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Supreme Court of Pennsylvania

Court of Common Pleas
 Civil Cover Sheet

DAUPHIN COUNTY County

For Prothonotary Use Only:	2005 JUN - 8 PROTS DEPT. OF REGISTERED PROTS 11
Docket No: 2026 CV-140	

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A	Commencement of Action: <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Petition <input type="checkbox"/> Transfer from Another Jurisdiction <input type="checkbox"/> Declaration of Taking	
	Lead Plaintiff's Name: Hon. Wanda R.D. Williams	Lead Defendant's Name: Harrisburg City Council
	Are money damages requested? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Dollar Amount Requested: <input type="checkbox"/> within arbitration limits (check one) <input type="checkbox"/> outside arbitration limits
	Is this a <i>Class Action Suit</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an <i>MDJ Appeal</i> ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Name of Plaintiff/Appellant's Attorney: Renardo L. Hicks, Esquire <input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)	

SECTION B	Nature of the Case: Place an "X" to the left of the <u>ONE</u> case category that most accurately describes your PRIMARY CASE . If you are making more than one type of claim, check the one that you consider most important.		
	TORT (do not include Mass Tort) <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____	CONTRACT (do not include Judgments) <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____	CIVIL APPEALS <input type="checkbox"/> Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____
	MASS TORT <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____	REAL PROPERTY <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____	MISCELLANEOUS <input type="checkbox"/> Common Law/Statutory Arbitration <input checked="" type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input type="checkbox"/> Other: _____
	PROFESSIONAL LIABILITY <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____		

IN THE COURT OF COMMON PLEAS OF DAUPHIN COUNTY, PENNSYLVANIA

HONORABLE WANDA R.D.
WILLIAMS,

Plaintiff,

v.

HARRISBURG CITY COUNCIL,

Defendant.

CIVIL ACTION – LAW & EQUITY

DOCKET NO. *2026 CV-140*

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NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

NOTICE
CONCERNING MEDIATION OF ACTIONS PENDING BEFORE THE COURT OF
COMMON PLEAS OF DAUPHIN COUNTY

The Judges of the Court of Common Pleas of Dauphin County believe that mediation of lawsuits is a very important component of dispute resolution. Virtually all lawsuits can benefit in some manner from mediation.

The Court has adopted Dauphin County Local Rule 1001 to encourage the use of mediation. This early alert enables litigants to determine the best time during the life of their lawsuit for a mediation session. The intent of this early alert is to help the parties act upon the requirement to consider good faith mediation at the optimal time.

The Dauphin County Bar Association provides mediation services and can be reached at 717-232-7536. Free mediation sessions for pro bono cases referred by MidPenn Legal Services are available through the DCBA.

AVISO

USTED HA SIDO DEMANDADO/A EN CORTE. Si usted desea defenderse de las demandas que se presentan más adelante en las siguientes páginas, debe tomar acción dentro de los próximos veinte (20) días después de la notificación de esta Demanda y Aviso radicando personalmente o por medio de un abogado una comparecencia escrita y radicando en la Corte por escrito sus defensas de, y objeciones a, las demandas presentadas aquí en contra suya. Se le advierte de que si usted falla de tomar acción como se describe anteriormente, el caso puede proceder sin usted y un fallo por cualquier suma de dinero reclamada en la demanda o cualquier otra reclamación o remedio solicitado por el demandante puede ser dictado en contra suya por la Corte sin más aviso adicional. Usted puede perder dinero o propiedad u otros derechos importantes para usted.

USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE UN ABOGADO, LLAME O VAYA A LA SIGUIENTE OFICINA. ESTA OFICINA PUEDE PROVEERLE INFORMACION A CERCA DE COMO CONSEGUIR UN ABOGADO.

SI USTED NO PUEDE PAGAR POR LOS SERVICIOS DE UN ABOGADO, ES POSIBLE QUE ESTA OFICINA LE PUEDA PROVEER INFORMACION SOBRE AGENCIAS QUE OFREZCAN SERVICIOS LEGALES SIN CARGO O BAJO COSTO A PERSONAS QUE CUALIFICAN.

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AVISO
REFERENCIAS A LA MEDIACIÓN DE LAS ACCIONES PENDIENTES ANTES LA
CORTE DE SOPlicas COMUNES DEL CONDADO DE DAUPHIN

Los jueces de la corte de súplicas comunes del condado de Dauphin creen que la mediación de pleitos es un componente muy importante de la resolución del conflicto. Virtualmente todos los pleitos pueden beneficiar de cierta manera de la mediación.

La code ha adoptado la regla local de condado de Dauphin 1001 para animar el use de la mediación. Esta alarma temprana permite a litigantes determinar la mejor época durante la vida de su pleito para una sesión de la mediación. El intento de esta alarma temprana es actuar sobre la mediación de la buena fe en el tiempo óptimo.

La asociación de la barra del condado de Dauphin proporciona servicios de la mediación y se puede alcanzar en 717-232-7536. La sesión libre de la mediación para los favorables casos del bono se refinio por MidPenn que los servicios juridicos están disponibles con el DCBA.

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IN THE COURT OF COMMON PLEAS OF DAUPHIN COUNTY, PENNSYLVANIA

HONORABLE WANDA R.D.
WILLIAMS,

Plaintiff,

v.

HARRISBURG CITY COUNCIL,

Defendant.

:
: CIVIL ACTION – LAW & EQUITY
:

:
: DOCKET NO. 2026-CV-140
:

COMPLAINT

Plaintiff, by and through her attorneys at Eckert Seamans Cherrin & Mellott, LLC, and pursuant to Rule 1531(a) of the Pennsylvania Rules of Civil Procedure, hereby moves this Honorable Court for an emergency injunction enjoining, until further hearing or other action of this Court, the Defendant from acting ultra vires and defunding the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations &

Engagement, Department of Public Safety – Bureau of Police,¹ in the 2026 Harrisburg City budget in conflict with state law, the Third Class City Charter Law, 53 P.S. § 13101 et seq. and in a manner that invades powers assigned to the Mayor/Executive. In support thereof Plaintiff avers as follows:

I. BACKGROUND

1. On December 15, 2025, Harrisburg City Council approved four amendments to the City's 2026 budget by eliminating funding for four staff positions: Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police.

2. On December 24, 2025, the Honorable Wanda R.D. Williams exercised her lawful authority as Mayor of the City of Harrisburg to veto those four City Council amendments to the 2026 budget.

3. On December 29, 2025, the Harrisburg City Council chose by a vote of 5-2 to override the Mayor's vetoes in a special session of the City Council. Specifically, City Council voted to again eliminate salaries for the following four positions: Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police as part of Bill 12-2025 (the "Bill").

¹ Copies of the four job descriptions are attached hereto as Appendix A.

4. Of these positions, the Business Administrator is a statutory position under the Optional Third Class City Charter Law which authorizes the establishment of the Department of Administration and the appointment of a Business Administrator to direct its operations. Act of July 15, 1957, P.L. 901, No. 399, § 416 (53 P.S. § 13101 et seq., specifically § 13101-416). The appointment of a Business Administrator is neither symbolic nor optional. It is a real person in a real position, created through a duly passed ordinance with the consent of Council that Council has already decided is required for the lawful operation of Harrisburg City government. It is noted that this position carries significant responsibilities, which includes but is not limited to, developing partnerships that leverage critical financial income to the city's General Fund.

5. Section 416 provides:

Where a department of administration is established, it shall be headed by a director who shall be known and designated as business administrator. He shall be chosen solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or his knowledge of, accepted practice in respect to the duties of his office as hereinafter set forth. At the time of his appointment, he need not be a resident of the city or State, but during his tenure of office he may reside outside the city only with the approval of council. He shall have, exercise and discharge the functions, powers and duties of the department. The department, under the direction and supervision of the mayor, shall:

- (1) Assist in the preparation of the budget;
- (2) Administer a centralized purchasing system; and
- (3) Perform such other duties as council may prescribe.

6. The Business Manager selected by the Mayor for 2026 was chosen after extensive interviews and examination of his qualifications and chosen solely on the basis of his executive and administrative qualifications and actual experience in accepted practices in business administration. By defunding positions, some of which

were legislatively created, Council did not simply remove real people from necessary work on behalf of the City and its citizens, they directly interfered with the Mayor's ability to fulfill her legal obligations under the Strong Mayor Council Plan A form of government authorized in the Optional Third Class City Charter Law at 53 P.S. §§ 41401–41421.

7. On January 1, 2026, Council effectively ensured that these defunded positions cannot be filled. They cannot be posted for replacements. They cannot be advertised and the people – real people – in these positions were terminated on December 31, 2025, by City Council's action.

8. City Council's override does not consider that the significant work of these City employees on behalf of the citizens of Harrisburg will not just disappear, and it is difficult to shift their work elsewhere, because of the significant specialized knowledge required for some of the financial, housing, regulatory and municipal functions required to execute their specific job functions. Notably, as a result of the City Council's override, Council has eliminated executive-level appointments of the Mayor for persons responsible for overseeing the daily operations of the City, significant budget and economic development responsibility, persons responsible for managing ongoing housing and major construction projects and persons responsible for a variety of local, state and federal compliance duties.

9. In addition, Council's defunding of these positions directly affects the ability of the administration to continue and complete ongoing collective bargaining negotiations with police and AFSCME employees of the City. Further, by defunding

these four important positions, Council has caused and created safety concerns, particularly in housing and construction areas, which should not be ignored.

10. This Complaint focuses less on the mere fact of an override of the Mayor's veto and more on how Council improperly exercised its power, and acted ultra vires, in conflict with state law, the Optional Third Class City Charter Law, 53 P.S. §§ 41401–41421, and in a manner that invades powers assigned to the executive.

11. Consequently, Plaintiff alleges that the right to relief is clear, that no adequate remedy at law for damages is available, and that Plaintiff and the public will suffer irreparable harm if this Court does not exercise jurisdiction and overturn the action of City Council defunding the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police, that took effect on January 1, 2026.

II. PARTIES

12. Plaintiff, the Honorable Wanda R.D. Williams, is the duly elected Mayor of the City of Harrisburg (“Mayor”), a Third Class City governed under the Strong Mayor Council Plan A form of government pursuant to the Optional Third Class City Charter Law, 53 P.S. §§ 41401–41421.

13. Defendant, City Council of the City of Harrisburg (“Council”), is the legislative body of the City of Harrisburg, vested with legislative powers under the Optional Third Class City Charter Law.

14. The City of Harrisburg (“City”) is a municipal corporation of the Commonwealth of Pennsylvania organized as a Third Class City.

III. JURISDICTION AND VENUE ALLEGATIONS

15. This is a civil action for declaratory and injunctive relief arising from the enactment and intended enforcement of portions of the Bill defunding the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police by the Harrisburg City Council over the Mayor’s veto.²

16. This Court has jurisdiction over this action pursuant to 42 Pa.C.S. § 933(a)(2), as this is an appeal-like original action seeking judicial review of final action of a local government agency and relief in the nature of a declaration and injunction. 42 Pa. Cons. Stat. § 933.

17. Venue is proper in this Court pursuant to 42 Pa.C.S. § 933(a)(2), in that the City of Harrisburg is located in Dauphin County, Pennsylvania, and the challenged portion of the Bill was implemented within this judicial district. 42 Pa. C.S. § 933. Venue is also proper in this Court under its general equity powers pursuant to 42 Pa.C.S. § 933(a)(2) for “appeals from government agencies, except Commonwealth agencies, under Subchapter B of Chapter 7 of Title 2 ... or otherwise. 42 Pa. C.S. § 933.

IV. STATUTORY FRAMEWORK ALLEGATIONS

18. The City of Harrisburg operates under the Strong Mayor Council Plan A form of government provided in the Optional Third Class City Charter Law, Act of July

² A copy of Mayor Wanda R. D. Williams December 24, 2025 Line Item Veto Statement is attached hereto as Appendix B.

15, 1957, P.L. 901, as amended, 53 P.S. §§ 41401–41421. *Capital City Lodge No. 12 v. Pa. Labor Relations Bd.*, 30 A.3d 1241 (Pa. Cmmw. Ct. 2011).

19. Under the Strong Mayor Council Plan A, the Mayor is the City's chief executive officer, charged by statute to "enforce the charter and ordinances of the city and all general laws applicable thereto," to "supervise all of the departments of the city government," and to make reports and recommendations to Council. 53 P.S. § 41412.

20. The Optional Third Class City Charter Law also provides that all of the administrative functions, powers and duties of the city are allocated and assigned to various departments and each department director is appointed by the mayor, with the consent of council. It states:

(b) The city may have a department of administration and shall have such other departments, not exceeding a total of nine, as council may establish by ordinance. All of the administrative functions, powers and duties of the city, other than those vested in the office of the city clerk, city treasurer and city controller, shall be allocated and assigned among and within such departments.

(c) Each department shall be headed by a director who shall be appointed by the mayor with the advice and consent of the council. Each department head shall serve during the term of office of the mayor appointing him, and until the appointment and qualification of his successor. No member of city council shall head a department. ((c) amended July 26, 1961, P.L.911, No.393)

21. The Optional Third Class City Charter Law also provides that the Mayor – not the city council – may remove department heads, but only after delivery of written notice to the council and 20 days before such removal becomes effective. It states that:

(d) The mayor may, in his discretion, remove any department head after notice and an opportunity to be heard. Prior to removing a department head, the mayor shall first file written notice of his intention with the council, and such removal shall become effective on the twentieth day

after the filing of such notice. ((d) amended Nov. 30, 1959, P.L.1618, No.593).

53 P.S. § 41415 (b) & (c).

22. By defunding four executive level positions, including the Business Administrator, without any due process or notice to the affected employees, or apparent consideration of the functions, powers and duties of the City that have been allocated and assigned to them as department heads, the City Council is altering or enlarging the powers that the General Assembly has set for them in the Optional Third Class City Charter Law.

23. The Optional Third Class City Charter Law provides that ordinances are adopted by Council and then submitted to the Mayor. Within ten (10) days after receiving an ordinance, the Mayor must either approve the ordinance by signing it or return it to Council with written objections. 53 P.S. § 41413.

24. The statute further provides that “[n]o ordinance or any item or part thereof shall take effect without the mayor’s approval, unless the mayor fails to return an ordinance to the council within ten days after it has been presented to him, or unless council upon reconsideration thereof ... shall by a vote of two thirds of the members resolve to override the mayor’s veto. 53 P.S. § 41413.

25. The legislative power of the City has been delegated to the City Council. 53 P.S. § 41407. The PA General Assembly has imposed explicit limitations on the powers of cities, providing in 53 P.S. § 13133 that:

“Notwithstanding the grant of powers contained in this act, no city shall exercise powers contrary to, or in limitation or enlargement of, powers granted by acts of the General Assembly which are ... applicable to a class or classes of

cities on” specified subjects, or which are applicable in every part of the Commonwealth. 53 P.S. § 13133

26. The Supreme Court of Pennsylvania has recognized that § 13133 and related provisions are intended to mark the outer limits of municipal power and to preclude cities from altering or enlarging powers that the General Assembly has set by general statute. *Bd. of Revision of Taxes v. City of Philadelphia*, 607 Pa. 104 (Pa. 2010). By defining the City’s outer authority, the Court precludes the City from abolishing or reassigning functions beyond what the statutes allow.

COUNT I – DECLARATORY JUDGMENT
(ULTRA VIRES; INVALID OVERRIDE)

27. Plaintiff incorporates by reference Paragraphs 1 through 26 as though set forth fully herein.

28. A genuine and concrete controversy exists between the Mayor and Council regarding (a) the validity of Council’s purported override of the Mayor’s veto of the Ordinance under Section 41413(a) of the Optional Third Class City Charter Law, and (b) the substantive authority of Council to enact the Ordinance under 53 P.S. § 13133 and the Optional Third Class City Charter Law.

29. Section 41413(a) requires that Council, upon reconsideration of a vetoed ordinance, must “by a vote of two thirds of the members resolve to override the mayor’s veto” for the ordinance to take effect without the Mayor’s approval. 53 P.S. § 41413.

30. The Supreme Court of Pennsylvania has held that where the Optional Third Class City Charter Law refers to “two thirds of the members” in the context of veto override, it means two thirds of all the members of Council, not two thirds of those present, and that an override attempt that does not meet this threshold is ineffective

and the veto stands. *Commonwealth ex rel. Bagnoni v. Klemm*, 499 Pa. 566 (Pa. 1982).

31. In addition, the Ordinance exceeds Council's statutory authority and is ultra vires because it exercises powers "contrary to, or in limitation or enlargement of, powers granted by acts of the General Assembly", applicable to a class of cities or uniform statutes, in violation of 53 P.S. § 13133.

32. As in *Bd. of Revision of Taxes*, supra, where the Supreme Court concluded that Philadelphia's attempt to abolish and replace the Board of Revision of Taxes' appellate function and to reallocate appointment authority was beyond the powers delegated by 53 P.S. § 13132. Here, the Ordinance seeks to enlarge, abolish, remove or alter City Council's functions and powers that the General Assembly has allocated by general law, and thus is beyond Council's competence to enact. *Bd. of Revision of Taxes v. City of Philadelphia*, 607 Pa. 104 (Pa. 2010).

33. If, arguendo, Council wished to eliminate these positions, it should have enacted an ordinance repealing, at least, its prior enactment creating the Business Administrator position. If, alternatively, Council was concerned about the identity of any individual holding any position, then it could have instituted a quo warranto action. As such, Council's substitution of an invalid legislative veto also constitutes irreparable harm inasmuch as other legal and procedurally valid methods of addressing its concerns were available in a manner that would not harm the City's operations.

34. The Mayor is entitled to a judicial declaration that (a) the override vote was invalid under Section 41413(a); and (b) the Ordinance is ultra vires and void because it conflicts with and enlarges powers granted by general law in contravention of 53 P.S.

§ 13133. 53 P.S. § 41413, 53 P.S. § 13133, *Bd. of Revision of Taxes v. City of Philadelphia*, 607 Pa. 104 (Pa. 2010).

PRAYER FOR RELIEF ON COUNT I

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment declaring that:

- a. Council's purported override of the Mayor's veto of portions of Bill 12-2025 is invalid under Section 41413(a) of the Optional Third Class City Charter Law;
- b. The portions of Bill 12-2025 defunding the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police is ultra vires and void because it exceeds the powers granted to the City by 53 P.S. § 13133 and conflicts with general acts of the General Assembly applicable to cities;
- c. Any other related declaration tailored to the specific Bill 12-2025.

COUNT II – INJUNCTIVE RELIEF (IMPLEMENTATION OF ULTRA VIRES ORDINANCE)

35. Plaintiff incorporates by reference Paragraphs 1 through 34 as though set forth fully herein.

36. Implementation of the portions of Bill 12-2025 defunding the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police, will cause immediate and irreparable harm to the Mayor and her ability to effectively provide services to the Harrisburg City residents and to the lawful structure of City government by:

- a. Disrupting the allocation of executive and legislative powers mandated by the Optional Third Class City Charter Law and general statutes, as recognized in *Harrisburg School District v. Zogby and Capital City Lodge No. 12 v. PLRB*;
- b. Subjecting City officers and third parties to conflicting commands and legal uncertainty;
- c. Undermining public confidence in the legality of City governance, a concern that the Supreme Court has recognized when municipalities attempt to act beyond the limits set by general law; and
- d. Disrupting ongoing union contract negotiations for Police and AFSCME employees.

37. Pennsylvania courts emphasize that preliminary injunctions exist to protect parties from imminent harms that cannot be undone and require unusual haste where circumstances warrant it. See *Hart v. O'Malley*, 676 A.2d 222, 223 n.1 (Pa. 1996).

38. Plaintiff satisfies the prerequisites for preliminary relief, including the showing of irreparable harm, clear right to relief, and absence of an adequate remedy at law. See *Summit Towne Ctr., Inc. v. Shoe Show of Rocky Mount., Inc.*, 828 A.2d 995, 1001 (Pa. 2003); *SEIU Healthcare Pennsylvania v. Com.*, 104 A.3d 495, 501–502 (Pa. 2014).

39. First, the City Council's December 29, 2025 override, following its December 15, 2025 approval of budget amendments and the Mayor's December 24, 2025 veto, eliminates funding for four staff positions, including the statutory Business Administrator position.

40. Defunding ensures that these positions cannot be filled and has resulted in terminations effective with the commencement of the 2026 calendar year.

41. The Business Administrator is a statutory office necessary for lawful City operations; eliminating its salary disables the City's ability to lawfully perform mandatory functions, process contracts and expenditures, and maintain compliance with state law and the City's Charter.

42. Once the fiscal year begins without funding, operational and legal compliance failures will materialize immediately and cannot be remedied by after-the-fact monetary damages. See *Cosner v. United Penn Bank*, 517 A.2d 1337, 1341 (Pa. Super. Ct. 1986) (irreparable harm is that which cannot be adequately compensated by money).

43. Second, the Council's action is ultra vires and conflicts with state law and the City's Charter by defunding a statutory position and other roles necessary for lawful operations and compliance.

44. The loss of lawful authority to conduct essential municipal functions constitutes non-compensable harm to governmental integrity and the public interest.

45. Where the injury flows from unlawful governmental action jeopardizing continuous and compliant public operations, damages would be speculative, unquantifiable, and inadequate. See *City of Allentown v. Lehigh Cnty. Auth.*, 222 A.3d 1152, 1160 (Pa. Super. Ct. 2019) (requiring concrete evidence of irreparable harm); *Greenmoor, Inc. v. Burchick Constr. Co.*, 908 A.2d 310, 314 (Pa. Super. Ct. 2006) (harm must be concrete, not speculative).

46. Here, the harm is concrete. Without salaries, the positions cannot be occupied; without the Business Administrator and related staff, the City cannot lawfully execute essential fiscal and administrative functions as of January 1, 2026.

47. Third, the defunding of positions tied directly to housing and construction oversight creates immediate safety risks.

48. The inability to staff these roles threatens permitting, inspection, and enforcement functions, impairing code compliance and jeopardizing public safety in occupied structures and active construction sites.

49. The resulting life-safety risks and exposure to hazardous conditions are quintessential irreparable harms that cannot be compensated by monetary damages. See *Cosner*, 517 A.2d at 1341. The Council's override ignores the necessity of these roles for City operations and compliance, rendering the harm both imminent and unavoidable absent injunctive relief.

50. The harm to municipal continuity, legality of operations, and public safety cannot be measured or rectified through post hoc damages.

51. As the fiscal year commences without the ability to lawfully staff required positions, the City will suffer cascading operational failures, including interruptions in fiscal approvals, procurement, contract administration, code enforcement and safety oversight, community business, and economic growth to the City. These are precisely the types of imminent harms preliminary injunctions are designed to prevent. See *Summit Towne*, 828 A.2d at 1001; *SEIU Healthcare*, 104 A.3d at 501–502; *Hart*, 676 A.2d at 223 n.1.

52. Fourth, Plaintiff possesses a clear right to relief. The Business Administrator is a statutory position necessary for lawful City operations, and the Council's ultra vires budgetary action directly disables that office and other essential roles, conflicting with state law and the City's Charter.

53. The precipitating dates underscore the immediacy. The Council's December 29, 2025 override took effect with the 2026 budget on January 1, 2026. Without judicial intervention, many of the injuries suffered have already occurred, even before this Court can reach the merits of this claim, potentially precluding effective relief thereafter.

54. While there is no per se right to public employment, the public interest in efficient and lawful municipal operations is paramount, and injunctive relief preserves the status quo to protect that interest. *See Novak v. Com.*, 523 A.2d 318 (Pa. 1987).

55. Plaintiff has no adequate remedy at law; money damages cannot remedy the structural and ongoing harm resulting from the enforcement of the ultra vires portions of the Bill.

56. Plaintiff is likely to succeed on the merits of her claims for the reasons set forth above.

57. The balance of harms and the public interest strongly favor the granting of injunctive relief preserving the statutory allocation of powers between Mayor and Council and preventing implementation of the void portions of this ordinance.

PRAYER FOR RELIEF ON COUNT II

WHEREFORE, Plaintiff respectfully requests that this Court:

- a. Preliminarily and permanently enjoin Council, the City, and their officers, agents, and employees from enforcing or implementing the portions of Bill 12-2025 that defund the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police;
- b. Enjoin any actions taken pursuant to or in reliance upon the portions of Bill 12-2025 including appointments, contracts,

budgetary acts, etc. relating to the defunding of the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police; and

- c. Award such other relief as the Court deems just and proper.

COUNT III – EQUITABLE ESTOPPEL

58. Paragraphs 1 through 57 are incorporated herein by reference as if set forth fully.

59. Plaintiff's Declaratory and Injunctive claims demonstrate that the overridden ordinance is ultra vires and void because the portions of that ordinance which defunds four positions, including the statutory Business Administrator position, exceeds Council's statutory authority and is ultra vires because it exercises powers "contrary to, or in limitation or enlargement of, powers granted by acts of the General Assembly" and in a manner that invades powers assigned to the Mayor/Executive.

60. Consequently, a Declaration and Emergency Injunction enjoining the Defendant from acting ultra vires and defunding the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police, in the 2026 Harrisburg City budget should be issued. in conflict with state law, the Third Class City Charter Law, and in a manner that invades powers assigned to the Mayor/Executive.

61. The conduct of the City Council is directly contrary to the history of service by the four employees they seek to terminate.

62. A genuine and concrete controversy exists between the Mayor and City Council regarding (a) the validity of the Council's purported override of the Mayor's veto of the Ordinance under Section 41413(a) of the Optional Third Class City Charter Law, and (b) the substantive authority of Council to enact the Ordinance under 53 P.S. § 13133 and the Optional Third Class City Charter Law.

63. Here, equitable analysis and equitable remedies (like injunctions), and a declaration of boundaries between executive and legislative functions are warranted, especially where, as here, there are no allegations of wrongdoing or misfeasance by any of the subject employees, and no due process proceedings have been offered or even contemplated by the City Council.

64. Importantly, with the required permanent departure and termination of these four employees from employment with the City of Harrisburg on December 31, 2025, the equity authority of the Court may be the most efficient way to balance the legal and constitutional rights of these employees with the legislative and executive obligations of the parties.

65. Plaintiff submits that no adequate remedy at Law may exist for the subject employees. Equity should be applied here, where no adequate remedy at law may exist. Plaintiff submits that existing legal avenues (like appeals after termination) are not a sufficient response to this Complaint or the irreparable harm caused by the City Council's override of the Mayor's budget request for the continued employment of persons necessary to carry out the full duties of the Mayor.

66. The Court's exercise of Equity jurisdiction in this proceeding is warranted.

V. REQUEST FOR EXPEDITED DECISION

67. For much of the past two weeks, and through the 2025 holiday season, (from December 15, 2025, when the City Council first voted to defund four employee positions in the Mayor's proposed budget through December 29, 2025, when the City Council last voted to override the Mayor's veto of their decision in a meeting called for that purpose), the four subject employees have lived with uncertainty and were effectively terminated from their positions on December 31, 2025.

68. Time is of the essence with respect to terminating this controversy and removing uncertainty. Consequently, pursuant to Rule 1531(a) of the Pennsylvania Rules of Civil Procedure, the Plaintiff respectfully requests that the Court address the issues presented in this Complaint on an emergency basis.

69. City Council's passage of Bill 12-2025 is evidence of their intent to directly participate in the employment process in a manner that is without precedent, and which are typically management and executive functions. By selectively defunding specific positions tied to specific functions or individuals in Harrisburg, City Council has effectively given itself the authority to hire and fire any employees in the City of Harrisburg, including the statutory Business Administrator position and the other subject employees from the executive branch.

70. In addition to its intrusion into the authority of the executive branch, City Council's adoption of defunding provisions of Bill 12-2025 resulting in the permanent removal of these employees from their posts, creates safety issues and a very real possibility that City services will be negatively affected. City Council's actions resulting in employee terminations may also damage the reputation of these employees, which

may not be fully compensated by monetary damages. City Council's override of the Mayor's veto of the portions of Bill 12-2025 which resulted in the termination of four subject employees may also cause them to lose any potential promotions, future employment and may cause these employees to be marked and have difficulty securing future employment in their chosen fields. City Council's override of the Mayor's veto of the portions of Bill 12-2025 which defunded positions will also jeopardize the projects and assignments currently handled by these employees and will potentially cause the City irreparable harm in connection with those projects. Moreover, by permitting the Council to operate outside the scope of their legal authority is tantamount to permitting them to continue to break the law, which also cannot be remedied by monetary damages.

71. To avoid or limit the irreparable harm caused by Council's incorrect, inconsistent and improper actions, Plaintiff respectfully requests that the Court exercise its equity powers and consider this matter on an expedited basis and issue an Injunction and Declaratory Order voiding provisions of Bill 12-2025 which defund the positions of Business Administrator, Director of Building and Housing Development, Project Director for Business Development and the Local Economic Revitalization Tax Assistance Act (LERTA) Administrator, and the Director of Community Relations & Engagement, Department of Public Safety – Bureau of Police as quickly as possible.

CONCLUSION

WHEREFORE, based on the foregoing, Plaintiff respectfully requests that the Court issue an Order declaring that City Council's defunding of executive branch employee positions is voided and permit the funding and the Mayor's appointment and

continued employment of the persons she selects to help her fulfill the responsibilities of the office of the Mayor of Harrisburg. Plaintiff strongly requests that the Court consider this matter on an expedited basis.

Respectfully submitted,

/s/ Renardo L. Hicks

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Date: January 8, 2026

Counsel for Plaintiff

VERIFICATION

I, Wanda R.D. Williams, hereby state that: (1) I am the Mayor of the City of Harrisburg ; (2) the facts set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief); and (3) I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

January 6, 2025
Dated

Wanda R.D. Williams
Wanda R.D. Williams
Mayor, City of Harrisburg

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Renardo L. Hicks

Renardo L. Hicks, Esquire
Counsel for Plaintiff

APPENDIX A

Job Title**Grade: M-37**

Business Administrator
Department of Administration
Office of the Business Administrator

GENERAL STATEMENT OF DUTIES:

This is a senior, cabinet-level position that serves as chief administrative officer of the City of Harrisburg. This position requires a high level of administrative and supervisory work, including planning, directing and controlling the functions of all departments' budgets to ensure that they are in conformance with policy directives, rules and regulations, and the Administrative Codes.

The employee in this position has responsibility for management, administration, and supervision of all financial, purchasing, data processing and risk management functions of the City. The position also manages City-wide accounting and financial management functions involving the review and verification of all transactions and all accounting processes.

Develops, plans and administers the activities of the Department of Administration, which involves responsibility for the Bureau of Human Resources, Bureau of Financial Management (which includes accounting, budget and analysis, and purchasing), Bureau of Information and Technology, and the Bureau of Operations and Revenue.

The Business Administrator provides professional and technical advice to the Office Heads/Department Directors and Bureau Chiefs and participates in those areas of work requiring his/her resource and knowledge. Policy direction is received from the Mayor; however, this individual must exercise considerable independence and initiative in work performance and supervision of Department of Administration staff. Work is performed under the direct supervision of the Mayor. This is a management, FLSA-exempt position.

JOB LOCATION/EQUIPMENT:

The Rev. Dr. Martin Luther King, Jr. City Government Center, Suite 302, 10 North Second Street, Harrisburg, PA. Duties are typically performed weekdays from 8:00 a.m. to 5:00 p.m.; however, this position requires twenty-four-hour daily availability with evening, weekend and occasional holiday duties. Work involves the use office equipment, such as a personal computer and printer, copy machine, fax machine, telephone and other technological devices as necessary or required.

ESSENTIAL FUNCTIONS:

Conducts the business affairs of the City of Harrisburg. Assists the Mayor in the development and presentation of the capital and operating budgets to Harrisburg City Council, answering relative questions and developing additional justifications as required.

Job Title**Grade: M-37**

Business Administrator
Department of Administration
Office of the Business Administrator

ESSENTIAL FUNCTIONS (CONT.):

Works with Department and Office Directors to plan, organize, coordinate, evaluate and implement all programs, activities and personnel for the various City operations. Develops City-wide policies dealing with operational matters. Directs the implementation and enforcement of all policies, ordinances and regulations. Directs the preparation of, monitors and provides recommendations for corrective action on the City's budget. Reviews budget operations and fiscal processes and makes recommendations for improvements. Maintains a system of internal controls. Directs the preparation of all financial statements required by law or upon the request of the Mayor, Council, the Commonwealth of Pennsylvania, Federal government or other governmental agencies.

Manages the City's investment program with the goal of maximizing investment return while maintaining adequate liquidity to meet ongoing cash flow needs. Oversees the administration of City debt, including timely payment of principal, interest and sinking fund payments. Manages the disbursement and control of bond proceeds and compliance with IRS arbitrage requirements and Electronic Municipal Market Access System (EMMA) notifications and advisories. Provides staff assistance to independent auditors. Oversees the City's records management program. Plans, organizes and directs the activities of the Bureau of Human Resources, Bureau of Financial Management, Bureau of Operations and Revenue, and Bureau of Information and Technology. Reviews personnel actions establishing new positions for essentiality and to assure that sufficient funds are available. Reviews and approves personnel changes, budget transfers and override requests. Handles all grievances on third step level. Serves on City's team for contract negotiations. Represents the Administration at City Council budget hearings. Serves on the City of Harrisburg Police Pension Board and on other Boards and Commissions as directed by the Mayor. Approves all bid specifications and contracts. Signs all City contracts which require dispersal of funds. Provides statistical and operational reports as requested by various City Authorities. Advises and provides City Council members and committees with information and guidance in the development of City legislation related to the Department of Administration and on all City financial matters. Maintains regular, punctual and predictable attendance. Reports to work and remains at work in a productive condition, which includes not being under the influence or impaired by the use of alcohol and/or drugs. Establishes and maintains an effective working relationship with supervisors, co-workers and the general public. Completes all assignments in an efficient, consistent and timely manner.

NON-ESSENTIAL FUNCTIONS:

Serves on the Emergency Management Team and other boards and commissions and internal committees as assigned. Performs all other duties as assigned.

Job Title**Grade: M-37**

Business Administrator
Department of Administration
Office of the Business Administrator

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:

- Ability to interpret, analyze and troubleshoot complex financial packages, including financial statements, tax credits and bonds.
- Ability to analyze complex problems and reach sound conclusions.
- Ability to effectively organize, lead, direct and control and motivate personnel.
- Ability to conceptualize, develop and implement policies and procedures for improving and facilitating departmental programs.
- Ability to organize and coordinate the efforts of City departments with other governmental and private agencies to accomplish the City's goals and objectives.
- Ability to analyze a variety of administrative, operational, fiscal and social problems and effect resolutions.
- Ability to solve budgetary problems.
- Ability to develop and implement operational procedures.
- Ability to effectively communicate, both orally and in writing.
- Ability to maintain harmonious and effective working relationships with employees, elected officials and the general public.
- Comprehensive knowledge of the principles of program development, public budgeting and techniques used in the practices of public administration.
- Comprehensive knowledge of technical and professional principles and skills of governmental accounting and financial management including capital and operational budgetary procedures.
- Knowledge of accounting regulations and requirements established by federal and state agencies.
- Knowledge of computerized financial management system capabilities and procedures.
- Knowledge of Microsoft Word, Excel and Outlook. (Replace this with relevant software if it is not MS)
- Knowledge of personnel and labor management especially public sector labor law, employment benefit management and public sector pensions.
- Knowledge of purchasing, procurement, grant administration and project management techniques and requirements.
- Maintain professional demeanor in spite of confrontational atmosphere.
- Thorough knowledge of municipal government operations.
- Thorough knowledge of the principles underlying the laws and regulations of the City.
- Thorough knowledge of supervisory methods and techniques.
- Thorough knowledge of private financing and business underwriting.

Job Title

Grade: M-37

Business Administrator
Department of Administration
Office of the Business Administrator

QUALIFICATIONS:

Bachelor's degree in Public Administration, Business Administration, Finance or a related field, plus three to five years of experience in municipal government; four years of experience in a supervisory capacity with progressive financial responsibilities; or any equivalent combination of experience and training which provides the knowledge, skills and abilities needed to perform the Essential Functions of the position. A master's degree and experience working in local government preferred. A valid Pennsylvania Driver's License, Class C, or equivalent is also required.

01/03/2017

Job Title:**M-28**

Director of Building and Housing Development
Department of Building and Housing Development

DEFINITION:

Serves as chief administrator of the Department of Building and Housing Development. This position requires a high level of administrative and supervisory work, including planning, directing, and controlling the activities, programs, and projects of the Department Building and Housing Development (DBHD). The Director is responsible for fiscal oversight of the Departmental budget that is federally funded by the Department of Housing and Urban Development (HUD) through Lead Hazard Reduction, CDBG, HOME, and ESG grant entitlement awards. Additionally, the Director oversees the Vacant Property Reinvestment Board and assists related boards or commissions as assigned by the Mayor's Office or as deemed necessary by position. Such boards may include: Zoning Hearing Board, Harrisburg Architectural Review Board, Harrisburg Planning Commission, and Building and Housing Code Board of Appeals. Duties performed involve the responsibility for developing and enforcing policy, formulating long range Departmental goals and objectives that are in alignment with the City's strategic and comprehensive plans, and ensuring HUD compliance. Responsible contact with individuals and other agencies is a significant aspect of the work. General direction is received from the Mayor or Business Administrator and work is reviewed regularly for the achievement of desired objectives and HUD compliance.

EQUIPMENT/JOB LOCATION:

Work is performed at the Rev. Dr. Martin Luther King, Jr. City Government Center. Duties are typically performed weekdays between 8:00 a.m. and 5:00 p.m.; however, field work at project sites and occasional weekend, evening and holiday work is required. Periodic travel to conferences and meetings is essential. A wide range of office, computer, communications and records storage and retrieval equipment is necessary for daily use.

ESSENTIAL FUNCTIONS:

Provides direction to DBHD staff on the implementation of City ordinances, state and federal regulations as they relate to funded projects and programs, Mayoral policies, and departmental procedures. Develops operational plans for the Department to ensure that established goals and objectives are met. Provides overall supervision and coordination of federal and state financial funding received and assigned to the Department. Serves as representative of the City to various interagency technical and coordinating committees, commissions, and authorities as assigned by the Mayor. Represents the Administration and the Department before City Council, boards, and commissions, and before neighborhood and community groups. Serves as principal liaison between private developers and various City departments and agencies. Develops request for proposals (RFP), request for quotes (RFQ) and scope of work descriptions required for contract procurement. Ensures that departmental programs are operated in compliance with federal, state and local laws and regulations. Evaluates various departmental programs

Job Title:

M-28

Director of Building and Housing Development
Department of Building and Housing Development

ESSENTIAL FUNCTIONS (CONT.):

and initiatives for effectiveness and recommends changes to staff and the Mayor as appropriate. Meets with citizens, community groups, federal and state agencies, and others to identify and resolve conflicts and disputes. Identifies staff training and career development programs. Develops, monitors, and oversees the department budget and fiscal operations. Identifies emerging community needs and develops and recommends new departmental programs to meet City needs based on CDBG and other federal program guidelines and eligibility. Responds to all HUD written and oral inquiries, concerns, and findings in a timely fashion. Responsible for outward facing communication, including ensuring that the DBHD webpage is updated and accurate. Works closely with other departments and the Harrisburg Redevelopment Authority (HRA) regarding the demolition, acquisition, and disposition of City-owned, land bank, and HRA properties. Supervises the administration of City personnel policies, work rules, and union contracts within the department. Ensures compliance with affirmative action and equal employment opportunity (EEO) guidelines in personnel matters, including recruitment and training of new personnel. Identifies local, state and federal resources needed to accomplish departmental and Mayoral goals and objectives. Provides information to the public on departmental programs and activities. Evaluates departmental operations to ensure timely delivery of services to the public. Undertakes special projects as directed by the Mayor.

NON-ESSENTIAL FUNCTIONS:

Performs other related duties as directed.

REQUIRED KNOWLEDGE AND ABILITIES:

- Extensive knowledge or proven ability to apply HUD regulations and to comply with HUD guidelines, regulations, and policies.
- Knowledge of federal and state regulations related to lead-based paint.
- Extensive knowledge of 24 CFR regulations and Title 42.
- Considerable knowledge of the scope and objectives of community planning and economic development.
- Proven ability to analyze complex problems and reach sound conclusions.
- Ability to understand and apply the techniques and practices of planning, research, zoning and codes administration.
- Comprehensive knowledge of the principles and practices of community development activities, brownfields development, affordable housing development, and economic development projects and the development and instillation of public facilities, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, and homeowner assistance.

Job Title:**M-28**

Director of Building and Housing Development
Department of Building and Housing Development

REQUIRED KNOWLEDGE AND ABILITIES (CONT.):

- Thorough knowledge of municipal capital budgeting and grant-based accounting practices.
- Thorough knowledge of the principles and practices of public administration and/or community economic development.
- Knowledge of legal concepts and legislation basic to planning and community development.
- Knowledge of state and federal grant programs and procedures necessary to obtain and retain funds.
- Working knowledge of the organization and function of municipal and other agencies active in the fields of planning, community, and economic development.
- Knowledge of accepted supervisory practices and techniques.
- Proven ability to organize, direct, and control the work of subordinates engaged in major projects.
- Demonstrated ability to present ideas effectively in oral, written, or graphic form.
- Ability to establish and maintain effective work relationships with employees, associates, civic, community, and private sector groups and the general public.
- Good judgment and a high level of integrity.
- Good physical condition.

QUALIFICATIONS:

Completion of a master's degree in public administration, political science, community development, economic development, planning or a related field, or any equivalent combination of experience, education, and training which provides the required knowledge, skills, and abilities.

Extensive experience in public administration, preferably in local government.

Valid Pennsylvania Driver's License, Class C, or equivalent is required.

Job Title**Grade M-28**

Project Director for Business Development/LERTA Administrator
Department of Community, Economic Development, Building and Housing

GENERAL STATEMENT OF DUTIES:

This management position assists in developing policy for strengthening, encouraging and growing business opportunities within the City of Harrisburg. This position oversees programs and initiatives that will assist existing businesses and encourage new business locations. Work is performed under the direction of the Director of Community Economic Development, Building and Housing. This is a management, FLSA-exempt position.

JOB LOCATION/EQUIPMENT:

Work is typically performed at the Rev. Dr. Martin Luther King Jr. City Government Center. Work involves the use of various machines such as computers, scanner, printer, copy machine, fax machine, telephone, video cameras audio recorders digital camera and other technological devices as necessary or required. Duties are typically performed weekdays from 8:30 a.m. to 5:00 p.m.; however, this position requires flexibility to include availability during evenings, weekends and occasionally holidays. Time beyond the standard work hours does not qualify for overtime earned, vacation, sick or personal time.

ESSENTIAL FUNCTIONS:

Work involves, but is not limited to, the following: Assists in the development of strategies to address needs of existing businesses, including job retention and growth, expansion needs and site location issues. Assists in the development of strategies to assist new businesses attraction, including site location, financial incentives, permitting and regulatory guidance. Serves as the LERTA Administrator under the direction of the Director of Community, Economic Development, Building and Housing. Works with Dauphin County tax assessment officials and the Harrisburg School District to coordinate LERTA implementation. Works with potential applicants for education of the LERTA program, as it relates to all requirements for successful LERTA awards. Works with existing business partners, both public and private, for business information coordination. Meets with local retail, commercial and neighborhood groups seeking business assistance. At the direction of the Director, the manager of Business and Economic Development convenes business partners for continual communication within the business community. Seeks opportunities to expand MBEs and WBEs. Oversees City website information for the Department of Community Economic Development, Building and Housing. Works with all other department directors to coordinate business activities internally. Works with CareerLink, the Harrisburg School District and other entities to coordinate and assist with business job training needs. Collaborates within to develop strategies to attract new businesses, including financial incentives and regulatory guidance.

Job Title**Grade M-28**

Project Director for Business Development/LERTA Administrator
Department of Community, Economic Development, Building and Housing

ESSENTIAL FUNCTIONS (CONT'D):

Oversees programs within the department as assigned. Represents the Office of Business Development as directed by the Department Director or the Mayor. Assists in establishing goals and outcome measurements for programs and initiatives within this office. Completes all assignments in an efficient, consistent and timely manner. Reports to work in a timely manner and remains at work in a productive condition which excludes being under the influence or impaired by the use of alcohol and/or drugs. Performs other duties as assigned by the Director of Community, Economic Development, Building and Housing. This position requires a highly energetic, self-directed person who can handle a variety of tasks during any given day. The individual in this position must understand the community and economic development mission of the City of Harrisburg and have a strong commitment to public service.

NON-ESSENTIAL FUNCTIONS:

Assist mayoral and City staff in the performance of normal office duties as required. Performs other related duties as required or assigned.

REQUIRED KNOWLEDGE AND ABILITIES:

- Knowledge of state, local and federal programs and processes.
- Strategic Planning.
- Excellent record keeping skills and knowledge of the use of standardized forms.
- Program management experience.
- Understanding of organized group mechanics.
- Able to work with small group development.
- Ability to meet, converse and work with a wide variety of people, including fed, state and local officials, employees and the public.
- Excellent writing and communication skills.
- Knowledge of Harrisburg and Dauphin County municipal ordinances and laws.
- Working knowledge of local business and economic conditions.
- Understanding of local municipal organizations.
- Ability to work within a flexible work schedule which may require evening; weekend, and holiday meetings.

QUALIFICATIONS:

Bachelor's degree in Business or Business Administration, and either an advanced degree in a related field or five (5) years of related experience in the business or municipal arena. A valid Pennsylvania Driver's License, Class C or equivalent is also required.

JOB TITLE

**DIRECTOR OF COMMUNITY RELATIONS & ENGAGEMENT
DEPARTMENT OF PUBLIC SAFETY – BUREAU OF POLICE**

GENERAL STATEMENT OF DUTIES:

The Director of Community Relations and Engagement is a non-uniformed management position that serves as the frontline to the community, government officials, and key stakeholders and spearheads initiatives to help implement the Bureau's vision, relationships and messaging for community relations throughout the City. The Director supervises a team of civilian individuals who assist with this ongoing mission. The person in this position will serve as liaison between the Bureau of Police, the community and the officers in the field. The Director is responsible for both advising the Bureau command staff of citizen/community concerns and serving as a Police Bureau representative in the field to organize citizens against crime and present a positive message of work being done by police to encourage citizen-police partnership. The Director works to achieve and sustain gains against crime by strengthening community relationships and trust. Work is performed under the direct supervision of the Commissioner of Police, and Captain of Specialty Services Division, with latitude given for independent action. This is a management, FLSA-exempt position.

EQUIPMENT/JOB LOCATION:

Work is performed within the McCormick Public Services Center, at Community Policing Centers or in the field. Work involves the use of the following machines/tools: computer, copiers, scanners, telephone, projectors, recording devices and a motor vehicle. Duties are typically performed on weekdays from 8:00 a.m. to 5:00 p.m.; however, some evening, weekend and holiday work is required.

ESSENTIAL FUNCTIONS:

The Director is responsible for planning, organizing and implementing community policing/crime prevention programs, messaging and strategies in order to provide residents with a clearer understanding of police operations, procedures and constraints. Responsible for overall direct management, operations, and all day to day activities associated with the Community Service Aides Unit and shared management of Community Policing Unit Division. Responsible for developing cooperative relationships with business contacts, journalists, public officials, government regulators, foundations, state and federal grant funding agencies and investors to maintain and develop partnerships and opportunities for the office. Oversees the implementation and management of multi-channel communications including websites, applications, video, email, print, phone, meeting, internal and external social media, fundraisers, and other components suitable to the project scope and priorities for the office. The Director serves as a spokesperson on behalf of the Bureau with community leaders, news media, civic organizations, block associations, and concerned citizens to educate them on police policies and practices, and to develop solutions to challenges that arise within the city's many diverse communities. At the direction of the Commissioner of Police, prepares

JOB TITLE**DIRECTOR OF COMMUNITY RELATIONS & ENGAGEMENT
DEPARTMENT OF PUBLIC SAFETY – BUREAU OF POLICE****ESSENTIAL FUNCTIONS (Con't):**

news releases, public service announcements, flyers and similar materials to inform the public of Bureau activities. May respond to news media and coordinate involvement in special Police Bureau activities, at the direction of the Commissioner of Police. Responsible for the overall quality of programs, media activities, special events, social media, press release, public speaking, video production, fundraising, and crisis response. Represents the Harrisburg Bureau of Police in stakeholder meetings. Participates in ongoing development, communication and implementation of team concepts, programs and policies; coordinates work to ensure best practices with all team members. Attends appropriate team meetings and spearheads meetings to foster on going communication and direction of staff. As a member of the Bureau Leadership Team, fosters strong cohesiveness regarding all major issues; e.g., direction, annual plan, budget, policy changes and reforms. Interfaces with other City departments and outside agencies. Prepares and conducts crime prevention/safety seminars for neighborhood, civic, school and other groups, tailoring such to the needs of the specific group, i.e., elderly, youth, special community event, etc. Reports to work and remains at work in a productive condition, which, includes not being under the influence or impaired by the use of alcohol and/or drugs. Establishes and maintains a professional working relationship with supervisors, co-workers and the general public. Completes all assignments in an efficient, consistent and timely manner.

NON-ESSENTIAL FUNCTIONS:

Performs all other duties as assigned or required.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:

- Excellent organizational and interpersonal skills.
- Ability to interpret facts, exercise sound judgement and report objectively.
- Ability to prepare reports and other correspondence clearly and concisely.
- Excellent oral and written communication skills.
- Ability to plan and direct work to meet community and Bureau needs.
- Ability to accomplish tasks while under pressure.
- Ability to meet daily deadlines.
- Ability to develop long-term plans and programs and to report and evaluate work accomplishments.
- Ability to plan, supervise and review the work of subordinates.
- Considerable knowledge of managerial and operational methods employed by the Police Bureau.
- Knowledge of Police Bureau manuals and procedures.
- Thorough knowledge of controlling laws and ordinances.
- Thorough knowledge of the functions and organizational goals of the Bureau.

M-20

JOB TITLE

**DIRECTOR OF COMMUNITY RELATIONS & ENGAGEMENT
DEPARTMENT OF PUBLIC SAFETY – BUREAU OF POLICE**

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES (CON'T)

- Knowledge of new media operations and the ability to relate effectively with media representatives.
- Knowledge of other City departmental operations and responsibilities.
- Excellent personal computer skills in a Windows operating system environment utilizing Microsoft Office, Word, Excel, e-mail, and internet.
- Skill in interacting with people of different social, economic, and ethnic backgrounds.
- Ability to relate to the public in a courteous and professional manner.
- Thorough knowledge of the geography of the City of Harrisburg and surrounding areas.

QUALIFICATIONS:

Bachelor's degree from an accredited university or college in communications, public administration or equivalent combination of education, training, and experience in related field with experience in news media relations or public relations, plus 3 years related experience in any combination of; or any equivalent combination of training and experience, which demonstrates the required knowledge, skills and abilities. Valid Pennsylvania Driver's license, Class C or equivalent required. Must be able to pass an extensive background investigation.

APPENDIX B



Office of Mayor Wanda R.D. Williams
 MLK Government Center
 10 N. Second St.
 Harrisburg, PA 17101

Veto Statement

MAYOR WANDA R.D. WILLIAMS

December 24, 2025

As to Bill 12-2025, as amended, in accordance with the line-item authority vested in the Mayor, I hereby veto the specific items or parts thereof forwarded to me as the amended 2026 Annual Budget, as set forth below:

- 1. DEPARTMENT OF BUSINESS ADMINISTRATOR, BUSINESS ADMINISTRATOR'S OFFICE:** I hereby **VETO** the amendment to the Salaries & Wages item for the position of Business Administrator. My objection is that the amendment eliminated the appropriation for a Business Administrator, thereby defunding an essential, filled statutory position. Doing so causes direct harm to the City of Harrisburg and our taxpayers. The action effectively terminates an existing employee, which is an Executive power exclusively vested in the Mayor. The Council's stated basis for defunding the position is that they are dissatisfied with the long term interim status of the current Business Administrator. At no time in the Budget Hearing process or the related Legislative Sessions did the Council cite any financial basis for eliminating this funding, which is the limit of the Council's authority. Though performance based issues are determinations solely within the Executive authority of the Office of Mayor, Council did not cite any issue with the current Business Administrator's job performance. A decision to defund a filled position interferes with and undermines the City's ability to both hire and retain qualified personnel. Left with no funding for a Business Administrator will likely require the City to incur significantly higher costs, as it will need to contract out required services. It is a fundamentally short-sighted and fiscally irresponsible action.

As a matter of policy, operational efficiency, and plain common sense, it is imperative that a funded Business Administrator remain in the Budget in order for City government to attract and retain qualified individuals, a policy that is equally true for staff throughout City operations. The Business Administrator within the Office of the Mayor assists in carrying out the executive responsibilities vested in this Office, which is essential to City operations.

2. **DEPARTMENT OF BUILDING AND HOUSING DEVELOPMENT, INTERIM DIRECTOR:** I hereby VETO the amendment to the Salaries & Wages item for the Department of Building and Housing Development/DBHD. My objection is the amendment eliminated the entire General Fund appropriation for the position Director of Building and Housing Development, the duties of which are presently being served by an Interim Director. My objection is that defunding an essential filled position causes direct harm to the City of Harrisburg and our taxpayers. While the action falls short of effectively terminating an existing employee, the decision on personnel falls squarely within the Executive power exclusively vested in the Mayor. The Council's stated basis for defunding the position is that they are dissatisfied with the long term interim status of the current Interim Director for Building & Housing Development.

In eliminating this portion of the salary for the Director, the operations of the Department are left in uncertainty. The remainder of the salary is provided through federal funding through the U.S. Department of Housing and Urban Development/ HUD, which allows for administrative costs arising from the management of those federal dollars. This Administration has intentionally partially funded the role with General Fund monies to enable the Director to also oversee operations and economic development matters outside the federal program funds. The removal of the appropriation would restrict the City's ability to oversee non-HUD funded programs currently managed through DBHD and thereby require a reorganization of the Department and management team, hindering City compliance in both areas.

In the midst of the fiscal difficulties facing the City, including the post-pandemic reality of diminishing commercial real estate tax revenues as businesses and the Commonwealth have transitioned to work-from-home operations, the related vacancies in commercial office space, the related loss of businesses, and the related loss of parking revenues, the elimination of all funding for the position for Economic Development is short-sighted and foolish.

3. **DEPARTMENT OF BUILDING AND HOUSING DEVELOPMENT, PROJECT DIRECTOR FOR BUSINESS DEVELOPMENT/LERTA ADMINISTRATOR:** I hereby VETO the amendment to the Salaries & Wages item for the Department of Building and Housing Development/DBHD. My objection to defunding the position of Project Director for Business

Development/LERTA Administrator is that it is an essential, filled position. By defunding the position, we lose the ability to have any person serve in that position which directly harms the City of Harrisburg and our taxpayers. It effectively terminates an existing employee, which is an Executive power exclusively vested in the Mayor.

In the midst of the fiscal difficulties facing the City, including the post-pandemic reality of diminishing commercial real estate tax revenues as businesses and the Commonwealth have transitioned to work-from-home operations, the related vacancies in commercial office space, the related loss of businesses, and the related loss of parking revenues, the elimination of all funding for the position for Economic Development is short-sighted and foolish.

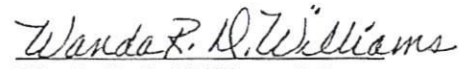
4. **BUREAU OF POLICE, DIRECTOR OF COMMUNITY ENGAGEMENT & RELATIONS:** I hereby VETO the amendment to the Salaries & Wages item for the Bureau of Police. My objection is that the amendment eliminated the appropriation for a Director of Community Engagement & Relations, which is the established civilian oversight of the City's Community Service Aides. In the past, Council voiced concerns that Community Service Aides not be seen as or operate as police officers. By defunding the position, the City is left to permanently place these employees under the full-time direct supervision of uniformed law enforcement, a position contrary to the purpose and assignment of these employees.

The Council raised no issue during the review of the Bureau of Police's Proposed Budget. At no time in the Budget Hearing process or the related Legislative Sessions did the Council cite any financial basis for eliminating this funding, which is the limit of the Council's authority. The action effectively terminates an existing employee, which is an Executive power exclusively vested in the Mayor. Though performance based issues are determinations solely within the Executive authority of the Office of Mayor, Council did not cite any issue with the current Director. A decision to defund a filled middle management position interferes with and undermines the City's ability to both hire and retain qualified personnel, in any bureau or department.

Accordingly, I **HEREBY EXERCISE** my authority as the Mayor of the City of Harrisburg to make each specific **LINE ITEM VETO**, returning each listed item subject to my above-stated objection and thereby enacting the original proposed appropriation for each item as it had been presented to the City Council.

I have so marked each separate impacted amendment page provided to me by the Council as an attachment to Bill 7 – 2024, as amended, with my VETO, while otherwise providing

my signature to finalize and enact the remaining 2025 Annual Budget, in accordance with Section 418 (a)¹ and my duties as Mayor of the City of Harrisburg.


Wanda R. D. Williams, Mayor

¹ Section 413 (a) of the Optional Third Class City Charter Law, 53 P.S. § 41413 provides:

“Ordinances adopted by the council shall be submitted to the mayor and he shall, within ten days after receiving any ordinance, either approve the ordinance by affixing his signature thereto, or return it to the council by delivering it to the city clerk together with a statement setting forth his objections thereto or to any item or part thereof. No ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to the council within ten days after it has been presented to him, or unless council upon reconsideration thereof, on or after the third day following its return by the mayor, shall by a vote of two-thirds of the members resolve to override the mayor's veto.”

CERTIFICATE OF SERVICE

I certify that on this 8th day of January, 2026, I served a copy of the foregoing COMPLAINT upon the person and/or parties listed below, via First Class mail and electronic mail, addressed to:

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/s/ Renardo L. Hicks

Renardo L. Hicks, Esquire
Counsel for Plaintiff