Down-side of doing this**
 - o **How does this Bill related to the City's Vision/Mission/Priorities**

The goal of this Bill is to update categories for City pool daily admissions and season passes; and increase revenues associated with the four (4) public swimming pools operated by the Department of Parks and Recreation to meet increased expenditures.

The benefit of this Bill would be: increased revenue to the city to offset operating costs; streamlining of rates as recommended by the Controller's Office for fee collection at pool entrances (eg. a 'Youth' category, and rounding off all daily fees to greatly reduce coin currency). The downside in some cases, but not all, would be an increased cost to the user. However, the fee for individual adult season passes would decrease from \$75 to \$50. As recommended by the Board of Recreation, this Bill also creates the opportunity for families to save money by purchasing a Family Pool Pass. The staff recommendations for

the base family pass would include four persons with a maximum of two adults. Additional children could be added to the family pass for a reduced rate.

This Bill relates to the city's priorities by increasing revenue while maintaining current aquatic expenditures and expanding opportunities for others.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

The initial and ongoing cost impact would vary based on the number of daily admissions and season passes sold. Generally, we would anticipate the new fee schedule to increase revenues annually (from daily and season admissions, alone) by some \$46.8K, or from \$162.6K to \$209.5K.

The initial and ongoing benefit would be additional revenue generated through minor increases in daily admission fees, expansion of the Youth Category to include 4- and 5-year olds; and a rise in the number of season passes sold (including a new discounted rate for seniors and new, same-discount rates for veterans and active military). Due to difficulties in determining handicap/disability, and based on conversations and inputs from disabled advocacy organizations, we are recommending elimination of the free season pass for persons claiming a disability.

This would also pass along some of the new, rising costs of pool mechanical maintenance and long-term capital improvements on to the end-user. Lastly, the increase in pool rates, and increased fees for intensely-managed recreational facilities is consistent with recommendations of the City's adopted Master Plan of 2006 and the Recreation Board.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

We wish to implement these new fees for the 2014 swim season.

- **Why should Council unanimously support this bill?**

The fees have not been increased since 2005. Costs of pool maintenance, particularly mechanical systems, water chemistry, and lab testings per the PA Public Bathing Code are expected to increase substantially in 2014. A higher non-resident, season pass rate passes some of the capital costs of pool and adjoining park management on to pool users who are not city taxpayers but who benefit from these facilities.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 13 - 2014

April 2, 2014

AN ORDINANCE

Amends Traffic Regulations by, changing enforcement hours to run Monday through Saturday from 8 am to 9 pm, expanding acceptable forms of payments, modifying the notice of violations provisions, and changing the fine for the parking of inoperable or illegally registered vehicles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Article 531, Stopping, Standing, and Parking be amended to read as follows:

531.01 PARKING IN PROHIBITED AREAS

When signs are erected lawfully giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets designated as prohibited parking areas by the Traffic Control Maps, or by temporary regulations in conformity with Article 505. (9898 §10 9/18/62)

531.02 PARKING LIMITED IN DESIGNATED AREAS

When signs are erected lawfully giving notice thereof, no person shall park a vehicle longer than the time permitted upon any street or parts of streets designated as limited parking areas by the Traffic Control Maps, or by temporary regulations in conformity with Article 505. (9898 §10 9/18/62; 14701 §1 4/6/09)

531.03 PARKING PROHIBITED IN SPECIFIC AREAS

No person shall park a vehicle or tractor or permit it to stand, whether attended or unattended, upon a highway or in any of the following places:

- A. Within an intersection
- B. On a crosswalk
- C. Between a safety zone and the adjacent curb or within thirty (30') feet of points on the curb immediately opposite the ends of a safety zone, unless local officials shall indicate a different length by signs or markings.
- D. Within twenty-five (25') feet from the intersection of curb lines or, if none, then within fifteen (15') feet of the intersection of property lines at an intersection of highways.
- E. Within thirty (30') feet upon the approach to any official flashing signal, stop sign or traffic signal located at the side of the roadway.
- F. Within fifteen (15') feet of the driveway entrance to any fire station.
- G. Within fifteen (15') feet of a fire hydrant
- H. On a sidewalk

I. In front of a private driveway or alongside any street or highway excavation or obstruction, or opposite the same, unless a clear and unobstructed width of not less than twenty (20') feet upon the main traveled portion of the street or highway shall be left free for passage of other vehicles thereon. (9898 §10 9/18/62)

J. In the lane ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway. (10657 §2 3/23/65)

K. At any place where official signs have been erected prohibiting standing and parking.

L. Within fifty (50') feet of the nearest rail or railway crossing.

M. Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted, the operator of a vehicle shall not stop, stand or park such vehicle on the highway within a business or residence district other than parallel with the edge of the highway, headed in the direction of authorized traffic movement and with the right hand wheels on a two (2) way highway or the curb side wheels on a one way highway within six (6") inches of the edge of the highway or curb. Vehicles which, because of the type or construction, cannot load or unload parallel to the curb, shall be exempt, while loading or unloading only, from the requirements of standing parallel to the curb. (9898 §10 9/18/62; 14702 §1 4/6/09)

N. At any place where official signs have been erected prohibiting parking pursuant to any declared emergency under the provisions of this article. (11120 §1 2/28/67)

531.04 BLOCKING GARAGE ENTRANCE

No person shall park a vehicle at any time in front of, opposite to, or in such a position as to block entrance to or exit by a vehicle from a garage or driveway. The only exception to this is on streets with widths of twenty (20') feet or more where said vehicle is able to park on an apron to a garage and it is able to be more than fifty (50%) percent off the roadway, and it is not parked on a sidewalk. (9898 §10 9/18/62; 13387 §1 3/25/96; 14061 §1 2/21/03)

531.05 GREASING OR REPAIR WORK

No vehicle shall stand on any street or sidewalk for the purpose of greasing or repair work except in case of emergency repairs. (9898 §10 9/18/62; 13389 §1 3/25/96)

531.06 DISPLAYING OR ADVERTISING VEHICLES FOR SALE

No vehicle shall be displayed or advertised for sale while parked upon any street. (9898 §10 9/18/62)

531.07 PARKING TRUCK AND TRAILERS

No truck trailer or trailer shall be parked upon any street without having attached thereto a means of mechanical traction constructed or designed for the purpose of pulling or drawing such trailer. (9898 §10 9/18/62)

531.08 STORAGE OF VEHICLES ON STREETS

No vehicle shall be stored upon any street. As used herein, "stored" shall mean the parking of a vehicle in one place upon any street continuously for over seventy-two (72) hours. (9898 §10 9/18/62)

531.09 PARKING OF INOPERABLE OR ILLEGALLY REGISTERED VEHICLES

A. No person shall park or leave on the streets, highway or public property of the City any mechanically inoperable vehicles or vehicles without current registration plates. (9610 §9 9/26/61)

B. No person shall park or leave on the streets, highways or public property of the City any vehicle without a current inspection sticker unless the vehicle is legally parked in front of, or in close proximity to, an official Pennsylvania State Inspection Station which identifies said vehicle by work order specifying a state inspection will be performed within twenty-four (24) hours. Additional work orders beyond the initial twenty-four (24) hour period are prohibited. (13035 §1 3/6/91)

531.10 PARKING PROHIBITED ON PRIVATE PROPERTY

A. No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property, except in the case of emergency or disablement of the vehicle, in which case the operator, within twenty-four hours, must show proof of the emergency and disablement and remove the vehicle from the private property. (13036 §1 3/6/91)

B. The provisions of this section shall not apply to private parking lots unless such lots are posted to notify the public of any parking restrictions, and the operator of the vehicle violates such posted restrictions. For the purpose of this section, "private parking lot" means a parking lot open to the public or used for parking without charge; or a parking lot used for parking with a charge. The City hereby adopts the regulations promulgated by the Pennsylvania Department of Transportation which

defines posting for public notice pursuant to 75 PA Consolidated Statutes Annotated §3353 (b)2 and any amended or successor statute(s). (13036 §1 3/6/91)

531.11 PARKING PROHIBITED AT HANDICAPPED AREAS

No person shall park or leave unattended a vehicle at any place specifically reserved for handicapped parking, unless the parked vehicle has a state issued plate or placard (displayed in a conspicuous manner) for a handicapped person or severely disabled veteran, and is being used in the immediate service of a handicapped person or severely disabled veteran.

For the purpose of this section, a reserved handicapped parking place must be indicated by a PennDOT approved sign with universally accepted handicapped symbols. Each sign must indicate that a state issued placard or plate must be displayed at all times while parking in the space. (13194 §1 4/21/93)

531.12 PARKING, STOPPING, STANDING OR DRAFTING PROHIBITED IN A LOADING ZONE OR FIVE MINUTE ZONE

No person shall allow a vehicle to be parked, stopped, standing or drifted to conceal an officer's chalk mark without loading activity for more than twenty (20) minutes in a marked Loading Zone or more than five (5) minutes in a Five Minute Zone. (13389 §1 3/25/96)

531.13 WASHING VEHICLES ON STREETS AND SIDEWALKS

No vehicle shall stand on any street or sidewalk for the purpose of washing. (13389 §1 3/25/96)

531.99 NOTICE OF VIOLATION; WAIVER

Any police officer or duly authorized Parking Authority employee shall issue a violation notice to any vehicle place on motor vehicles/conveyances parked in violation of the provisions of the following sections, including a notice for the owner or operator to report to such place as may be designated by the Parking Authority in regard to the violation. (12659 §1 6/5/85)

A. For violation of Sections 531.02, Parking Limited in Designated Areas and ~~531.09, Parking of Inoperable or Illegally Registered Vehicles~~, the owner or operator within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Fifteen (\$15) Dollars, and after ten (10) days, but within Twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (12659 §1 6/5/85; 13069 §1 8/8/91; 13227 §1 12/1/93; 13389 §1 3/25/96; 13901 §2 4/19/01)

B. For violation of Article 531.03, Parking Prohibited in a Lane Ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway, and 531.10, Parking Prohibited on Private Property, the owner or operator within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Thirty-five (\$35) Dollars, and after ten (10) days, but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. (12659 §1 6/5/85; 13069 §1 3/25/96; 13901 §1 4/19/01; 14025 §1 10/4/02; 14059 §1 2/21/03)

C. Violation of Section 531.03 J, Parking Prohibited (Double Parking) (15009 §1 8/15/12)

1. For violation of Section 531.03 (J), Parking Prohibited in a lane ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway, the owner or operator, within ten (10) days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation, the sum of One Hundred (\$100) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of One Hundred Fifty (\$150) Dollars. On the second violation offense, the owner or operator, within ten (10) days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation, the sum of Two Hundred (\$200) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of Two Hundred Fifty (\$250) Dollars. On the third and subsequent violation offense, the owner or operator, within ten (10) days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation, the sum of Three Hundred (\$300) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of Three Hundred Fifty (\$350) Dollars. (15009 §1 8/15/12)

2. Lazy Parker Provision: If the violator of Section 531 J, is adjacent to an open space within ten feet of an available parking space, an additional \$100 shall be added to the penalty (14059 §1 2/21/03; 14490 §1 6/8/07; 14787 § 03/03/10' 15009 § 1 8/15/12)

D. For violation of Section 531.05, Greasing or Repair Work, the owner or operator, within ten (10) days of the time when such violation was alleged ~~notice was attached to the motor vehicle/conveyance~~, pay as a penalty, Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. (13389 §1 3/25/96)

E. For violation of Section 531.11, Parking Prohibited at Handicapped Areas, the owner or operator, within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty in full

satisfaction of each violation, the sum of Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. (13194 §1 4/21/93; 13389 §1 3/25/96; 13902 §3 4/19/01)

F. For violation of any other provision of this article, the owner or operator may, within ten (10) days of the time when such ~~violation was alleged~~ notice was attached to his motor vehicle/conveyance, pay as a penalty the sum of Fifteen (\$15) Dollars after ten (10) days but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (13069 §1 8/8/91; 13194 §2 12/1/93; 13901 §2 4/19/01)

G. For violation of Section 531.12, Parking, Stopping, Standing or Drifting Prohibited in a Loading Zone or Five Minute Zone, the vehicle is subject to immediate towing and/or a notice placed on the vehicle. The owner or operator, within ten (10) days of the time when such ~~violation was alleged~~ notice was attached to his motor vehicle/conveyance, will pay as a penalty, the sum of Fifteen (\$15) Dollars and after ten (10) days, but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (13069 §1 5/15/91; 13194 §1 4/21/93; 13389 §1 3/25/96; 13901 §2 4/19/01)

H. In all cases, failure of the owner or operator to make payment after twenty (20) days, shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and default of payment of fine and costs, imprisoned not more than ten (10) days. (13069 §1 5/15/91; 13194 §1 4/21/93; 13389 §1 3/25/96; 13901 §24/19/01)

I. For violation of Section 531.08, Storage of Vehicles on Street, the owner or operator may, within ten (10) days of the time when such ~~violation was alleged~~ notice was attached to his motor vehicle/conveyance, pay as a penalty the sum of Thirty-five (\$35) dollars after ten (10) days but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. Any vehicle parked in violation of the provisions of this ordinance may be removed by any member of the Police Bureau, their designee, or a designated Allentown Parking Authority personnel. Any vehicle removed may be towed to and placed at any area designated by the Mayor or his duly designated representative or the Parking Authority, for impounding of vehicles. All fines and costs for removal, towing, storage or parking of any vehicle removed under the provisions of this section shall be paid by the owner of the vehicle and the vehicle shall remain impounded until all costs are paid. (13901 §2 4/19/01)

J. For violation of Sections 531.07, Parking Truck and Tractor Trailers, 531.09, Parking of Inoperable or Illegally Registered Vehicles, and 531.13, Washing Vehicles on Streets and Sidewalks, the owner or operator within ten (10) days of the time when such ~~violation was alleged~~ notice was attached to his motor vehicle/conveyance, pay as a penalty and in full satisfaction of each violation, the sum of Twenty-five (\$25) Dollars, and after ten (10) days, but within twenty (20) days of the violation, the sum of Thirty-five (\$35) Dollars. (13901 §2 4/19/01)

K. For Violation of Section 531.03 (G), Parking Prohibited within fifteen (15') feet of a fire hydrant, the vehicle is subject to immediate towing. The owner or operator within ten (10) days of violation pay a penalty of Fifty (\$50) Dollars, and after ten (10) days, but within twenty (20) days of the violation, pay the sum of One Hundred (\$100) Dollars. In addition, the owner will be responsible for all towing and storage fees, and costs of the vehicle, and all must be paid prior to its release. (14025 §1 10/4/02)

L. Any vehicle that has been cited two (2) times within a one year period shall be towed upon the third citation for violating Article 531.11, Parking Prohibited at Handicapped Areas, and Article 531.12, Parking, Stopping, Standing or Drafting Prohibited in a Loading Zone or Five Minute Zone. The owner of said vehicle will be responsible for all towing and storage fees and the costs of the vehicle, and all must be paid, including all fines, prior to its release. (14514 8/2/07)

M. For violation of Sections 531.07, Parking Truck and Tractor Trailers, the owner or operator within ten (10) days of the time when such ~~violation was alleged~~ notice was attached to his motor vehicle/conveyance, pay as a penalty and in full satisfaction of each violation, the sum of Thirty-five (\$35) Dollars, and after then (10) days, but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. (13901 § 2 4/19/01; 14787 § 03/03/10)

SECTION TWO: That Article 532, Stopping, Standing, and Parking be amended to read as follows:

532.01 Purpose

Allentown City Council finds it necessary to regulate the parking of large vehicles and trailers to reduce public safety hazards and maintain the quality of residential neighborhoods, thereby preserving the value of property in those districts. The street grid in Allentown predates the manufacturing and licensing of large vehicles and trailers; over 90% of the streets are 36 feet wide, leaving 8 feet for parking and 10 feet for the flow of two lane traffic. Large vehicles and trailers create safety hazards by encroaching into the abutting lane and moving traffic across the center lane. Such parking and obstructions, besides being a public safety issue, impedes the free flow of traffic. Parked close to an intersection, such vehicles and trailers, negatively impact the distance for vehicles entering the street. Large vehicles and trailers parked in residential areas generate complaints from residential neighborhoods in regard to traffic impediments and safety hazards, as well as noise. (14421 §1 9/15/2006)

532.02 Definitions

Bus: A motor vehicle designed to transport 16 or more passengers, including the driver; or, a motor vehicle, other than a taxicab or limousine, designed to transport not more than 15 passengers, including the driver. The term does not include a vehicle used in a ridesharing arrangement, as defined in the Act of December 14, 1982 (P.L. 1211, No. 279), entitled, "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements, or a school bus.

Dual Wheel Motor Home: A motor vehicle designed or adapted for use as a mobile dwelling or office, except a motor vehicle equipped with a truck-camper.

Oversized Vehicle: A motor vehicle that has a Class 5 license or above, or any equivalent license or above, or with a Gross Vehicle Weight of over 11,000 pounds. (14468 2/8/07)

Owner: A person, other than a lien holder, having the property right in or title to a motor vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

Park or Parking: When permitted, means the temporary storing of a vehicle, whether occupied or not, off the roadway; and, when prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

Recreational Trailer: A trailer designed or adopted and used exclusively for recreational purposes.

School Bus: A motor vehicle which is designed to carry 11 passengers or more including the driver and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this Commonwealth as a bus prior to March 1, 1993; or, a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993.

Tractor Trailer: A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Trailer: Every vehicle, wagon or truck without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

Truck Camper: A structure designed, used or maintained primarily to be loaded or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space. (14421 §1 9/15/2006)

532.03 Prohibitions

It shall be unlawful for any person to park, or allow to remain parked, on any street or parts of streets, the following vehicles: Buses, dual wheel motor homes, oversized vehicle, school buses, tractor trailers, trailers, truck campers within the districts listed below as defined and circumscribed in the City's Zoning Ordinance; and, on any street abutting such zone; and, that this prohibition shall apply to any designated district established in the Zoning Code except for I-2, Limited Industrial, and I-3, General Industrial Districts. (14500 §1 6/25/07; 14468 §1 2/8/07; 14500 §1 5/25/07; 14468 §1 2/8/07)

532.04 Exceptions

These provisions of this Ordinance shall not apply to:

Vehicles of the City of Allentown, such as fire apparatus and ambulances, or vehicles engaged in the work of a public utility;

Vehicles of service companies, contractors, repairmen, delivery trucks or others actually engaged in working operations in the vicinity during the actual period of such between the hours of 7:00 AM and 8:00 PM. (14421 §1 9/15/2006)

532.05 Permit for Loading or Unloading Recreational Vehicles or Truck Campers

Permits shall be issued by the Allentown Parking Authority to the owners of Recreation vehicles or truck campers for a twenty- four (24) hour permit to unload or load said vehicle with the option of a twenty-four hour renewal by notifying the Allentown Parking Authority. (14421 §1 9/15/2006; 14742 §1 9/16/09; 15082 §1 7/17/13)

532.99 Penalty

For violation of Section 532, Parking of Trucks and Trailers Prohibited In Residential Areas, the owner or operator, within ten (10) days of the time when such violation was alleged shall notice was attached to his motor vehicle/conveyance, pay as a penalty in full satisfaction of each violation, the sum of Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. In addition to the fine, the Police Department may have the vehicle or trailer immediately towed if the vehicle is posing an immediate safety hazard. (14421 §1 9/15/2006)

SECTION THREE: That Article 533, Parking Meters, be amended to read as follows:

ARTICLE 533 PARKING METERS

- 533.01 Definitions
- 533.02 Parking Meter Zones Established; Traffic Control Maps
- 533.03 Sundays and Holidays Excepted
- 533.04 Time of Parking Limited by Zone; Hours of Operation
- 533.05 Marking of Spaces
- 533.06 Meter Signals
- 533.07 Manner of Parking
- 533.08 Deposit of Proper forms of currency or electronic payment Coins in Meter
- 533.09 No Parking Beyond Meter-Indicated Time
- 533.10 Use of Meter Funds
- 533.11 Slugs Prohibited
- 533.12 Injuring or Defacing Meters
- 533.13 Exceptions
- 533.14 Enforcement
- 533.15 Duty of Police
- 533.16 Verification of Meters
- 533.99 Notice of Violation; Waiver

533.01 DEFINITIONS

The following words, whether in the singular or plural, when used in this article shall have the meanings ascribed to them in this article except in those instances where the context clearly indicates otherwise.

1. **Public place** shall mean any municipal parking lot operated by the City or the Parking Authority of the City.
2. **Parking meter** shall mean a device intended to assist public authorities in enforcing ordinances limiting the time during which vehicles may be parked on any street or highway or other public place within a parking meter zone.
3. **Parking meter zone** shall mean streets or highways, or portions thereof, or municipal parking lots operated by the City or the Parking Authority of the City on which parking meters are installed, operated and used. (8024 §2 4/3/56)

533.02 PARKING METER ZONES ESTABLISHED; TRAFFIC CONTROL MAPS

All municipal parking lots operated by the City of Allentown or the Parking Authority of the City of Allentown. (8024 §3 4/3/56)

Parking meter zones shall be established and set forth by legend on the Traffic Control Maps of the City. (9844 §1 7/3/62; 14312 §1 8/18/05)

533.03 SUNDAYS AND HOLIDAYS EXCEPTED

Parking restrictions and limitations in any parking meter zone are exempted on Sundays and on the holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Martin Luther King, Jr. Day and Christmas. (8024 §4 4/3/56; 13201 §1 6/3/93; 14312 §1 8/18/05)

533.04 TIME OF PARKING LIMITED BY ZONE; HOURS OF OPERATION

On all days, other than those set forth in Section 533.03, parking in all zones is hereby limited not to exceed the maximum time stated in each meter. (8024 §5 4/3/56; 13201 §1 6/3/93; 14312 §1 8/18/05)

533.05 MARKING OF SPACES

In all parking meter zones a parking meter shall be installed for each parking space. All parking spaces may be placed either parallel, diagonal or perpendicular to the curb. Parking in other than designated parking spaces is prohibited in any parking meter zone. (8024 §6 4/3/56; 14312 §1 8/18/05)

533.06 METER SIGNALS

Parking meters shall be placed in such a way that each designated parking space is clearly marked as to show or display by a signal that the parking space controlled by such meter is or is not legally occupied. Each parking meter shall indicate by a proper legend the established legal parking time and, when in operation, shall also indicate on or by its display the duration of the period of legal parking or any illegal or overtime parking. (8024 §7 4/3/56; 14312 §1 8/18/05)

533.07 MANNER OF PARKING

Every vehicle parked parallel with the curb in any parking meter zone on a street or highway shall be parked with the front end of such parked vehicle at or immediately adjacent to the parking meter controlling such parking space. Every vehicle parked perpendicular to the curb of any street or highway or on any parking lot within a meter zone, shall be parked with the front end or the rear end of such parked vehicle, as the situation may be, at or immediately adjacent to the parking meter controlling such parking space. All vehicles shall be parked entirely within the lines of the designated parking space controlled by the meter situated adjacent thereto. (8024 §8 4/3/56)

533.08 DEPOSIT OF PROPER COINS IN METER

A. Upon parking any vehicle in any parking meter space, the operator shall immediately deposit, in the meter controlling such space, ~~any legally acceptable form of currency or electronic payment the proper coin of the United States as designated for such parking on the instructions for operations of such meter.~~ Upon the deposit of such coin and placing the meter in operation, such meter space may be lawfully occupied by any vehicle during the period of parking time as indicated on the meter. (9844 §2 7/3/62)

B. Pursuant to this section, Council is hereby authorized and empowered to designate the proper acceptable currency and electronic payment coin or amount to be placed in such meter and to amend the instructions on the meter to reflect the proper coin or amount required for the operation of such meter. The rate per hour shall be One (\$1) Dollars. (12161 §1 12/22/75; 14312 §1 8/18/05)

533.09 NO PARKING BEYOND METER-INDICATED TIME

No owner or operator of any vehicle shall cause, allow, permit or suffer such vehicle to be parked overtime or beyond the period of legal parking time as indicated or set forth on the instructions of such meter. (9844 §3 7/3/62)

533.10 USE OF METER FUNDS

The payments ~~coins~~ required to be deposited in parking meters are levied and assessed as fees to provide for the proper regulations and control of traffic upon the streets and highways and other public places of the City, including the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters and municipal parking lots. The coins required to be deposited in parking meters shall be collected and accounted for under the direction of the Executive Director of the Parking Authority and deposited by the Director at least once a week. (8024 §11 4/3/56; 13201 §1 6/3/93)

533.11 SLUGS PROHIBITED

No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for legal coins of the United States. (8024 §12 4/3/56)

533.12 INJURING OR DEFACING METERS

No person shall deface, injure, tamper with or willfully break, destroy or impair the usefulness of any parking meter installed by authority of Council or by the Parking Authority of the City. (8024 §13 4/3/56)

533.13 EXCEPTIONS

Nothing in this article shall be construed as prohibiting the Authority from providing for free parking space for loading or unloading of commercial vehicles, for bus stops, taxicab stands or for other matters of a similar nature. The provisions of this Ordinance shall not apply to Vehicles of the City of Allentown or to the Allentown School District which display a Municipal plate and are engaged in official business." (8024 §14 4/3/56; 14312 §1 8/18/05; 15053 § 1 1/16/13)

533.14 ENFORCEMENT

The duty of enforcing the provisions of this article shall be on the department of Police and the Allentown Parking Authority. In case of emergency, any of the provisions of this article may be temporarily suspended by such Director or Chief of Police, who shall then have the authority to adopt and enforce such other temporary rules and regulations as traffic conditions, during such emergency, may demand or required. (8024 §15 4/3/56; 13201 §1 6/3/93)

533.15 DUTY OF POLICE

It shall be the duty of police officers or Parking Authority Personnel or other duly authorized City employees of the City, acting in accordance with instructions issued by the Chief of Police or the Chief's designee, or the Executive Director of the Parking Authority, to turn in the violation ticket. The violation shall contain: (14312 §1 8/18/05)

- A. The number of each parking meter which indicates that the vehicles occupying the parking space adjacent to such parking meter is, or has been, parked in violation of any of the provisions of this article.
- B. The State license number of such vehicle.
- C. The day and hour at which such vehicle is parked in violation of any of the provisions of this article at the time of his inspection.
- D. Any other facts, a knowledge of which may be considered necessary to a thorough understanding of the circumstances attending such violation. (11813 §1 7/21/70; 13201 §1 6/3/93; 14312 §1 8/18/05)

533.16 VERIFICATION OF METERS

All parking meters located in the City of Allentown shall be checked for accuracy at least once a year. At the completion of each calendar year, a statement verifying that the annual inspection has been completed, shall be submitted to City Council. (13201 §1 6/3/93)

533.99 NOTICE OF VIOLATION; WAIVER

A. Any police officer or other duly authorized Parking Authority employee shall issue a violation notice to any vehicles ~~place on motor vehicles/conveyances~~ parked in violation of the provisions of this article a notice of said violation. (12786 §1 8/5/87)

Each such owner or operator may, within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Ten (\$10) Dollars; and after ten (10) days, but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (12660 §1 6/5/85; 12786 §1 8/5/87; 13227 §3 12/1/93; 13901 §3 4/19/01; 14312 §1 8/18/05)

Failure of the owner or operator to make payment after twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars and, in default of payment of fine and costs, be imprisoned not more than ten (10) days. (12660 + 6/5/85; 12786 §1 8/5/87; 13901 §3 4/19/01)

SECTION FOUR: That Article 534, Residential Permit Parking, be amended to read as follows:

534.01 PURPOSE

The City Council of the City of Allentown considers it to be in the interest of the citizens of the City of Allentown to provide for the establishment of a Residential Permit Parking (RPP) Program in order to alleviate the hardship experienced by residents in obtaining on-street parking space to preserve the residential quality of neighborhoods and to provide for improvement in air quality. The powers and duties as contained in this article shall be performed by the Parking Authority. (12708 §1 5/7/86)

534.02 RESIDENTIAL PERMIT PARKING PROGRAM

The Parking Authority is hereby authorized to designate, subject to the approval by City Council, as herein provided, certain streets and other public areas within the City of Allentown as permit parking areas in which resident vehicles displaying valid parking permits may stand or be parked without limitation by parking time restrictions established by this article. Vehicles not displaying valid parking permits may stand or be parked for a limited time not to exceed the time specified upon adequately posted signs. (12708 §2 5/7/86)

534.03 DESIGNATION OF RESIDENTIAL PERMIT PARKING AREAS

A residential area, regardless of current zoning designation, shall be considered for designation as a residential permit parking area provided that designation criteria established by this article be satisfied and that City Council, through enactment of an ordinance, authorize the posting of appropriate signs specifying time limits and period of the day for its application. (12568 §1 9/7/83; 14702 §1 4/6/09)

534.04 DESIGNATION CRITERIA

A residential area shall be deemed impacted and thereby eligible for residential permit parking provided that the following criteria are satisfied:

A. In areas zoned other than Central Business District, the following criteria must be met:

1. At least fifty (50%) percent of the street level, front footage use is residential or non-business related. (12804 §1 11/4/87)
2. During any period between the hours of 8:00 AM and 9:00 6:00 PM Monday through Saturday on weekdays, except holidays, the number of vehicles parked and/or standing, legally or illegally, at on-street parking spaces is equal to seventy (70%) percent or more of the legal on-street parking capacity of the area. For purposes of this evaluation, a legal parking space shall be twenty (20) linear feet. (12804 §1 11/4/87)
3. During the same time period as specified above, ten (10%) percent or more of the vehicles parking and/or standing, on the streets in the area are not registered in the name of a person residing within a three (3) block distance of the location at which the vehicle is parked. (12804 §1 11/4/87)
4. On streets where there are parking meters and/or time restricted parking in Section 534.04 (2) and (3) are not criteria for designation. (12804 §1 11/4/87)

B. In areas zoned Central Business District, the following criteria must be met:

1. At least eighty (80%) percent of the street level front footage abutting the street designated have a residential or non-business related use. (12804 §1 11/4/87)
2. During any period between the hours of 8:00 AM and 9:00 6:00 PM Monday through Saturday on weekdays except holidays, at least eighty (80%) percent of all occupied on-street parking spaces are occupied by vehicles registered in the name of a person residing within a three (3) block distance of the location at which the vehicle is parked. (12804 §1 11/4/87)
3. If the above criteria are not met at any time, the Allentown Parking Authority shall notify City Council. City Council may consider revoking the Residential Parking Permit status for that street. (12804 §1 11/4/87)

534.05 DESIGNATION PROCESS

A. If the area in question is not an approved Residential Permit Parking Zone and a sufficient number of residents have requested to be a residential permit parking zone then the Parking Authority will schedule and administer a public hearing. For this hearing, every resident and property owner of the proposed plan area shall be notified by mail. On the basis of testimony taken, City Council shall or shall not designate the areas as an Official Residential Permit Parking Area. (12708 §4 5/7/86)

B. On blocks or portions there within a Residential Parking Permit Zone where parking meters and/or time restricted parking already exists, the Parking Authority may designate the area as a residential permit parking block. (12708 §4 5/7/86)

C. On blocks or portions thereof within a Residential Parking Permit Zone where no parking meters and/or time restricted parking exists, the following process is to be followed:

1. A block or portion thereof may be considered as a potential residential parking block or portion thereof upon the receipt by the Parking Authority of verified petitions from the residents of that block or portion thereof. The petition process may be initiated at the resident's request by the Allentown Parking Authority. A separate petition must be filed for each block and in order for the petition to be valid, it must contain the signatures of the majority of households in that block. (12708 §4 5/7/86; 14702 §1 4/6/09)
2. The Parking Authority shall conduct surveys of potential residential parking areas to determine the following:
 - a. The number of legal on-street parking spaces available on each block in the area. (12708 §4 5/7/86)
 - b. The number of legal on-street spaces occupied by parked vehicles during an average weekday on each block in the area. Two (2) surveys will be made on different days of the week and at different times of the day. One observation will be made in the early part of the day and the other later in the day. (12708 §4 5/7/86)

c. The number of parked vehicles in the area which are registered to addresses of persons who do not live in the area. (12708 §4 5/7/86)

3. If all designation criteria for a particular block has been satisfied, the Parking Authority shall direct the Bureau of Traffic Planning and Control to erect, or cause to be erected, signs on the designated block indicating that parking beyond the stipulated number of hours is by permit only. This restriction shall be considered a temporary traffic regulation subject to approval by City Council. (12708 §4 5/7/86)

534.06 ISSUANCE OF PARKING PERMITS

Following City Council's approval of the designation of a Residential Permit Parking area, the Parking authority may issue appropriate permits and shall cause parking signs to be erected in the area indicating the times and conditions under which parking shall be allowed. A permit shall be issued upon application and payment of the applicable fee, only to the owner or operator of a motor vehicle who resides in the appropriate Residential Permit Parking area. A separate permit shall be required for each motor vehicle. Commercial vehicles exceeding a gross weight of 10,000 pounds are not eligible for permits. Eligibility for a permit shall be as follows:

A. **Residents:** The resident must prove residency and vehicle ownership or evidence of having a leased or company-owned vehicle. The Parking Authority shall establish criteria for proof of residence. A separate application shall be required for each vehicle and each application shall be accompanied by a permit fee. (12708 §5 5/7/86)

B. **Visitors:** Special permits may be issued to visitors for a period of time not to exceed fourteen (14) days. No resident of a Residential Permit Parking area shall be issued more than two (2) visitor permits at any time. (12708 §5 5/7/86)

C. **Residents living in the Central Business District** have the option of purchasing a permit to park in an adjacent designated area. (12708 §5 5/7/86)

D. **Caregiver:** Caregivers may be issued a parking permit sticker provided the address of the resident receiving the care is within said parking area, and the resident requiring care forfeits a current, valid permit or does not possess a current Residential Permit Parking permit. The requirements to obtain a parking permit for a caregiver are:

- A completed application form in both the resident's and caregiver's name and address;
- A current DMV vehicle registration for the vehicle the applicant is requesting a permit for;
- Proof of residency in the permit area of the person receiving the care;
- A letter from the resident identifying the permit applicant as the caregiver;
- Photo identification and employment verification of the caregiver. (14702 §2 4/6/09)

534.07 DISPLAY OF PERMIT

Permits shall be displayed on the driver's side of the rear bumper so as to be readily visible to enforcement personnel. (12568 §1 9/7/83)

534.08 PERMIT PARKING EXEMPTION

A resident vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in the Residential Permit area for which the permit has been issued without being limited by time restrictions or meter requirements established pursuant to this article. However, said resident's vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this article including Article 531, Stopping and Parking, and Article 539, Street Sweeping, of the Codified Ordinances as well as loading zones, five minute parking zones, handicapped zones and other special parking restrictions. All other motor vehicles parked within a Residential Permit Parking area shall be subject to the time restrictions and meter requirements adopted as provided in this article as well as the penalties provided for herein. The provisions of this Ordinance shall not apply to Vehicles of the City of Allentown or to the Allentown School District which display a Municipal plate and are engaged in official business. A person shall not allow a vehicle to be parked, stopped, standing or drifted to conceal an officer's chalk mark. (12595 §3 2/15/84; 13901 §4 4/19/01; 15053 § 1 1/16/13)

A Residential Parking Permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated Residential Permit Parking area. (12568 §1 9/7/83)

534.09 APPLICATION FOR AND DURATION OF PERMIT

Each parking permit issued shall be valid for one (1) year from the date of issuance. Permits may be renewed annually upon reapplication in the manner required by the Parking Authority. Each application or re-application for a parking permit shall contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a Residential Permit Parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Parking Authority. If a resident sells or otherwise transfers a vehicle bearing a

parking permit sticker, he shall remove the sticker before the transfer. If a resident transfers a vehicle bearing a valid permit parking sticker and acquires another vehicle, he shall provide the Parking Authority with proof of the transfer an affidavit attesting to the removal of the sticker. The Parking Authority shall then provide, at no cost, a new sticker which will expire at the same time as the original sticker. (12708 §6 5/7/86)

534.10 PERMIT FEES

The initial cost for each Residential Parking Permit shall be Twenty-five (\$25.00) Dollars and each annual renewal cost will be Twenty (\$20.00) Dollars. The cost for visitor parking permits will be Two (\$2.00) Dollars. (12708 §7 5/7/86; 12827 §1 2/17/88)

534.11 REVOCATION OF PERMIT

The Parking Authority is authorized to revoke the Residential Parking Permit of any person found to be in violation of this article and, upon written notification thereof, the person shall surrender such permit to the Parking Authority. Failure, when so requested, to surrender a Residential Parking Permit so revoked shall constitute a violation of law and of this article. (12708 §8 5/7/86)

534.12 RESIDENTIAL PARKING PERMIT ZONES

The following areas are hereby designated as the Residential Parking Permit zones.:

A. Residential Parking Permit Zone #1

1. Area bounded by Turner Street on the south, Allen Street on the north, 7th Street on the east and 10th Street on the west, but not to include 7th Street or Turner Street from Hall Street to 7th Street. Along the boundaries of Turner, Allen and 10th Streets, both sides of the street shall be included in the program. In addition, the 100 block of North 8th Street from Linden Street to Turner Street is included in this zone, as well as the 400 block of North 9th Street. (12708 §9 5/7/86; 13889 §1 2/8/01; 14702 §2 4/6/09)

B. Residential Parking Permit Zone #2

1. Area bounded by Turner Street on the south, Allen Street on the north, 4th Street on the east and 7th Street on the west but not to include Turner Street from Morris Street to 7th Street. Along each of the four (4) boundaries, both sides of the street shall be included in the program. (12708 §9 5/7/86; 13889 §1 2/8/01)

C. Residential Parking Permit Zone #3

1. Area bounded by Turner Street on the north, Court Street on the south, 4th Street on the east and Penn Street on the west, but not to include Turner Street. Along the boundaries of Court Street, 4th Street, and Penn Street, both sides of the street shall be included in the program. (12708 §9 5/7/86)

2. Area bounded by Turner Street on the north, Linden Street on the south, Penn Street on the east, and Law Street on the west, but not to include Turner Street. Along the boundaries of Linden Street, Penn Street and Law Street, both sides of the street will be included. (12708 §9 5/7/86)

3. Area bounded by Walnut Street on the north, Law Street on the west, Union Street on the south, and 4th Street on the east. Along each of the four (4) boundaries, both sides of the street are to be included.

4. Area bounded by Maple Street on the north, Law Street on the west, Walnut Street on the south and College Street on the east. Along each of the four (4) boundaries, both sides of the street are to be included. (12804 §1 11/4/87)

D. Residential Parking Permit Zone #4

1. Area bounded by Maple Street on the north, Union Street on the south, 13th Street on the west and 10th Street on the east. Along each of the four (4) boundaries, both sides of the street are to be included. Also included is the unit block of South Jefferson Street. (12708 §9 5/7/86; 14702 §2 4/6/09)

2. Area bounded by Walnut Street on the north, Union Street on the south, 8th Street on the east and 10th Street on the west but not to include Walnut Street from 9th to 10th Streets, 9th Street from Walnut Street to Jackson Street and Jackson Street from 9th to 10th Streets and all areas included in the between these boundaries. (12708 §9 5/7/86)

E. Residential Parking Permit Zone #5

1. Area bounded by Chew Street on the north, Linden Street on the south, 10th Street on the east and 13th Street on the west but not to include 10th Street from Chew Street to Turner Street. Both sides of the street are to be included. Also included is the 200 block of North Poplar Street. (12708 §9 5/7/86; 14702 §2 4/6/09)

2. Area bounded by Turner Street on the north, Fountain Street on the east, Linden Street on the south and 10th Street on the west but not to include Turner Street. Both sides of the street are to be included. (12708 §9 5/7/86)

3. Area bounded by Linden Street on the north, Court Street on the south, Howard Street on the east and 13th Street on the west, to include both sides of the streets on the boundary streets. (12708 §9 5/7/86)

F. Residential Parking Permit - Zone #6

An area bounded by Gordon on the north from 13th to 16th Streets, 13th Street from Gordon to Turner, Turner on the south from 13th to West Street, inclusive of the north side of Turner and West Street on the west from Gordon to Turner. (13214 §1 9/2/93)

On the 200 block of North 19th Street, bounded by Turner on the south and Chew on the north. (1369 §1 2/5/98)

534.13 REGULATIONS AND PROCEDURES

A. Time Restriction on Parking - Except as otherwise designated, on-street parking will be restricted to a one to three hour time limit on streets that now have legal, on-street parking except for metered areas. Vehicle bearing valid Residential Parking Permit stickers for this area shall be exempt from the one to three hour time limit and meter requirements. The Bureau of Traffic Planning and Control will erect, or cause to be erected signs. These signs shall indicate the one to three hour time limit and the exclusion for vehicles with Residential Permit Parking stickers or shall indicate the exclusion of said vehicles from meter requirements. The one to three hour time limit shall be enforced from 8:00 AM to ~~9:00~~ 6:00 PM Monday through Saturday on weekdays, excluding holidays. (12708 §10 5/7/86)

B. In areas with existing parking meters, operators with valid Residential Parking Permits will be allowed to be parked at meters within the designated area without the need to deposit coins. (12708 §10 5/7/86)

C. Existing Parking Regulations - All existing parking regulations shall remain in effect. These include but are not limited to: prohibited parking areas, street cleaning restrictions, five (5) minute parking areas, loading zones, and the seventy-two (72) hour parking rule. Holders of Residential Permit Parking stickers will not be exempt from these regulations. (12708 §10 5/7/86)

534.99 PENALTIES

A. It shall be unlawful and a violation of this article for any person to stand or park a motor vehicle for a period exceeding the time limitation established pursuant hereto. No person shall move and repark a vehicle on the same side of the street within the same block in order to avoid a parking time limit. For violation of any provisions of this article the owner or operator may within ten (10) days of the time when such notice was attached to his vehicle, pay as a penalty the sum of Fifteen (\$15) Dollars; after ten (10) days but within twenty (20) days of the violation the sum of Twenty-five (\$25) Dollars. In all cases, failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and, in default of payment of fine and costs, imprisonment for not more than ten (10) days. (12708 §11 5/7/86; 12787 §1 8/5/87; 13227 §4 12/1/93; 13901 §4 4/19/01; 14702 §2 4/6/09)

B. It shall be unlawful and a violation of this article for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor. (12708 §11 5/7/86)

C. It shall be unlawful and a violation of this article for a person holding a valid parking permit issued pursuant hereto to permit the use of display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this article both by the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. (12708 §11 5/7/86)

D. It shall be unlawful and a violation of this article for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits. It shall further be unlawful and a violation of this article for a person to knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a Residential Permit Parking area. (12708 §11 5/7/86)

E. For violation of any provision contained in Sections 534.14(b), (c) and (d) of this article, the person committing the unlawful act shall be subject to a penalty not to exceed Three Hundred (\$300) Dollars and/or imprisonment for not more than ten (10) days for each such violation. (12708 § 5/7/86)

SECTION FIVE: That Article 539, Street Cleaning, be amended to read as follows:

**ARTICLE 539
STREET CLEANING**

- 539.01 Definitions
- 539.02 Control Maps and Preparation
- 539.03 Parking Restrictions; Exception
- 539.04 Existing Parking Regulations; Emergencies
- 539.05 Year Round Street Cleaning
- 539.06 Reporting Requirements
- 539.99 Penalty

14437 §1 11/7/06 amending the Street Sweeping section by enacting cleaning throughout the year and added a sunset provision requiring Council review. 14656 §1 11/21/08 repealed the sunset provision on winter street cleaning and established an annual reporting requirement on Street Cleaning by May 15.

CROSS REFERENCES

Parking Prohibitions Generally -- See Traffic Article 531
Parking Meter Zones Established -- See Traffic Article 533.02

539.01 DEFINITIONS

Person means every natural person, firm, corporation, partnership, association, or institution. (14437 §1 11/7/06)

Street Cleaning shall include the year round sweeping, salting, plowing or snow removal of the designated streets. (14437 §1 11/7/06)

539.02 CONTROL MAPS AND PREPARATION

There are hereby established street cleaning control maps prepared and maintained by the Director of Public Works and kept on file in the office of the City Engineer. All street cleaning control maps shall be a matter of public record, but keeping these maps up to date shall not be a requisite condition for the prosecution to any violation of a legal regulation. (11863 §2 3/2/71; 14216 §1 10/8/04; 14437 §1 11/7/06)

539.03 PARKING RESTRICTIONS; EXCEPTIONS

A. No person shall stop, stand or park a vehicle, or cause or permit a vehicle to be parked or left unattended on a City street posted for "No Parking/Street Cleaning" during the designated days and hours chosen by regulations promulgated by the Director of Public Works or his designee. (14216 §1 10/8/04; 14437 §1 11/7/06)

B. The posted times designated on the "No Parking/Street Cleaning" signs shall remain in effect for the full length of time or until the street area has been cleaned. (11863 §3 3/2/71; 14216 §1 10/8/04; 14437 §1 11/7/06)

C. Enforcement shall be suspended during winter storms and for a reasonable period of time thereafter as determined by the Director of Public Works or designee. A reasonable period of time should be no less than 24 hours from the end of the winter storm event. (14437 §1 11/7/06)

539.04 EXISTING PARKING REGULATIONS; EMERGENCIES

Nothing herein shall be construed to permit any motor vehicle to be parked on any street or in any parking area where parking is prohibited by the terms of any other article.

Nothing in the section shall be construed as prohibiting physicians or emergency cars, or any other person, firm or corporation operating authorized emergency vehicles while engaged in their duties, from parking a vehicle in designated areas upon the occasion of any emergency.

Nothing in this section shall be construed to prohibit taxicabs or public buses standing in any established taxicab or bus stand, provided the same are attended by the drivers thereof. (11863 §4 3/2/71)

In all cases, failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed Fifty (\$50.00) Dollars, and in default of payment of fines and costs, imprisoned for not more than ten (10) days. (13227 §5 12/1/93)

539.05 YEAR ROUND-STREET CLEANING

Street Cleaning will continue in the designated posted areas during the months of December through February. (14437 §1 11/7/06, 14656 §1 11/21/08)

539.06 REPORTING REQUIREMENTS

The Department of Public Works and the Allentown Parking Authority by or on May 15 of each year shall prepare and submit a report on year round street cleaning focusing on winter street cleaning to Allentown City Council's Public Works Committee for review at a public meeting. (14656 §1 11/21/08)

539.99 PENALTY

Any police officer or duly authorized Parking Authority employee shall issue a violation notice to any vehicles place on motor vehicle/conveyance parking in violation of the provisions of this ordinance, a notice of said violation.

A. For violation of "Prohibited Parking/Street Cleaning" the owner or operator may, within ten (10) days of the time when such ~~violation was alleged~~ ~~notice was attached to his motor vehicle/conveyance~~, pay as a fine and in full satisfaction of each initial violation, the sum of Twenty (\$20) Dollars; and, after ten (10) days but within twenty (20) days of the violation, pay a penalty of Thirty (\$30) Dollars. Subsequent offenses will incur additional penalties when repeat violation occurs more than one time in a thirty (30) day period. For violation of "No Parking/Street Cleaning", the owner or operator may, within ten (10) days of the time when the subsequent notice was attached to his vehicle, pay as a fine and in full satisfaction of repeat violation, the sum of Fifty (\$50) Dollars; and, after ten (10) days but within twenty (20) days of the subsequent offense, pay a penalty of Sixty (\$60) Dollars. In all cases failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and in default of payment of fines and costs, imprisoned for not more than ten (10) days. (13227 §5 12/1/93; 13901 §5 4/19/01) (11863 §5 3/2/71; 13227 §5 12/1/93; 13901 §5 4/19/01; 14216 §1 10/8/04; 14437 §1 11/7/06; 14787 3/19/2010)

SECTION SIX: That this Ordinance will take effect ten (10) days after final passage.

SECTION SEVEN: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

ORDINANCE NO.

FILE OF CITY COUNCIL

Bill No. 14 – 2014

APRIL 2, 2014

AN ORDINANCE

Amending the 2014 Liquid Fuels Fund, the 2014 General Fund, the 2014 Trexler Fund, the 2014 Golf Fund and the 2014 Solid Waste Fund by appropriating funds from the unappropriated balances for partial restoration of the following accounts: premium pay, shift differential, repairs and maintenance, contracted services, repair and maintenance supplies, rentals, operating and materials and supplies due to unprecedented amount of expenditures for snow removal, plowing, materials and salting for the recent storms.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN;

SECTION ONE: The City Council authorizes the appropriation of **\$435,955.60** (Four Hundred Thirty Five Thousand Nine Hundred and Fifty Five Dollars and Sixty Cents) from the unappropriated balance of the Liquid Fuel Fund, **\$170,967.85** (One Hundred Seventy Thousand Nine Hundred Sixty Seven Dollars and Eighty Five Cents) from the unappropriated balance of the General Fund and **\$9,994.03** (Nine Thousand Nine Hundred and Ninety Four Dollars and Three Cents) from the Trexler Fund, **\$41,404.32** (Forty One Thousand Four Hundred and One Dollars and Thirty Two Cents) from the unappropriated balance Solid Waste Fund and **\$1,470.52** (One Thousand Four Hundred and Seventy Dollars and Fifty Two Cents) from the unappropriated balance of the Golf Fund to the following accounts:

<u>Department</u>	<u>A/C Description</u>	<u>Account</u>	<u>Amount</u>
General Fund			
Engineering	Overtime	000-03-0702-0001-06	\$8,406.62
Engineering	Shift Differential	000-03-0702-0001-11	\$327.30
Engineering	FICA	000-03-0702-0001-12	\$668.14
Fleet Maint Operat.	Repairs & Maint.	000-03-0704-0001-42	\$10,000.00
Fleet Maint. Operat.	Other Contract Ser.	000-03-0704-0001-46	\$33,716.49
Streets	Overtime	000-03-0716-0001-06	\$25,746.49
Streets	Shift Differential	000-03-0716-0001-11	\$1,602.83
Streets	FICA	000-03-0716-0001-12	\$2,092.22
Streets	Operating Mat & Sup.	000-03-0716-0001-68	\$7,726.13
Streets (Storm)	Overtime	000-03-0716-0002-06	\$28,991.73
Streets (Storm)	Shift Differential	000-03-0716-0002-11	\$99.29
Streets (Storm)	FICA	000-03-0716-0002-12	\$2,225.46
Traffic Engineering	Overtime	000-03-0807-0001-06	\$2,257.14
Traffic Engineering	Shift Differential	000-03-0807-0001-11	\$24.28
Traffic Engineering	FICA	000-03-0807-0001-12	\$174.53
Park Maintenance	Overtime	000-08-0709-0001-06	\$35,816.04
Park Maintenance	Shift Differential	000-08-0709-0001-11	\$1,312.01
Park Maintenance	FICA	000-08-0709-0001-12	\$2,840.30
Health (Injury Prev.)	Overtime	000-09-0908-0002-06	\$424.04

Health (Injury Prev.)	FICA	000-09-0908-0002-12	\$32.44
Health (Food Svc San.)	Overtime	000-09-0908-0006-06	\$402.91
Health (Food Svc San.)	FICA	000-09-0908-0006-12	\$30.82
Health (Env.. Protect.)	Overtime	000-09-0908-0007-06	\$390.22
Health (Env. Protect.)	FICA	000-09-0908-0007-12	\$29.85
Health (Aids Prev.)	Overtime	000-09-0908-0011-06	\$2,998.07
Health (Aids Prev.)	FICA	000-09-0908-0011-12	\$229.35
Health (Cancer Prev.)	Overtime	000-09-0908-0012-06	\$888.06
Health (Cancer Prev.)	FICA	000-09-0908-0012-12	\$67.94
Health (Maternal)	Overtime	000-09-0908-0017-06	\$1,344.30
Health (Maternal)	FICA	000-09-0908-0017-12	\$102.84
Total General Fund			\$170,967.85

Liquid Fuels

Streets (PA Liq)	Overtime	004-03-4741-0001-06	\$39,646.47
Streets (PA Liq)	Shift Differential	004-03-4741-0001-11	\$1,538.71
Streets (PA Liq)	FICA	004-03-4741-0001-12	\$3,150.67
Streets (PA Liq)	Rentals	004-03-4741-0001-30	\$238,516.25
Streets (PA Liq)	Repair & Main Sup.	004-03-4741-0001-54	\$47,736.00
Streets (PA Liq)	Chemicals	004-03-4741-0001-66	\$105,367.50
Total Liquid Fuels			\$435,955.60

Trexler Fund

Parks (Trexler Mem.)	Overtime	006-08-6761-0001-06	\$9,080.27
Parks (Trexler Mem.)	Shift Differential	006-08-6761-0001-11	\$203.55
Parks (Trexler Mem.)	FICA	006-08-6761-0001-12	\$710.21
Total Trexler Fund			\$9,994.03

Solid Waste Fund

Solid Waste (Recy)	Overtime	085-03-8005-0001-06	\$6,139.83
Solid Waste (St Clean)	Overtime	085-03-8005-0003-06	\$31,025.83
Solid Waste (St Clean)	Shift Differential	085-03-8005-0003-11	\$1,296.32
Solid Waste (St Clean)	FICA	085-03-8005-0003-12	\$2,942.34
Total Solid Waste Fund			\$41,404.32

Golf Fund

Golf Course	Overtime	091-08-9001-0001-06	\$1,289.12
Golf Course	Shift Differential	091-08-9001-0001-11	\$76.90
Golf Course	FICA	091-08-9001-0001-12	\$104.50
Total Golf Fund			\$1,470.52

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.



CITY OF ALLENTOWN

No. 6

RESOLUTION

R - 2014

Introduced by the Administration on March 19, 2014

Authorizes the Administration to Sign a ground Lease with Crown Castle for the property located at 1325 Oxford Drive

Resolved by the Council of the City of Allentown, That

WHEREAS, the City owns real property located at 1325 Oxford Drive, Allentown, Pennsylvania, PARCEL PIN NUMBER: 549650365291 1, LEHIGH COUNTY DEED VOL. 1173 PG. 111; and

WHEREAS, Section 130.24 of the Administrative Code and Section 3.3.5 of Administrative Regulation No. 8-1-05 each state that City owned real estate shall not be sold, conveyed or transferred without the prior authorization of City Council in the form of a Resolution adopted at a public meeting; and

WHEREAS, City Council finds that the Ground lease is needed in Conjunction with the Crown Castle revenue sharing cooperative agreement; and

WHEREAS, City Council finds that this will generate income for the City of Allentown; and

WHEREAS, City Council finds that this transaction is in keeping with the financial goals for the City to generate income by utilizing property no longer beneficial to the City.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, hereby authorizes the Mayor to sign and execute the Ground Lease in Conjunction with the Crown Castle revenue sharing cooperative agreement, and is further authorized to execute all documents necessary to effectuate such Ground Lease.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Administration / Communications Bureau

- **Summary and Facts of the Bill**

This Resolution is to approve a Ground Lease for Crown Castle with the potential of building a new cellular tower at the Recycling Plant on Oxford Drive.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City’s Vision/Mission/Priorities**

The City of Allentown (piggybacking on a County of Lehigh contract) has entered into a contract with Crown Castle to market City owned property for the potential location of cellular telephone towers. Crown Castle solicits cellular carriers and provides the City of Allentown 40% of their annual leasing revenue (approximately \$2,000 to \$2,500 / carrier per year). The subject cellular tower will have the capacity to hold a total of 3 carriers.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

No cost to the City. Crown Castle pays for the construction of the tower and all utilities and taxes. Project provides a revenue stream to the City. In addition, Crown Castle has agreed to provide partial funding for the relocation of City camera equipment from another Crown Castle tower site that is used by the City.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A Income for the City

- **Priority status/Deadlines, if any**

Crown Castle has a signed tentative agreement with one carrier and is negotiating with two others for space on the tower. Agreement with the City is crucial for Crown to finalize the agreements with these carriers.

- **Why should Council unanimously support this bill?**

This transaction is in keeping with the financial goals of the City to generate income by using, selling or leasing available property not fully utilized by the City.



HowellKline
 Surveyors / Engineers
 1100 North 10th Street
 Suite 100
 Allentown, PA 18102
 Phone: (610) 261-2200
 Fax: (610) 261-2202
 www.howellkline.com



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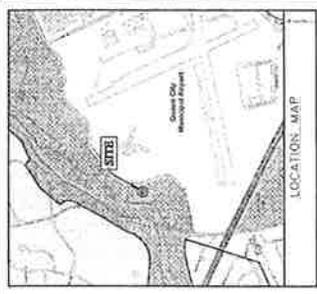
PLAN OF
 PROPOSED CELL TOWER LOCATION
 CITY OF ALLENTOWN
 LEHIGH COUNTY, PENNSYLVANIA

DATE: 11/09/08
 DRAWN BY: JAW
 CHECKED BY: RJK
 PROJECT NO.: 1109480
 SHEET NO.: 1 OF 1

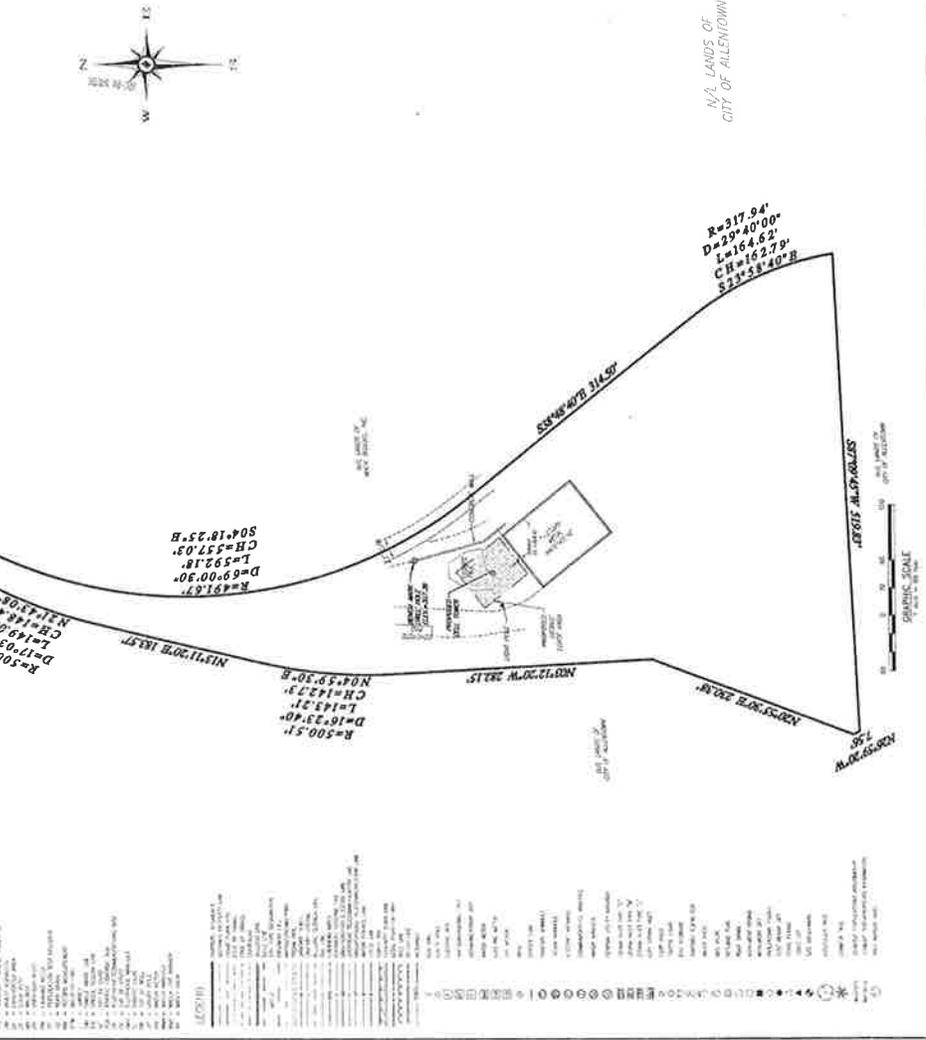
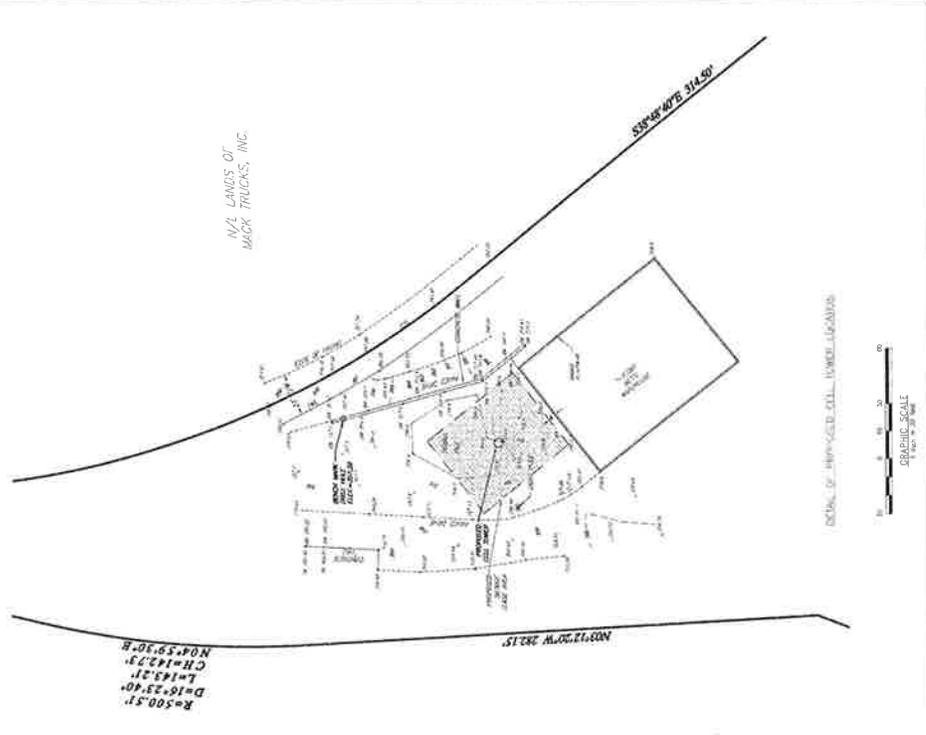
PROJECT: PROPOSED CELL TOWER LOCATION
 CITY OF ALLENTOWN
 LEHIGH COUNTY, PENNSYLVANIA

DATE: 11/09/08
 DRAWN BY: JAW
 CHECKED BY: RJK
 PROJECT NO.: 1109480
 SHEET NO.: 1 OF 1

DATE: 11/09/08
 DRAWN BY: JAW
 CHECKED BY: RJK
 PROJECT NO.: 1109480
 SHEET NO.: 1 OF 1



- GENERAL NOTES**
1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. THE PROPOSED CELL TOWER LOCATION IS SHOWN ON THIS PLAN.
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LEGEND

PROPOSED CELL TOWER LOCATION

PROPERTY BOUNDARIES

EXISTING BUILDINGS

EXISTING DRIVEWAYS

EXISTING UTILITIES

EXISTING FENCES

EXISTING TREES

EXISTING LANDSCAPING

EXISTING PAVEMENT

EXISTING CURBS

EXISTING SIDEWALKS

EXISTING STAIRS

EXISTING ELEVATORS

EXISTING MECHANICAL EQUIPMENT

EXISTING ELECTRICAL EQUIPMENT

EXISTING TELEPHONE EQUIPMENT

EXISTING CABLE EQUIPMENT

EXISTING WATER SUPPLY

EXISTING SEWER

EXISTING GAS

EXISTING OIL

EXISTING FUEL

EXISTING REFRIGERATION

EXISTING AIR CONDITIONING

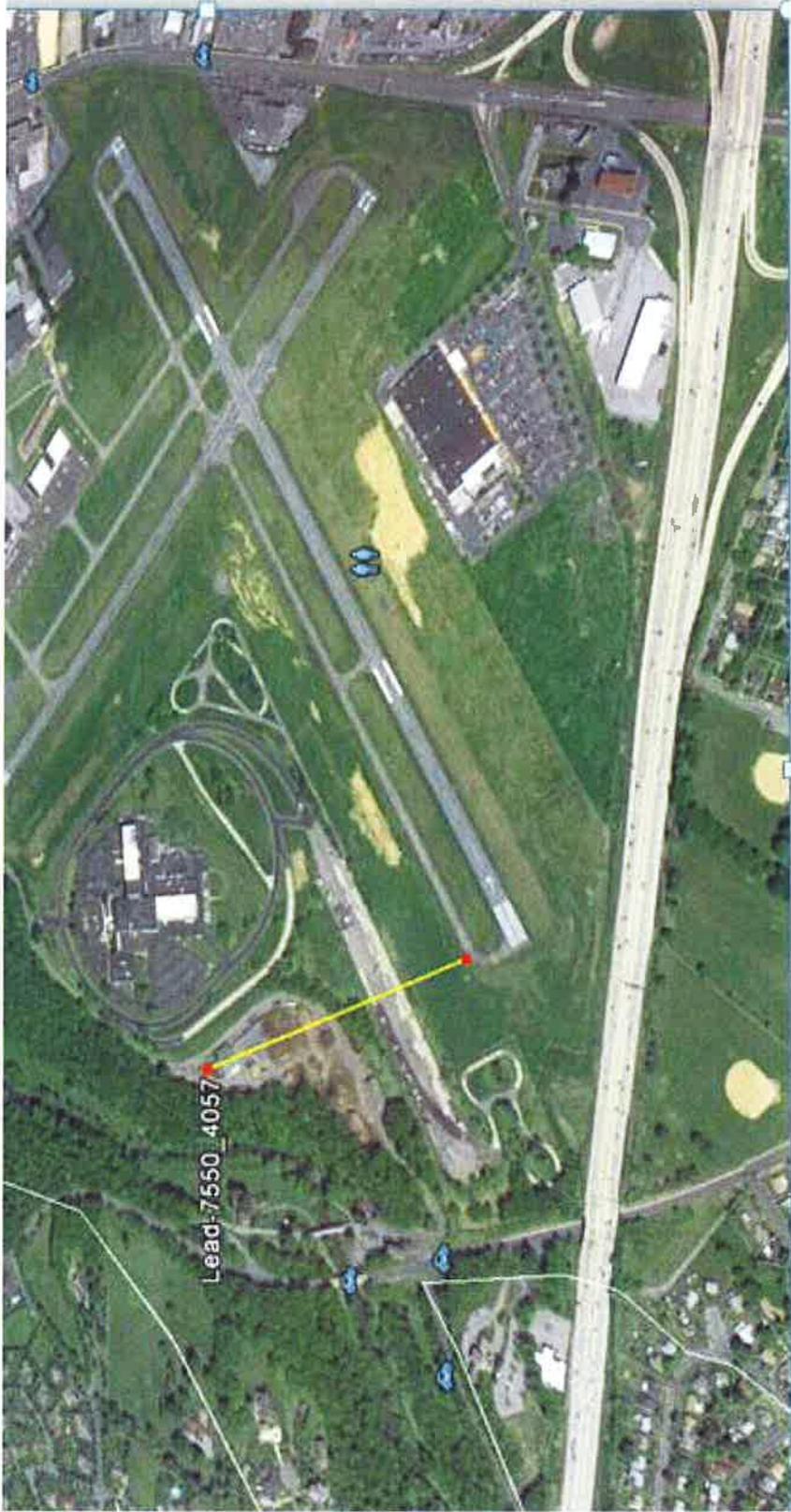
EXISTING HEATING

EXISTING COOLING

EXISTING LIGHTING

EXISTING SECURITY

EXISTING ACCESSORIES



Lead: 7550_4057

SITE AGREEMENT

Site Name: City of Allentown, Recycling Center

1. Premises and Use. The City of Allentown, with an address at 435 West Hamilton Street, Allentown, PA 18101, ("Owner") is the Owner of the Site (as described below). Owner hereby leases to TowerOne Partners, LLC, a Pennsylvania limited liability company with an address at 2000 Corporate Drive, Canonsburg, PA 15317, ("Tenant") the Site which is described as:

[Check appropriate box(es)]

- Land consisting of approximately 3,000 square feet upon which Tenant will construct its
- equipment base station and antenna structure;
- Building interior space consisting of approximately _____ square feet;
- Building exterior space for attachment of up to _____ antennas;
- Building exterior space for placement of base station equipment;
- Tower antenna space between the ___ foot and ___ foot level on the Lower;
- Space required for cable runs to connect equipment and antennas.

in the location(s) shown on Exhibit A, together with a nonexclusive easement for unrestricted access thereto and to the appropriate, in the discretion of Tenant, source of electric and telephone facilities. The Site will be used by Tenant for the purpose of installing, removing, replacing, modifying, maintaining and operating, at its expense, a communications service system facility (i.e. a transmitter site for wireless voice and data communications) ("PCS" or "PCS facility"), including, without limitation, antenna equipment, cable wiring, related fixtures and, if applicable to the Site, an antenna structure. Tenant will use the Site in a manner which will not unreasonably disturb the occupancy of Owner. Tenant will have unrestricted access to the Site twenty-four (24) hours per day, seven (7) days per week.

2. Term. The term of this Agreement ("Initial Term") is five years, commencing on the date ("Commencement Date") both Tenant and Owner have executed this Agreement. This Agreement will be automatically renewed for four additional terms (each a "Renewal Term") of five years each, unless Tenant provides Owner notice of intention not to renew not less than 90 days prior to the expiration of the Initial Term or any Renewal Term.

3. Rent. Tenant shall pay Owner annual base rent of \$100.00 per year payable in advance within ten (10) days from the date hereof. In addition, Tenant shall pay Owner additional rent pursuant to the revenue sharing arrangement set forth on Exhibit "C" attached hereto. All monthly rental payments as provided under Exhibit "C" shall be made to Owner on or before the 15th day of each month that such rental payment is due. Any payment made later than the 15th day of each month shall be subject to a Twenty-Five (\$25.00) Dollar per day late fee. Should any amount of rent remain unpaid at the time the next monthly rental payment shall come due, then the unpaid amount shall be subject to a penalty equal to one hundred (100%) percent of the balance of the aggregate sum of all unpaid rent plus any accrued late charges. Thereafter, the daily penalty shall increase at the rate of Fifty (\$50.00) Dollars per day for each day the unpaid balance of rent remains unpaid. Penalties shall continue to accrue for each day that any unpaid

rent or penalty then due and owing remains unpaid. Partial payments shall not toll the accrual of penalties under this paragraph.

4. Auditing and Accounting. Owner reserves the right, not more than once during any calendar year, to compel an audit of the records of Tenant regarding the collection and payment of rent by Tenant from third party users and the corresponding payment of rent and additional rent by Tenant to Owner. Owner shall be responsible to retain a CPA and shall remain responsible for the costs of the audit. In the event that the audit reveals that Tenant has failed to remit the full amount of rent or additional rent, then, in that event, any unpaid amounts shall be subject to the imposition of late penalties as provided under paragraph 3.

5. Title and Quiet Possession. Owner represents and agrees (a) that it is the only Owner of the Site; (b) that it has the right to enter into this Agreement; (c) that the person signing this Agreement has the authority to sign; (d) that Tenant is entitled to unrestricted access to the Site at all times and to the quiet possession of the Site throughout the Initial Term and each Renewal Term so long as Tenant is not in default beyond the expiration of any cure period; and (e) that Owner shall not have unsupervised access to the PCS facility or to the portions of the Site which house Tenant's equipment.

6. Assignment/Subletting. Tenant will not assign this Agreement without the prior written consent of Owner, which consent will not be unreasonably withheld, delayed or conditioned. Tenant may assign without Owner's prior written consent to any of Tenant's subsidiaries, affiliates or successor legal entities by merger, consolidation or other reorganization, or to any party which acquires substantially all of the assets of Tenant or to any party which acquires a portion of Tenant's business. Tenant shall have the exclusive right to enter into subleases or license agreements (collectively, "Subleases"), on terms acceptable to Tenant which will permit other parties to use space on the Tower and portions of the PCS Facility for base station equipment (in the same manner as Tenant pursuant to this Lease), and to gain access to the Site through the Owner's Property in the same manner permitted to Tenant under this Agreement. Prior to the installation of any equipment pursuant to any sublease hereunder, Tenant shall provide Owner with copies of any sublease under which the Tenant proposes to install such equipment.

7. Notices. All notices must be in writing and are effective only when deposited (fee prepaid) in the U.S. certified mail, return receipt requested, or when sent via overnight delivery by a nationally recognized courier service, to the address set forth below (or to such other address as a party may designate by notice as herein provided), or as otherwise required by law.

8. Improvements/Financing. Tenant may, at its expense, make such improvements on the Site as it deems necessary from time to time for the operation of the Site for a PCS facility. Owner agrees to cooperate with Tenant with respect to obtaining any required zoning approvals for the Site and such improvements. Owner acknowledges that Tenant has leased the Site to construct thereon an antenna structure ("Tower"), which will be approximately one-hundred and twenty (120) feet in height, as part of its PCS facility. Owner covenants and agrees that no part of the improvements installed, constructed, erected or placed by Tenant on the Site will be or become, or be considered as being, affixed to or a part of Owner's real property of which the Site is a part ("Owner's Property"). Any provisions and principles of law to the contrary

notwithstanding, it is the specific intention of Owner and Tenant that all of such improvements, including without limitation, the Tower, will be and remain the property of Tenant despite any default or termination of this Agreement and may be removed by Tenant at any time in Tenant's discretion provided that Tenant, at its expense, restores the Site, as near as practicable, to its condition prior to such improvements (save and except utilities installed, access areas improved, removal of vegetation for construction purposes, items constructed or changed by any person(s) or entity(ies) other than Tenant, normal wear and tear, and acts beyond Tenant's control). Owner acknowledges that Tenant may enter into financing arrangements including promissory notes and financial and security agreements for the financing of Tenant's facilities (the "Collateral") with a third party financing entity and may in the future enter into additional financing arrangements without financing entities. In connection therewith, Owner (i) consents to the installation of the Collateral to the extent that the Collateral is part of the approved Tenant's facilities; (ii) disclaims any interest in the Collateral, as fixtures or otherwise, whether arising at law or otherwise, including, but not limited to any statutory landlord's lien; and (iii) agrees that the Collateral shall be exempt from execution, foreclosure, sale, levy, attachment, or distress for any Rent due or to become due and that such Collateral may be removed at any time without recourse to legal proceedings.

9. Compliance with Laws. Owner represents that it has not received actual notice that the property on which the Site is located is not in compliance with any law. Tenant represents that the Site when built and all improvements located thereon, will be in substantial compliance with building, life/safety, disability and other laws, codes and regulations of applicable governmental authorities. Tenant will substantially comply with all applicable laws relating to its possession and use of the Site, including without limitation posting requirements of the Federal Communications Commission.

10. Interference. Tenant will resolve technical interference problems with other equipment located at the Site on the Commencement Date or any equipment that becomes attached to the Site at any future date when Tenant desires to add additional equipment to the Site. Likewise, Owner will not permit or suffer the installation of any future equipment which (a) results in technical interference problems with Tenant's then existing equipment, or (b) encroaches onto the Site.

11. Utilities. Tenant will pay for all utilities used by it at the Site. Owner will cooperate with Tenant in Tenant's efforts to obtain utilities from any location provided by Owner or the servicing utility, including signing any easements or other instruments reasonably required by the utility company. Tenant shall have the right to have its utility usage separately metered, in which case Tenant will install at its expense any meters necessary to accomplish same.

12. Termination. Tenant may terminate this Agreement at any time by notice to Owner without further liability if Tenant does not obtain all permits or other approvals required from any governmental authority or any easements required from any third party to operate the PCS facility (collectively, "approval"), or if any such approval expires, is withdrawn or terminated, or if Tenant, for any other reason, in its sole discretion, determines that it will be unable to use the Site.

13. Default. If either party is in default under this Agreement for a period of (a) 10 days following receipt of notice from the non-defaulting party with respect to a default which may be cured solely by the payment of money, or (b) 30 days following receipt of notice from the non-defaulting party with respect to a default which may not be cured solely by the payment of money, then, in either event, the non-defaulting party may pursue any remedies available to it against the defaulting party under applicable law, and shall have the right to terminate this Agreement. If the non-monetary default may not reasonably be cured within a 30 day period, this Agreement may not be terminated if the defaulting party commences action to cure the default within such 30 day period and proceeds with due diligence to fully cure the default.

14. Indemnity. Owner and Tenant each indemnifies the other against and holds the other harmless from any and all costs (including reasonable attorneys' fees) and claims of liability or loss which arise out of the ownership, use and/or occupancy of the Site by the indemnifying party. This indemnity does not apply to any claims to the extent arising from the negligence of intentional misconduct of the indemnified party. The indemnity obligations hereunder survive the termination of this Agreement.

15. Hazardous Substances. Owner represents that it has no knowledge of any substance, chemical or waste (collectively, "substance") on the property of which the Site is a part that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation. Tenant shall not introduce or use any such substance on the Site in violation of any applicable law.

16. Subordination and Non-disturbance. This Agreement is subordinate to any mortgage or deed of trust now of record against the Site. Owner, however, agrees to use diligent efforts to obtain a non-disturbance agreement in favor of Tenant, which shall be in form reasonably acceptable to Tenant, from the holder of any such mortgage or deed of trust.

17. Taxes. Tenant will be responsible for payment of all personal property taxes assessed directly upon and arising solely from its use of the communications facility on this Site. Tenant also will pay to Owner any increase in real estate taxes attributable solely to any improvement to the Site made by Tenant, which payment will become due sixty (60) days of receipt of satisfactory documentation indicating calculation of Tenant's share of such real estate taxes and payment of the real estate taxes by Owner. Owner will pay when due all other real estate taxes and assessments attributable to the property of Owner of which the Site is a part. Upon written request by Tenant, Owner will furnish evidence of payment of such assessments and taxes.

18. Insurance. Tenant will procure and maintain commercial general liability insurance, with limits of not less than \$2,000,000 combined single limit per occurrence for bodily injury and property damage liability, and will include Owner as an insured party under any such policy. Tenant shall provide Owner, annually, a copy of a declaration page demonstrating that adequate coverage is provided under this paragraph. Such policy will provide that cancellation will not occur without at least 15 days prior written notice to Owner. Each party hereby waives its right of recovery against the other for any loss or damage covered by any insurance policies maintained by the waiving party. Each party will cause each insurance policy obtained by it to provide that the insurance company waives all rights of recovery against the other party in connection with any damage covered by such policy.

19. Maintenance. Tenant will be responsible for repairing and maintaining the PCS facility and any other improvements installed by Tenant at the Site in a proper operating and reasonably safe condition; provided, however if any such repair or maintenance is required due to the acts of Owner, its agents or employees, Owner shall reimburse Tenant for the reasonable costs incurred by Tenant to restore the damaged areas to the condition which existed immediately prior thereto. Owner will maintain and repair all other portions of the property of which the Site is a part in a proper operating and reasonably safe condition.

20. Miscellaneous. (a) This Agreement applies to and binds the heirs, successors, executors, administrators and assigns of the parties to this Agreement; (b) This Agreement is governed by the laws of the Commonwealth of Pennsylvania; (c) If requested by Tenant, Owner agrees promptly to execute and deliver to Tenant a recordable Memorandum of this Agreement in the form of Exhibit B; (d) This Agreement (including the Exhibits) constitutes the entire agreement between the parties and supersedes all prior written and verbal agreements, representations, promises or understandings between the parties. Any amendments to this Agreement must be in writing and executed by both parties; (e) If any provision of this Agreement is invalid or unenforceable with respect to any party, the remainder of this Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, will not be affected and each provision of this Agreement will be valid and enforceable to the fullest extent permitted by law; (f) The prevailing party in any action or proceeding in court or mutually agreed upon arbitration proceeding to enforce the terms of this Agreement is entitled to receive its reasonable attorneys' fees and other reasonable enforcement costs and expenses from the non-prevailing party; and (g) each party represents that it is duly authorized and this Lease constitutes a valid and binding agreement binding itself.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have caused this Agreement to be signed as of the date below.

The following Exhibits are attached to and made a part of this Agreement: Exhibits A, B and C.

OWNER: _____

By: _____
Print Name: _____
Its: _____
Date: _____

By: _____
Print Name: _____
Its: _____
Date: _____

Tenant Address for Notice

TowerOne Partners, LLC
2000 Corporate Drive
Canonsburg, PA 15317-5864
Attention: Real Estate Department

Owner Address for Notice

City of Allentown
c/o
435 West Hamilton Street
Allentown, PA 18101

[OWNER ACKNOWLEDGMENT]

STATE OF _____ :
: SS

COUNTY OF _____ :

On this ____ day of _____, 2013, before me, a Notary Public, personally appeared _____, who acknowledged himself/herself to be the _____ of _____, the government entity named in the foregoing instrument, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the government entity by himself/herself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public
My Commission Expires:

[TENANT ACKNOWLEDGMENTS]

STATE OF _____ :

: SS

COUNTY OF _____ :

On this ____ day of _____, 2013, before me, a Notary Public, personally appeared _____, who acknowledged himself/herself to be _____ of _____ the Pennsylvania limited liability company named in the foregoing instrument, and that he/she in such capacity, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the limited liability company by himself/herself in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

My Commission Expires:

EXHIBIT B

PCS Site Agreement

Memorandum of PCS Site Agreement

This memorandum evidences that a lease was made and entered into by written PCS Site Agreement dated as of the ___ day of _____, 2013, between City of Allentown (“Owner”) and TowerOne Partners, LLC (“Tenant”), the terms and conditions of which are incorporated herein by reference.

Such Agreement provides in part that Owner leases to Tenant a certain site (“Site”) located at 1335 Oxford Drive, Allentown, PA 18103, in the Municipality of City of Allentown, County of Lehigh, Commonwealth of Pennsylvania, within the property of Owner which is described in Exhibit A attached hereto, with grant of easement for unrestricted rights of access thereto and to electric and telephone facilities, for a term of five (5) years commencing on _____, which term is subject to four (4) additional five (5) year extension periods by Tenant.

Tenant hereby agrees to execute a recordable instrument which terminates this Memorandum of PCS Site Agreement upon the termination or cancellation of the lease.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have executed this Memorandum as of the date below.

“OWNER”

“TENANT”

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

Owner Notice Address: City of Allentown
c/o
435 West Hamilton Street
Allentown, PA 18101

Tenant Notice Address:
TowerOne Partners, LLC
2000 Corporate Drive
Canonsburg, PA 15317-5864
Attention: Real Estate Department

Note: Actual Memorandum will have Exhibit A - Site Description and notarial acknowledgment(s) attached.

Owner Initials _____

Tenant Initials _____

DRAFT

EXHIBIT C

Revenue Sharing Agreement

In accordance with Section IV(A) to that certain Professional Service Agreement Contract #C09-176 between Tenant and Owner dated January 14, 2010 (as amended), Tenant shall retain sixty percent (60%) of any monthly rent paid for any Sublease at the Site and forty percent (40%) of any monthly rent paid for any Sublease at the Site shall be paid to Owner.

DRAFT



CITY OF ALLENTOWN

No. 9

RESOLUTION

R - 2014

Introduced by the Administration on April 2, 2014

Authorizes the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources (DCNR) for replacement of the Jordan Park Playground

Resolved by the Council of the City of Allentown, That

WHEREAS, City of Allentown desires to undertake the Jordan Park Playground Project; and

WHEREAS, the applicant desires to receive from the Department of Conservation and Natural Resources ("Department") a grant for the purpose of carrying out this project; and

WHEREAS, the application package includes a document entitled "Terms and Conditions of Grant" and a document entitled "Grant Agreement Signature Page"; and

WHEREAS, the applicant understands that the contents of the document entitled "Terms and Conditions of Grant," including appendices referred to therein, will become the terms and conditions of a Grant Agreement between the applicant and the Department if the applicant is awarded a grant.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown, hereby authorizes the following:

1. The "Grant Agreement Signature Page" may be signed on behalf of the applicant by the Official who, at the time of signing, has the title of Mayor.
2. If this Official signed the "Grant Agreement Signature Page" prior to the passage of this Resolution, this grant of authority applies retroactively to the date of signing.
3. If the applicant is awarded a grant, the "Grant Agreement Signature Page", signed by the above Official, will become the applicant/grantee's executed signature page for the Grant Agreement, and the applicant/grantee will be bound by the Grant Agreement.
4. Any amendment to the Grant Agreement may be signed on behalf of the grantee by the Official who, at the time of signing of the amendment, has the title specified in Paragraph 1 and the grantee will be bound by the amendment.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Parks and Recreation

- **Summary and Facts of the Bill**

Resolution to submit PA Dept. of Conservation and Natural Resources (DCNR) grant application for replacement of the Jordan Park Playground

- **Purpose – Please include the following in your explanation:**

- o What does the Bill do – what are the specific goals/tasks the bill seek to accomplish
- o What are the Benefits of doing this/Down-side of doing this
- o How does this Bill related to the City's Vision/Mission/Priorities

Resolution is required to submit PA Dept. of Conservation and Natural Resources (DCNR) grant application

- **Financial Impact – Please include the following in your explanation:**

- o Cost (Initial and ongoing)
- o Benefits (initial and ongoing)

Cost of the project will be approximately \$116,000 with 50% coming from the DCNR grant and 50% coming from Trexler Trust funds.

- **Funding Sources – Please include the following in your explanation:**

- o If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.

If grant is approved, DCNR and Trexler Trust funds will be used.

- **Priority status/Deadlines, if any**

Application deadline is April 16th. Resolution is needed prior to that date.

- **Why should Council unanimously support this bill?**

Council should support this bill because DCNR grant funds will assist with construction improvements to Jordan Park without using all City funds.



CITY OF ALLENTOWN

No. 10

RESOLUTION

R - 2014

Introduced by the Administration on April 2, 2014

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development.

Resolved by the Council of the City of Allentown, That

WHEREAS, the City of Allentown is eligible to apply for funding through federal housing and community development programs for use within the City; and

WHEREAS, the United States Department of Housing and Urban Development requires the City to prepare an Action Plan to receive such funding; and

WHEREAS, the Action Plan serves as the application for Community Development Block Grant Program, HOME Investment Partnerships Program and Emergency Solutions Grants Program Funds, and describes how the City plans to use the federal funds.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown hereby approves of the submission to the United States Department of Housing and Urban Development of the Action Plan for the period July 1, 2014 to June 30, 2015.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

This legislation will allow the City to submit its annual One-year Action Plan for the use of federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME)and Emergency Solutions Grant (ESG)Program funds.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This resolution authorizes the City to submit the One Year Action plan to HUD. This plan serves as the application for federal CDBG, HOME and ESG funds.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

With the application to HUD, the City adds \$3,372,342 in funds to achieve Community and Economic Development goals, as described in the Five Year Consolidated Plan for the use of federal funds.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding sources for this resolution are the federal Community Development Block Grant Program, HOME Investment Partnerships Program and Emergency Solutions Grant Program.

- **Priority status/Deadlines, if any**

This bill has a high priority status.

With this resolution, City Council is authorizing the City of Allentown to submit its Consolidated Plan and One Year Action Plan for the use of federal CDBG, HOME and ESG dollars.

- **Why should Council unanimously support this bill?**

This resolution allows us to submit our One Year Action Plan- application to bring additional grant dollars into the City.