

# CITY OF WILLIAMSPORT, PA RESOLUTION

RESOLUTION # 9328

DATE 6-23-22

## TITLE

RESOLUTION TO ACCEPT AN ASSIGNMENT AGREEMENT BETWEEN RIVER VALLEY TRANSIT AUTHORITY (RVTA) AND THE CITY OF WILLIAMSPORT

WHEREAS, the City of Williamsport wishes to convey an Assignment Agreement to River Valley Transit Authority (RVTA) a, 13(C) Employee Protection Arrangements along with all collective bargaining obligations for present Bureau of Transportation Employees as of July 1, 2022;

WHEREAS, the City of Williamsport agrees to allow RVTA to file the necessary petitions with the Pennsylvania Department of Labor and 13(C) assignment with the U.S. Department of Labor to effectuate the present labor obligations;

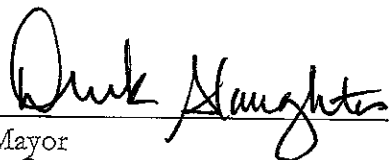
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Williamsport, accepts and adopts the Assignment Agreement between River Valley Transit Authority (RVTA) and the City of Williamsport, 13(C) Employee Protection Arrangement, to be adopted and instituted.

## CERTIFICATION OF OFFICERS

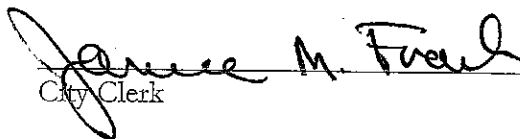
OF

CITY OF WILLIAMSPORT

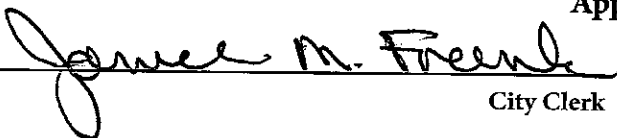
I certify that the foregoing is a sound and true copy of a Resolution adopted at a legally convened meeting of the City Council of the City of Williamsport held on June 23, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Controller

  
\_\_\_\_\_  
City Clerk

Approved

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
President

RESOLUTION NO. 2022-020

RESOLUTION TO ACCEPT AN ASSIGNMENT AGREEMENT BETWEEN RIVER VALLEY TRANSIT AUTHORITY (RVTA) AND THE CITY OF WILLIAMSPORT

WHEREAS, the River Valley Transit Authority wishes to accept an Assignment Agreement between River Valley Transit Authority (RVTA) and the City of Williamsport, 13(C) Employee Protection Arrangements;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the River Valley Transit Authority, accepts and adopts the Assignment Agreement between River Valley Transit Authority (RVTA) and the City of Williamsport, 13(C) Employee Protection Arrangement, to be adopted and instituted.

CERTIFICATION OF OFFICERS

OF

RIVER VALLEY TRANSIT AUTHORITY

I certify that the foregoing is a sound and true copy of a Resolution adopted at a legally convened meeting of the River Valley Transit Authority Board Members held on June 8, 2022.



Renee Smith  
Recording Secretary  
River Valley Transit Authority

attest:



Noah Bower  
Chairman  
River Valley Transit Authority

# ASSIGNMENT AGREEMENT

AND NOW, this 8<sup>th</sup> day of June, 2022, the City of Williamsport (the "City") and River Valley Transit Authority ("RVTA") agree to the following assignment of obligations under the City's 13(c) Employee Protection Arrangements ("13(c) Arrangements") as follows:

WHEREAS, the city has an existing 13(c) Agreement dated June 8, 1979, ("13(c) Agreement") which covers Federal Transit Administration ("FTA") obligations for employee protections in connection with capital assistance for the Bureau of Public Transportation and the City has provided the necessary benefits under such Agreement; and

WHEREAS, the City is bound by the July 23, 1975, "National" Section 13(c) Agreement ("National Agreement"), which pursuant to Paragraph 4 thereof is addended by Paragraph 15 of the 1979 Agreement, which covers FTA obligations for employee protections in connection with operating assistance for the Bureau of Public Transportation and the City has provided the necessary benefits under such Agreement, as addended; and

WHEREAS, the above-cited Agreements, as addended, are referred to herein as the 13(c) Arrangements; and

WHEREAS, Paragraph 19 of the 13(c) Agreement and Paragraph 19 of the National Agreement each provide that the agreements "shall be binding upon the successors and assigns of the parties hereto"; and

WHEREAS, the city has created RVTA to take over all transit operations and RVTA has been designated the federal funding recipient for the service area for all transportation purposes commencing on July 1, 2022; and

WHEREAS, due to FTA requirements pertaining to coordination of Department of Labor 13(c) Arrangements, the city seeks to assign, and RVTA seeks to accept obligations under the existing 13(c) Arrangements commencing on July 1, 2022; and

WHEREAS, nothing in this Assignment Agreement seeks to alter any obligation of the city under previous grants and employee benefits programs prior to the date of July 1, 2022; and

NOW THEREFORE, the City and RVTA agree as follows:

1. The above recitals are incorporated as if more fully set forth.
2. The city assigns to RVTA and RVTA accepts the assignment of the 13(c) Arrangements commencing on July 1, 2022.
3. Any and all benefits provided to employees protected under the 13(c) Arrangements from the City prior to July 1, 2022, shall remain the responsibility of the City except by future agreement concerning retiree health benefits and the potential transfer pension benefits for existing non-vested employees, which shall be set forth under separate reconciliation agreement. Any benefits provided pursuant to the 13(c) Arrangements shall not be affected by this Assignment.

4. For purposes of all FTA grants, RVTA shall provide this Assignment Agreement as a demonstration that proper employee protective arrangements are satisfied for future federal grant applications.

5. This Agreement shall be effective on July 1, 2022, or such later date when the FTA accepts RVTA as the grant holder for all FTA funding.

6. In the event that any provision of this Agreement shall be deemed void as a matter of law, the remaining provisions of this Agreement shall remain in full force and effect as if set forth separately and individually.

7. Any revisions or alterations of this Assignment Agreement shall be in writing and signed by all parties.

8. The parties acknowledge that Amalgamated Transit Union Local\_\_\_\_, has been made aware of this Agreement and has not voiced an objection to the same. As of July 1, 2022, in keeping with this Agreement the RVTA will file the necessary paperwork with the Pennsylvania Labor Relations Board to transfer bargaining unit responsibility to RVTA effective on that date.

**BY THE CITY:**

\_\_\_\_\_  
Mayor

*Margaret J. Woodring*

\_\_\_\_\_  
Controller

*James M. Fraley*

\_\_\_\_\_  
City Clerk

**BY RVTA:**

*Steph C. Bauer*

\_\_\_\_\_  
RVTA Board Chairperson

*[Signature]*  
\_\_\_\_\_  
RVTA Executive Director