

**CITY OF JOHNSTOWN
CAMBRIA COUNTY
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 5259

BILL NO. 34 of 2018

**Introduced in Council
October 10, 2018**

AN ORDINANCE ADOPTING AN EXIT PLAN FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, PURSUANT TO THE MUNICIPALITIES FINANCIAL RECOVERY ACT (ACT 47 OF 1987) AS AMENDED.

WHEREAS, on May 26, 1993, the City Council of Johnstown enacted Ordinance No. 4644 approving the adoption and implementation of the Municipal Recovery Plan for the City of Johnstown pursuant to Act 47 of 1987 as amended; and

WHEREAS, on February 26, 1997, the City Council of the City of Johnstown adopted its First Amended Municipal Recovery Plan pursuant to act 47 of 1987 as amended; and

WHEREAS, on January 3, 2000, the City Council of the City of Johnstown adopted its Second Amended Municipal Recovery Plan pursuant to Act 47 of 1987 as amended; and

WHEREAS, on December 30, 2002, the City Council of the City of Johnstown adopted its Third Amended Municipal Recovery Plan pursuant to Act 47 of 1987 as amended; and

WHEREAS, on December 12, 2007, the City Council of the City of Johnstown adopted its Fourth Amended Municipal Recovery Plan pursuant to Act 47 of 1987 as amended; and

WHEREAS, on December 30, 2010, the City Council of the City of Johnstown adopted its Fifth Amended Municipal Recovery Plan pursuant to Act 47 of 1987 as amended; and

WHEREAS, on October 28, 2013, the City Council of the City of Johnstown adopted its Sixth Amended Municipal Recovery Plan pursuant to Act 47 of 1987 as amended; and

WHEREAS, on August 28, 2017, the City Council of the City of Johnstown adopted its Seventh Amended Municipal Recovery Plan pursuant to Act 47 of 1987 as amended; and

WHEREAS, Act 47 of 1987 as amended by Act 199 in 2014 provides that municipalities operating under a Recovery Plan shall be subject to a termination of financial distress designation on the date that is five (5) years from the effective date of the most recent Recovery Plan in place at the time of that amendment; and

WHEREAS, the relevant five-year period from the effective date of the applicable Recovery Plan expires, for the City of Johnstown on October 28, 2018; and

WHEREAS, the City's Act 47 Coordinator has completed a report evaluating the financial condition of the City of Johnstown and has issued findings confirming that a three-year extension plan is warranted; and

WHEREAS, under Act 199's amendment to Act 47, as a result of that finding, the Coordinator is required to file an Exit Plan no later than 90 days from the close of the financial condition evaluation report rendering said findings; and

WHEREAS, the Exit Plan includes strategies for ensuring a satisfactory exit of the City of Johnstown from the Act 47 Program no later than October 28, 2021; and

WHEREAS, based on the recommendation of the Recovery Plan Coordinator, the City Council has concluded that an Exit Plan is the most appropriate manner in which to proceed at this time;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Johnstown, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that follows:

Section 1. The City Council of the City of Johnstown, Pennsylvania, hereby approves and adopts the attached three-year Exit Plan, as contained within an Exit Plan Report dated and filed September 24, 2018, and including any subsequent amendments thereto that may be made pursuant to Act 47 of 1987, as amended.

ORDAINED and ENACTED by the City Council of the City of Johnstown, County of Cambria, the Commonwealth of Pennsylvania on this 1st day of November, 2018.

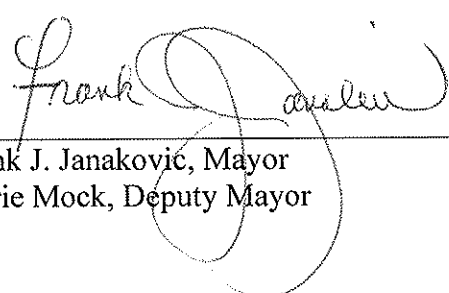
PASSED FINALLY IN COUNCIL:
by the following vote:

November 1, 2018

Yeas: Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Britt. (5)

Nays: None (0)

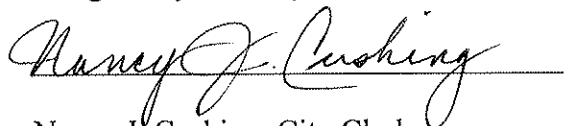
Absent: Mrs. Stanton, Mr. Williams. (2)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. **5259** as the same was adopted by the City Council and signed by the Mayor and/or Deputy Mayor of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk