COUNCIL COMMITTEE OF THE WHOLE
AGENDA

MARCH 26, 2019 - 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
15 LOOCKERMAN PLAZA
DOVER, DELAWARE

PUBLIC COMMENTS ARE WELCOMED ON ANY ITEM AND WILL BE PERMITTED AT APPROPRIATE TIMES. WHEN POSSIBLE, PLEASE NOTIFY THE CITY CLERK (736-7008 OR E-MAIL AT CITYCLERK@DOVER.DE.US) SHOULD YOU WISH TO BE RECOGNIZED.

LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

AGENDA ADDITIONS/DELETIONS

1. **LEGISLATIVE UPDATES**
   (COMMITTEE ACTION NOT REQUIRED)

2. **UPDATE - SMALL CELL WIRELESS ORDINANCE**
   (COMMITTEE ACTION NOT REQUIRED)

3. **PROPOSED ORDINANCE #2019-09 - 2018-2019 BUDGET ORDINANCE - SECOND AMENDMENT**
   (STAFF RECOMMENDATION: APPROVAL OF THE SECOND BUDGET AMENDMENT AND ADOPTION OF ORDINANCE #2019-09)

4. **PROPOSED AMENDMENTS TO EMPLOYEE HANDBOOK (PERSONNEL POLICY) - ARTICLE VII - ETHICAL CONDUCT, SECTION 6 - DISCRIMINATION AND HARASSMENT**
   (STAFF RECOMMENDATION: APPROVAL OF THE PROPOSED AMENDMENTS)

5. **ADJOURNMENT OF LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE MEETING**

ADJOURNMENT OF COUNCIL COMMITTEE OF THE WHOLE MEETING

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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. PURSUANT TO 29 DEL. C. §10004(E)(2), THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS, WHICH ARISE AT THE TIME OF THE MEETING.

CITY OF DOVER ORDINANCE #2019-**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Appendix B – Zoning, Article 5 – Supplementary Regulations of the Dover Code be amended by inserting a new Section 23 - Wireless Communications Facilities, as follows:

Section 23. – Wireless communications facilities

23.1. *Purpose*. The purpose of this section is to establish uniform standards for the siting, design, permitting, maintenance, and use of wireless communications facilities (WCFs) in the City of Dover (referred to herein as the "city"). While the city recognizes the importance of wireless communications facilities in providing high quality communications service to its residents and businesses, the city also recognizes that it has an obligation to promote public safety and to minimize the adverse visual effects of such facilities, especially in historic areas, through the standards set forth.

23.2 *Building permit required*. No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful, in accordance with Appendix B—Zoning, Article 8. –Enforcement and penalties.

23.3 *Administrative approval required—non-tower WCF, new pole facility, or material modification to existing facility*. Any applicant proposing the construction of a new non-tower WCF or pole facility, or a material modification to an existing non-tower WCF or pole facility, shall first request a zoning verification letter or administrative interpretation from the city planner submitted using forms provided by the planning office. Fees related to zoning verification letters shall be as provided for in Appendix F—Fees and Fines. The application and accompanying documentation shall demonstrate that the proposed facility or material modification complies with all applicable provisions in this section. Any determination made by the city planner may be appealed to the board of adjustment in accordance with the provisions of Appendix B—Zoning, Article 9—Board of Adjustment, Section 2.2—Appeal of administrative order, requirement, decision or determination.

23.4. *Wireless communications facilities in the public rights-of-way ("ROW").*

23.41 *Non-tower WCFs located in the public rights-of-way*. The following regulations shall apply to non-tower WCFs located in the public rights-of-way:

(a) *Co-location*. Non-tower WCFs in the ROW shall be co-located on existing infrastructure, such as existing utility poles or light poles. If co-location is not technologically or economically feasible, the applicant, with the city planner's approval, shall locate its non-tower WCFs on existing poles or freestanding structures in the public rights-of-way that do not already act as wireless support structures.

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(b) *Design requirements*:

(1) *Installations located above the surface grade in the public rights-of-way.* To the extent permitted by state and federal law, non-tower WCF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and utility poles, shall consist of equipment components that are no more than six (6) feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.

(2) *Stealth technology required.* Non-tower WCFs and related equipment shall be treated with Stealth Technology by the non-tower WCF owner and/or applicant to match the wireless support structure upon which they are mounted, and may be required to be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.

(c) *Relocation or removal of facilities*. Within two (2) months following written notice from the City, or such longer period as the City determines is reasonably necessary or such shorter period in the case of an emergency, the owner of a non-tower WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any non-tower WCF when the City, consistent with its police powers and applicable Public Service Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

(1) The construction, repair, maintenance or installation of any City or other public improvement in the rights-of-way;
(2) The operations of the City or other governmental entity in the ROW;
(3) Vacation of a street or road or the release of a utility easement; or
(4) An emergency as determined by the City.

(d) *Reimbursement for rights-of-way use*. In addition to permit fees as described in this section, every non-tower WCF located in the public ROW is subject to the City's right to fix annually a fair and reasonable fee to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the city's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the city. The owner of each non-tower WCF shall pay an annual fee to the city to compensate the city for its costs incurred in connection with the activities described above, as provided for in Appendix F – Fees and Fines.

23.42 *Pole facilities located in the public rights-of-way ("ROW")*. The following regulations shall apply to pole facilities located in the public rights-of-way:

(a) Location and development standards.

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(1) Pole facilities shall be a maximum of forty (40) feet in height, including the height of the pole to which the non-tower WCF is attached.

(2) Pole facilities are prohibited in areas in which utilities are located underground.

(3) Pole facilities shall not be located in the front façade area of any residential structure.

(4) Pole mounted non-tower WCF shall be permitted in the rights-of-way of all zoning districts, except that they shall be subject to review by the historic district commission pursuant to Article 3—District regulations, Section 21—Historic district of the zoning ordinance if located in a designated historic district, or Article 3—District regulations, Section 22—Airport environs overlay zone (AEOZ) of the zoning ordinance if located in an Air Environs Overlay Zone, or in any area subsequently designated for protection as a natural area by action of the city council.

(5) For purposes of this section zoning district boundaries shall be interpreted pursuant to Article 2—Zoning ordinance and zoning map, Section 3.1 of the zoning ordinance.

(b) *Building permit required*. No building or structure in any district shall be erected or structurally altered without a building permit duly issued upon application to the building inspector. No building permit shall be issued unless the proposed construction or use is in full conformity with all the provisions of this ordinance. Any building permit issued in violation of the provisions of this ordinance shall be null and void and of no effect, without the necessity for any proceedings for revocations or nullification thereof, and any work undertaken or use established pursuant to any such permit shall be unlawful, in accordance with Appendix B—Zoning, Article 8–Enforcement and penalties.

(c) *Administrative approval required—new pole facility or material modification to existing facility*. Any applicant proposing the construction of a new pole facility, or a material modification to an existing pole facility in the rights-of-way shall first request a zoning verification letter or administrative interpretation from the city planner submitted using forms provided by the planning office. Fees related to zoning verification letters shall be as provided for in Appendix F—Fees and Fines. The application, and accompanying documentation, shall demonstrate that the proposed facility complies with all applicable provisions in this section. Any determination made by the city planner may be appealed to the board of adjustment in accordance with the provisions of Appendix B—Zoning, Article 9—Board of Adjustment, Section 2.2—Appeal of administrative order, requirement, decision or determination.

(d) *Time, place and manner*. The city planner, in consultation with the electric department and the public works department, shall determine the time, place and

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manner of construction, maintenance, repair and/or removal of all pole facilities in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the city and the requirements of Chapter 110—Utilities of the Dover Code.

(e) *Equipment location*. Pole facilities and related equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the City Planning Commission. In addition:

(1) Ground-mounted related equipment shall be located between the sidewalk and the curb. For reasons of safety and aesthetics, such equipment shall neither protrude onto the curb, nor obstruct the sidewalk.

(2) Ground-mounted related equipment that cannot be placed underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Planning Commission.

(3) Required electrical meter cabinets shall the screened to blend in with the surrounding area.

(4) Any graffiti on the tower or on any related equipment shall be removed at the sole expense of the owner.

(5) Any underground vaults related to pole facilities shall be reviewed and approved by the Planning Commission.

(f) *Design regulations.*

(1) A pole facility shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the applicant shall be subject to the approval of the city planner.

(2) To the extent permissible under state and federal law, any height extensions to an existing pole facility shall require prior approval of the planning commission and shall not violate the provisions described herein.

(3) A pole facility shall be designed structurally, electrically, and in all respects to accommodate both the applicant's non-tower WCFs and comparable antennas for the maximum number of future users based on the size of the proposed pole facility.

(4) The siting and construction of a pole facility and related equipment along the city’s streets and sidewalks shall not impact the city’s obligations outlined in

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the Americans with Disabilities Act (ADA), as amended.

(5) The base of a pole facility shall not impede pedestrian walkways or extend into the roadway.

(g) *Relocation or removal of facilities*. Within sixty (60) days following written notice from the city, or such longer period as the city planner determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a pole facility in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any pole facility when the city, consistent with its police powers and applicable Public Service Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

(1) The construction, repair, maintenance or installation of any city or other public improvement in the rights-of-way;

(2) The operations of the city or other governmental entity in the rights-of-way;

(3) Vacation of a street or road or the release of a utility easement; or

(4) An emergency as determined by the City.

(h) *Timing of approval*.

(1) If the proposed pole facility meets the definition of a small wireless communications facility, the building permit application shall be acted upon by the city planner within ninety (90) days of the receipt of a fully completed building permit application for the approval of such small wireless communications facility and the city planner shall advise the WCF applicant in writing of its decision.

(2) If the proposed pole facility does not meet the definition of a small wireless communications facility, the application shall be acted upon by the city planner within one hundred fifty (150) days of receipt of a fully completed application. The city planner may reject WCF applications if they do not meet the requirements of the Dover Code or are otherwise an improper use for any site-specific reason. If the application is ultimately rejected, the applicant will either submit a new application for another site or, if they feel the city has rejected the application in violation of federal law, file suit.

(i) *Reimbursement for rights-of-way (ROW) use*. In addition to permit fees as described in this section, every pole facility in the ROW is subject to the city's right to fix annually a fair and reasonable fee to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the city's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting,

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supervising and other ROW management activities by the city. The owner of each pole facility shall pay an annual fee to the city to compensate it for the costs incurred in connection with the activities described above. The annual fee shall be as provided for in Appendix F—Fees and Fines.

BE IT FURTHER ORDAINED:

That Appendix B – Zoning, Article 12 – Definitions of the Dover Code be amended by inserting the following definitions in the correct alphabetical order:

Antenna: Any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An Antenna may include an omnidirectional Antenna (rod), directional Antenna (panel), parabolic Antenna (disc) or any other wireless Antenna.

Co-location: The mounting of one or more Non-Tower WCFs on an existing Tower-Based WCF, Pole facility, or on any structure that has been approved by the City to support at least one Non-Tower WCF.

Distributed Antenna Systems (DAS): Network of spatially separated Antenna sites connected to a common source that provides Wireless service within a geographic area or structure.

Emergency: A condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

Equipment compound: An area surrounding or near a wireless support structure designed or intended to house or store telecommunications equipment.

FCC: Federal Communications Commission.

Height of a tower-based WCF: The vertical distance measured from the ground level, including any base pad, to the highest point on a Tower-Based WCF, including Antennae mounted on the tower and any other appurtenances.

Modification or *modify*: The improvement, upgrade or expansion of existing wireless communications facilities or base stations on an existing wireless support structure or the improvement, upgrade, or expansion of the wireless communications facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

Non-tower WCF: A wireless communications facility located or collocated on an existing structure, such as, but not limited to, buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles and other similar structures that do not require the installation of a new support structure.

Pole facility: A wireless communications facility located in the public rights-of-way and consisting

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of a single newly installed utility pole installed for the primary purpose of supporting one or more Non-Tower WCF.

Related equipment or base station: Any structure or equipment at a fixed location, not including a tower, that enables FCC-licensed communications between a user and a wireless network.

Replacement: The replacement of existing wireless communications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight and height as the wireless communications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

Small wireless communications facility: A wireless communications facility that meets the following criteria:

(a) The structure on which antenna facilities are mounted is 50 feet or less in height, or is no more than 10 percent taller than other adjacent structures, or is not extended to a height of more than 50 feet or by more than 10 percent above its preexisting height as a result of the collocation of new antenna facilities; and

(b) Each antenna associated with the deployment (excluding the associated equipment) is no more than three cubic feet in volume; and

(c) All related equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume. ;and

(d) The facilities do not require antenna structure registration as required by the Federal Communications Commission; and

(e) The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and

(f) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in section Federal Communications Commission rules on radio frequency emissions 47 CFR 1.1307(b).

State: The State of Delaware.

Stealth technology: Camouflaging methods applied to wireless communications facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, alternative mounting structures, such as architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure and facilities constructed to resemble trees, shrubs, flagpoles, and light poles.

Substantially change or substantial change: A modification to an existing wireless communications facility substantially changes the physical dimensions of a tower or base station if it

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meets any of the following criteria:

(a) For tower-based WCFs outside the public rights-of-way, it increases the height of the facility by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna, not to exceed 20 feet, whichever is greater; for tower-based WCFs in the rights-of-way, it increases the height of the facility by more than 10% or 10 feet, whichever is greater;

(b) For tower-based WCFs outside the public rights-of-way, it protrudes from the edge of the WCF by more than 20 feet, or more than the width of the tower structures are the level of the appurtenance, whichever is greater; for those tower-based WCFs in the public rights-of-way, it protrudes from the edge of the structure by more than 6 feet;

(c) It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed 4 cabinets;

(d) It entails any excavation of deployment outside the current site of the Tower-Based WCF; or

(e) It does not comply with conditions associated with prior approval of construction or Modification of the Tower-Based WCF unless the non-compliance is due to an increase in height, increase in width, or addition of cabinets.

Tower-based wireless communications facility (tower-based WCF): Any structure, other than a building or pole facility, that is constructed for the primary purpose of supporting one or more non-tower WCFs including, but not limited to, self-supporting lattice towers, guy towers and monopoles.

Wireless: Transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

Wireless communications facility (WCF): The antennas, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services.

Wireless communications facility applicant (WCF applicant): Any entity that applies for a wireless communication facility building permit, zoning approval and/or permission to use the public rights-of-way (ROW) or other city-owned land or property.

Wireless Support Structure (WSS): A freestanding structure, such as a tower-based WCF or any other support structure that could support the placement or installation of a wireless communications facility if approved by the City.

ADOPTED: *

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SYNOPSIS

The amendment provides definitions and establishes general and specific standards relating to the

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location, placement, construction and maintenance of tower-based wireless communications facilities, pole facilities and non-tower wireless communications facilities; providing further for the regulation of such facilities within the public rights-of-way and outside the public rights-of-way; providing for the enforcement of said regulations; and providing for an effective date.

(SPONSORS: *, *, *)

Actions History:

*(Date) - *(Introduced at * or First Reading at*)

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ACTION FORM

PROCEEDING: Legislative, Finance & Administration Committee
DEPARTMENT OF ORIGIN: City Manager's Office **DATE SUBMITTED**: 3/26/2019
PREPARED BY: Donna Mitchell, City Manager
SUBJECT: FY19/20 Annual Budget – Second Budget Amendment
REFERENCE: N/A
RELATED PROJECT: N/A
APPROVALS: City Council
EXHIBITS: Ordinance #2019 - 09
EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED**: N/A **FUNDING SOURCE (Dept./Page in CIP & Budget)**:
TIMETABLE: Upon approval.
RECOMMENDED ACTION: Staff recommends approval of the second budget amendment, Ordinance #2019 – 09.

The attached ordinance has been prepared to incorporate the FY19 Beginning Budget Balances as presented in the City's Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2018.

This ordinance also restates the Capital Project budgets for the ongoing project funds that were included in the first budget amendment adopted on January 14, 2019.

Also, included in this ordinance is a transfer of $2 million dollars to the Electric Rate Stabilization Reserve as a result of budget favorability in power supply and generation expenses.

The Revised Budget Balances are favorable to the Original Budget Estimates for the following reasons.

- Higher revenues than projected
- Reduced personnel cost in several Operating Departments due to resignations and retirements.
- Materials and supply savings
- Projects with multiple year construction calendars that carry over into the current year

	FY19 Original	FY19 Revised
Operating Budget	$ 68,364,900	$ 83,269,100
Capital Investments	11,288,200	20,022,900
Total Financial Program	$ 79,653,100	$ 103,292,000

CITY OF DOVER ORDINANCE # 2019-09
2018-2019 BUDGET ORDINANCES - SECOND AMENDMENT

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Fifty Two Million Two Hundred Eighteen Thousand Nine Hundred dollars ($52,218,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

GENERAL FUND
CASH RECEIPT SUMMARY FOR 2018-2019

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 5,399,700**	**$ 8,239,400**
RECEIPTS		
FINES AND POLICE REVENUE	751,600	751,600
LIBRARY REVENUES	100,000	100,000
KENT COUNTY BOOK REIMBURSEMENT	300,000	300,000
BUSINESS LICENSES	1,470,000	1,470,000
PERMITS AND OTHER FEES	1,969,000	1,969,000
MISCELLANEOUS CHARGES	57,000	57,000
POLICE EXTRA DUTY	510,000	510,000
PROPERTY TAXES	13,274,400	13,274,400
RECREATION REVENUE	150,000	150,000
FRANCHISE FEE	685,600	685,600
SANITATION FEES	3,095,400	3,095,400
RENT REVENUE - GARRISON FARM	97,900	97,900
COURT OF CHANCERY FEES	1,439,500	1,439,500
INVESTMENT INCOME	137,900	137,900
RECEIPTS SUBTOTAL	**24,038,300**	**24,038,300**
INTERFUND SERVICE RECEIPTS		
INTERFUND SERVICE RECEIPTS W/WW	1,764,600	1,764,600
INTERFUND SERVICE RECEIPTS ELECTRIC	3,875,500	3,875,500
INTERFUND SERVICE RECEIPTS SUBTOTAL	**5,640,100**	**5,640,100**
GRANTS:		
POLICE RELATED/EXTRA DUTY	90,000	90,000
POLICE PENSION GRANT	466,000	466,000
GREEN ENERGY GRANT	98,500	98,500
MISC GRANT REVENUE	25,000	25,000
GRANTS SUBTOTAL	**679,500**	**679,500**
TRANSFERS FROM:		
TRANSFER TAX	1,459,300	1,459,300
MUNICIPAL STREET AID	665,300	665,300
CIVIL TRAFFIC PENALTIES	497,000	497,000
WATER/WASTEWATER	1,000,000	1,000,000
ELECTRIC	10,000,000	10,000,000
TRANSFERS FROM SUBTOTAL	**13,621,600**	**13,621,600**
TOTAL REVENUES	**43,979,500**	**43,979,500**
TOTAL BEGINNING BALANCE & REVENUE	**$ 49,379,200**	**$ 52,218,900**

2018-2019 BUDGET ORDINANCES - SECOND AMENDMENT

GENERAL FUND - EXPENDITURES AND BUDGET BALANCE FOR 2018-2019

DEPARTMENT EXPENSES	2017/18 BUDGET	2018/19 REVISED
CITY CLERK	$ 442,500	$ 442,500
COUNCIL	144,800	144,800
TAX ASSESSOR	244,500	244,500
FIRE	789,800	789,800
GROUNDS MAINTENANCE	1,195,000	1,195,000
LIBRARY	1,767,400	1,767,400
RECREATION	1,000,600	1,000,600
LIFE SAFETY	504,200	504,200
CODE ENFORCEMENT	610,500	610,500
PLANNING	568,200	568,200
INSPECTIONS	568,100	568,100
POLICE	16,737,500	16,737,500
POLICE EXTRA DUTY	600,000	600,000
STREETS	1,409,100	1,409,100
SANITATION	2,475,200	2,475,200
CITY MANAGER	1,005,200	1,005,200
INFORMATION TECHNOLOGY	731,000	731,000
FINANCE	946,200	946,200
PUBLIC WORKS - ADMINISTRATION	720,800	720,800
FACILITIES MANAGEMENT	652,900	652,900
PUBLIC WORKS - ENGINEERING	277,600	277,600
PROCUREMENT & INVENTORY	726,000	726,000
FLEET MAINTENANCE	832,500	882,500
CUSTOMER SERVICE	1,197,100	1,197,100
HUMAN RESOURCES	485,600	535,600
MAYOR	173,700	173,700
DEPARTMENT SUBTOTALS	**36,806,000**	**36,906,000**
OTHER EXPENSES		
DEBT SERVICE	500,000	500,000
CONTRIBUTION TO DDP	150,000	150,000
MISCELLANEOUS GRANT RELATED EXP	25,000	25,000
INSURANCE	735,000	735,000
RETIREES HEALTH CARE	1,894,900	1,894,900
OTHER EMPLOYMENT EXPENSES	500,000	500,000
BANK & CREDIT CARD FEES	28,000	28,000
UNCOLLECTIBLES - TRASH AND OTHER	100,000	100,000
STREET LIGHTS	815,000	815,000
OTHER EXPENSE SUBTOTAL	**4,747,900**	**4,747,900**
TRANSFERS		
TRANSFER TO CAPITAL FUND - PROJECTS	3,013,800	3,432,000
APPROP. TO THE POLICE PENSION FUND	585,000	585,000
APPROP. POLICE PENSION - STATE GRANT	466,000	466,000
TRANSFER TO ELECTRIC I & E FUND	200,000	200,000
TRANSFERS SUBTOTAL	**4,264,800**	**4,683,000**
TOTAL EXPENDITURES	**45,818,700**	**46,336,900**
CURRENT YEAR BALANCE	**3,560,500**	**5,882,000**
TOTALS	**$ 49,379,200**	**$ 52,218,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

GOVERNMENTAL CAPITAL PROJECTS FUND
REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Five Million Five Hundred Thirty-Seven Thousand Seven Hundred dollars ($5,537,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

REVENUES

	2017/18 BUDGET	2018/19 REVISED
BEGINNING BALANCE - PROJECTS	**$ 521,700**	**$ 1,415,200**
REVENUES		
TRANSFER FROM GENERAL FUND	3,013,800	3,432,000
TRANSFER FROM PARKLAND RESERVE	80,000	301,700
TRANSFER FROM CAPITAL ASSET RESERVE	388,800	388,800
SUBTOTAL PROJECT RECEIPTS	**3,482,600**	**4,122,500**
TOTAL FUNDING SOURCES	**3,482,600**	**4,122,500**
TOTAL BEGINNING BALANCE AND REVENUES	**$ 4,004,300**	**$ 5,537,700**

EXPENSE SUMMARY

EXPENDITURES	2017/18 BUDGET	2018/19 REVISED
FIRE	222,500	222,500
GROUNDS	188,000	250,500
RECREATION	536,100	755,600
POLICE	512,000	602,300
STREETS	2,215,000	2,909,800
SANITATION	34,400	452,600
INFORMATION TECHNOLOGY	57,600	57,600
FACILITIES MANAGEMENT	28,800	53,900
DEPARTMENT SUBTOTAL	**3,794,400**	**5,304,800**
TOTAL EXPENDITURES	**3,794,400**	**5,304,800**
BUDGET BALANCE	1,521,600	232,900
TOTAL BUDGET BALANCE & EXPENDITURES	**$ 5,316,000**	**$ 5,537,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

GENERAL FUND CONTINGENCY
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Seven Hundred Sixty-Four Thousand One Hundred dollars ($764,100) or thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	$ 751,300	$ 755,400
INTEREST EARNED	8,700	8,700
TOTALS	**$ 760,000**	**$ 764,100**

EXPENSE SUMMARY

	2018/19 BUDGET	2018/19 REVISED
CARRY FORWARD TO NEXT YEAR	760,000	$ 764,100
TOTALS	**$ 760,000**	**$ 764,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

GOVERNMENTAL CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Million Five Hundred Fifteen Thousand Four Hundred dollars ($1,515,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 1,388,400**	**$ 1,515,400**
TOTALS	**$ 1,388,400**	**$ 1,515,400**

EXPENSE SUMMARY

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND	$ 388,800	$ 388,800
CARRY FORWARD TO NEXT YEAR	999,600	1,126,600
TOTALS	**$ 1,388,400**	**$ 1,515,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

PARKLAND/RECREATION RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Hundred Twenty-One Thousand Seven Hundred dollars ($221,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	$ 133,900	$ 355,600
TOTALS	**$ 133,900**	**$ 355,600**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO GOVERNMENTAL CAPITAL PROJECTS FUND	$ 80,000	$ 301,700
CURRENT YEAR BALANCE	53,900	53,900
TOTALS	**$ 133,900**	**$ 355,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

WATER/WASTEWATER FUND
REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Eighteen Million Four Hundred Fifty-Six Thousand Four Hundred dollars ($18,456,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE - WATER	$ 1,991,200	$ 1,912,800
BEGINNING BALANCE - WASTEWATER	1,680,900	1,053,000
TOTAL BEGINNING BALANCES	**3,672,100**	**2,965,800**
BASE REVENUE		
WATER SERVICES	5,897,400	5,897,400
WASTEWATER SERVICES	3,620,600	3,620,600
WASTEWATER TREATMENT SERVICES	2,819,300	2,819,300
GROUNDWATER INFLOW ADJUSTMENT	1,813,100	1,813,100
WATER TANK SPACE LEASING	400,600	400,600
WATER IMPACT FEES	450,000	450,000
WASTEWATER IMPACT FEES	420,000	420,000
INTEREST - WATER	7,600	7,600
INTEREST - WASTEWATER	7,600	7,600
MISCELLANEOUS SERVICE FEE	54,400	54,400
TOTAL REVENUES	**15,490,600**	**15,490,600**
TOTAL BEGINNING BALANCES AND REVENUES	**$ 19,162,700**	**$ 18,456,400**

2018-2019 BUDGET ORDINANCES - SECOND AMENDMENT

WATER/WASTEWATER FUND - EXPENSES AND BUDGET BALANCE FOR 2018-2019

	2018/19 BUDGET	2018/19 REVISED
DIRECT EXPENSES		
ENGINEERING & INSPECTION	$ 502,400	$ 502,400
WATER DEPARTMENT	750,000	750,000
WASTEWATER DEPARTMENT	986,200	986,200
WATER TREATMENT PLANT	1,805,800	1,805,800
DIRECT EXPENDITURE SUBTOTAL	**4,044,400**	**4,044,400**
OTHER EXPENSES		
DEBT SERVICE - WATER	520,500	520,500
DEBT SERVICE - WASTEWATER	611,200	611,200
RETIREES HEALTH CARE	215,500	215,500
OTHER EMPLOYMENT EXPENSES	30,000	30,000
OPEB UNFUNDED LIABILITY	41,400	41,400
KENT COUNTY TREATMENT CHARGE	3,750,000	3,750,000
INTERFUND SERVICE FEES	1,764,600	1,764,600
BANK & CREDIT CARD FEES	28,000	28,000
BOND ISSUE COSTS	40,000	40,000
OTHER EXPENSES SUBTOTAL	**7,001,200**	**7,001,200**
TRANSFER TO:		
GENERAL FUND FROM WATER	500,000	500,000
GENERAL FUND FROM WASTEWATER	500,000	500,000
WATER IMP AND EXT	1,800,000	1,800,000
WASTEWATER IMP AND EXT	1,800,000	1,800,000
ELECTRIC IMP AND EXT	298,000	298,000
TRANSFER TO SUBTOTAL	**4,898,000**	**4,898,000**
TOTAL EXPENSES	**15,943,600**	**15,943,600**
BUDGET BALANCES		
BUDGET BALANCE WATER	1,937,750	1,859,350
BUDGET BALANCE WASTEWATER	1,281,350	653,450
BUDGET BALANCE SUBTOTALS	**3,219,100**	**2,512,800**
TOTAL CURRENT YEAR BALANCES AND EXPENSES	**$ 19,162,700**	**$ 18,456,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

WATER/WASTEWATER IMPROVEMENT & EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Sixteen Million Six Thousand Eight Hundred dollars ($16,006,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year begining July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE - WATER	$ 2,275,200	$ 5,672,600
BEGINNING BALANCE - WASTEWATER	88,300	1,148,800
TOTAL BEGINNING BALANCES	**2,363,500**	**6,821,400**
REVENUES		
STATE LOAN FUND - WATER	4,000,000	4,000,000
STATE LOAN FUND - WASTEWATER	1,033,900	1,033,900
TRANS FR OPERATING FUND - WATER	1,800,000	1,800,000
TRANS FR OPERATING FUND - WW	1,800,000	1,800,000
TRANSFER FR WATER IMPACT FEE	40,400	40,400
TRANSFER FR WASTEWATER IMPACT FEE	421,100	421,100
INTEREST INCOME	90,000	90,000
TOTAL REVENUES	**9,185,400**	**9,185,400**
TOTAL BEGINNING BALANCES & REVENUES	**$ 11,548,900**	**$ 16,006,800**

EXPENSE SUMMARY

EXPENSES	2018/19 BUDGET	2018/19 REVISED
WATER	515,300	$ 766,100
WASTEWATER	2,505,200	3,338,100
WATER TREATMENT PLANT	4,000,000	6,468,200
TOTAL EXPENSES	**7,020,500**	**10,572,400**
BUDGET BALANCE - WATER	3,645,300	4,323,700
BUDGET BALANCE - WASTEWATER	883,100	1,110,700
CURRENT YEAR BALANCE SUBTOTALS	**4,528,400**	**5,434,400**
TOTAL BUDGET BALANCES & EXPENSES	**$ 11,548,900**	**$ 16,006,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

WATER/WASTEWATER CAPITAL ASSET RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Million Seventy-Seven Thousand Nine Hundred dollars ($1,077,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE - WATER	$ 531,200	$ 535,600
BEGINNING BALANCE - WASTEWATER	530,000	534,300
TOTAL BEGINNING BALANCES	**1,061,200**	**1,069,900**
RECEIPTS		
INTEREST EARNINGS - WATER	4,000	4,000
INTEREST EARNINGS - WASTEWATER	4,000	4,000
TOTAL RECEIPTS	**8,000**	**8,000**
TOTALS	**$ 1,069,200**	**$ 1,077,900**

EXPENSE SUMMARY

	2018/19 BUDGET	2018/19 REVISED
CURRENT YEAR BALANCE - WATER	$ 535,200	$ 539,600
CURRENT YEAR BALANCE - WASTEWATER	534,000	538,300
CURRENT YEAR BALANCE SUBTOTALS	**1,069,200**	**1,077,900**
TOTALS	**$ 1,069,200**	**$ 1,077,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

WATER/WASTEWATER IMPACT FEE RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Five Million Seven Hundred Seventy-Eight Thousand Six Hundred dollars ($5,778,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE - WATER	$ 657,500	$ 1,369,600
BEGINNING BALANCE - WASTEWATER	4,848,500	4,367,200
TOTAL BEGINNING BALANCES	**5,506,000**	**5,736,800**
RECEIPTS		
INTEREST EARNINGS - WATER	5,000	5,000
INTEREST EARNINGS - WASTEWATER	36,800	36,800
TOTAL RECEIPTS	**41,800**	**41,800**
TOTALS	**$ 5,547,800**	**$ 5,778,600**

EXPENSE SUMMARY

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO I & E FUND FROM WATER IMPACT FEES	$ 40,400	$ 40,400
TRANSFER TO I & E FUND FROM WASTEWATER IMPACT FEES	421,100	421,100
CURRENT YEAR BALANCE - WATER	622,100	1,334,200
CURRENT YEAR BALANCE - WASTEWATER	4,464,200	3,982,900
CURRENT YEAR BALANCE SUBTOTALS	**5,086,300**	**5,317,100**
TOTALS	**$ 5,547,800**	**$ 5,778,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

WATER/WASTEWATER CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Five Hundred Thirty-Nine Thousand dollars ($539,000) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE - WATER	$ 255,100	$ 255,700
BEGINNING BALANCE - WASTEWATER	$ 282,300	282,700
TOTAL BEGINNING BALANCES	**537,400**	**538,400**
RECEIPTS		
INTEREST EARNINGS - WATER	$ 400	400
INTEREST EARNINGS - WASTEWATER	200	200
TOTAL RECEIPTS	**600**	**600**
TOTALS	**$ 538,000**	**$ 539,000**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
CURRENT YEAR BALANCE - WATER	$ 255,500	$ 256,100
CURRENT YEAR BALANCE - WASTEWATER	282,500	282,900
CURRENT YEAR BALANCE SUBTOTALS	**538,000**	**539,000**
TOTAL EXPENSES AND CURRENT YEAR BALANCES	**$ 538,000**	**$ 539,000**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC REVENUE FUND
REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Ninety-Six Million Five Hundred Ninety Thousand Eight Hundred dollars ($96,590,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 12,393,600**	**$ 16,025,300**
DISTRIBUTION OF EARNINGS - PCA CREDIT	(2,877,400)	(2,877,400)
BEGINNING BALANCE - ADJUSTED	**9,516,200**	**13,147,900**
BASE REVENUE		
DIRECT SALES TO CUSTOMER	81,192,600	81,192,600
UTILITY TAX	1,299,100	1,299,100
MISCELLANEOUS REVENUE	524,300	524,300
RENT REVENUE	104,500	104,500
GREEN ENERGY	127,400	127,400
INTEREST EARNINGS	195,000	195,000
TOTAL REVENUES	**83,442,900**	**83,442,900**
TOTAL BEGINNING BALANCE & REVENUES	**$ 92,959,100**	**$ 96,590,800**

2018-2019 BUDGET ORDINANCES - SECOND AMENDMENT

ELECTRIC REVENUE FUND EXPENSES AND BUDGET BALANCE FOR 2018-2019

EXPENSES	2018/19 BUDGET	2018/19 REVISED
POWER SUPPLY	$ 24,232,900	$ 24,232,900
SOLAR ENERGY	2,685,400	2,685,400
SOLAR RENEWAL ENERGY CREDITS	392,300	392,300
POWER SUPPLY MANAGEMENT	1,085,000	1,085,000
REC'S (Renewable Energy Credits)	309,600	309,600
RGGI (Regional Greenhouse Gas Init.)	54,000	54,000
PJM CHARGES - ENERGY	5,394,600	5,394,600
PJM CHARGES - TRANSMISSION & FEES	6,921,000	6,921,000
CAPACITY CHARGES	16,663,400	16,663,400
SUB-TOTAL POWER SUPPLY	**57,738,200**	**57,738,200**
PLANT OPERATIONS	6,216,000	6,216,000
GENERATIONS FUELS	778,400	778,400
PJM SPOT MARKET ENERGY	(1,089,100)	(1,089,100)
PJM CREDITS	(454,400)	(454,400)
CAPACITY CREDITS	(14,589,000)	(14,589,000)
GENERATION SUBTOTAL	**(9,138,100)**	**(9,138,100)**
POWER SUPPLY & GENERATION SUBTOTAL	**48,600,100**	**48,600,100**
DIRECT EXPENDITURES		
TRANSMISSION/DISTRIBUTION	3,673,500	3,673,500
ELECTRICAL ENGINEERING	1,223,500	1,223,500
ADMINISTRATION	625,400	625,400
METER READING	401,800	401,800
SYSTEMS OPERATIONS	690,700	690,700
DIRECT EXPENDITURE SUBTOTALS	**6,614,900**	**6,614,900**
OTHER EXPENSES:		
UTILITY TAX	1,299,100	1,299,100
ALLOW FOR UNCOLLECTIBLES	250,000	250,000
RETIREES HEALTH CARE	721,400	721,400
OTHER EMPLOYMENT EXPENSES	163,800	163,800
GREEN ENERGY PAYMENT TO DEMEC	127,400	127,400
INTERFUND SERVICE FEES	3,875,500	3,875,500
INTEREST ON DEPOSITS	17,500	17,500
BANK & CREDIT CARD FEES	327,000	327,000
DEBT SERVICE	1,584,700	1,584,700
OTHER EXPENSES SUBTOTAL	**8,366,400**	**8,366,400**
TRANSFER TO:		
IMPROVEMENT & EXTENSION	6,400,000	6,400,000
GENERAL FUND	10,000,000	10,000,000
TRANSFER TO DEPRECIATION RESERVE	2,500,000	2,500,000
RATE STABILIZATION RESERVE	-	2,000,000
TRANSFER TO SUBTOTAL	**18,900,000**	**20,900,000**
TOTAL EXPENSES	**82,481,400**	**84,481,400**
BUDGET BALANCE - WORKING CAPITAL	**10,477,700**	**12,109,400**
TOTALS	**$ 92,959,100**	**$ 96,590,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC UTILITY IMPROVEMENT AND EXTENSION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Eighteen Million Five Hundred Eighty-One Thousand Seven Hundred dollars ($18,581,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

REVENUES

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 8,332,100**	**$ 11,123,900**
REVENUES		
TRANSFER FROM ELECTRIC	6,400,000	6,400,000
TRANSFER FROM WATER/WASTEWATER	298,000	298,000
TRANSFER FROM GENERAL FUND	200,000	200,000
GENERAL SERVICE BILLING	450,000	450,000
INTEREST EARNINGS	109,800	109,800
TOTAL REVENUES	**7,457,800**	**7,457,800**
TOTALS	**$ 15,789,900**	**$ 18,581,700**

EXPENSE SUMMARY

EXPENSES	2018/19 BUDGET	2018/19 REVISED
ELECTRIC ADMINISTRATION	$ 1,175,200	$ 1,175,200
ELECTRIC GENERATION	1,546,000	1,658,000
TRANSMISSION AND DISTRIBUTION	1,383,000	1,503,100
ELECTRICAL ENGINEERING	2,245,500	2,272,500
ERP SYSTEM	548,000	2,057,000
TOTAL EXPENSES	**6,897,700**	**8,665,800**
BUDGET BALANCE	**8,892,200**	**9,915,900**
TOTAL BUDGET BALANCE & EXPENSES	**$ 15,789,900**	**$ 18,581,700**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC UTILITY CONTINGENCY RESERVE
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Eight Hundred Eighty Two Thousand One Hundred dollars ($882,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 871,400**	**$ 876,200**
RECEIPTS		
INTEREST EARNINGS	5,900	5,900
TOTAL RECEIPTS	**5,900**	**5,900**
TOTALS	**$ 877,300**	**$ 882,100**

EXPENSE SUMMARY

	2018/19 BUDGET	2018/19 REVISED
CURRENT YEAR BALANCE	877,300	$ 882,100
TOTALS	**$ 877,300**	**$ 882,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC UTILITY DEPRECIATION RESERVE
SOURCES AND USE OF FUNDS FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Sixteen Million Thirty-One Thousand Eight Hundred dollars ($16,031,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 13,173,700**	**$ 13,246,600**
INTEREST EARNINGS	285,200	285,200
TRANSFER FROM ELECTRIC OPERATING FUND	2,500,000	2,500,000
TOTALS	**$ 15,958,900**	**$ 16,031,800**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
CURRENT YEAR BALANCE	15,958,900	$ 16,031,800
TOTALS	**$ 15,958,900**	**$ 16,031,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC UTILITY FUTURE CAPACITY RESERVE
SOURCES AND USE OF FUNDS FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Thirteen Million Six Hundred Ninety-Two Thousand Six Hundred dollars ($13,692,600) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 13,330,200**	**$ 13,404,000**
INTEREST EARNINGS	288,600	288,600
TOTALS	**$ 13,618,800**	**$ 13,692,600**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
CURRENT YEAR BALANCE	13,618,800	$ 13,692,600
TOTALS	**$ 13,618,800**	**$ 13,692,600**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC UTILITY INSURANCE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Seven Hundred Ninety Two Thousand Five Hundred dollars ($792,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET		2018/19 REVISED
BEGINNING BALANCE	**$ 764,800**	**$**	**769,111**
INTEREST EARNINGS	23,389		23,389
TOTALS	**$ 788,200**	**$**	**792,500**

BUDGET SUMMARY

	2018/19 BUDGET		2018/19 REVISED
CURRENT YEAR BALANCE	788,200	$	792,500
TOTALS	**$ 788,200**	**$**	**792,500**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRIC UTILITY RATE STABLIZATION RESERVE
SOURCES AND USE OF FUNDS FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Eighteen Million Seventy-Four Thousand One Hundred dollars ($18,074,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 9,798,700**	**$ 16,024,100**
INTEREST EARNINGS	50,000	50,000
TRANSFER FROM ELECTRIC OPERATING FUND	-	2,000,000
TOTALS	**$ 9,848,700**	**$ 18,074,100**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO ELECTRIC FUND	$ 2,877,400	$ 2,877,400
CURRENT YEAR BALANCE	6,971,300	15,196,700
TOTALS	**$ 9,848,700**	**$ 18,074,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

MUNICIPAL STREET AID FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:
The amount hereinafter named aggregating Six Hundred Sixty-Five Thousand Four Hundred dollars ($665,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 100**	**$ 100**
STATE GRANT	665,300	665,300
TOTALS	**$ 665,400**	**$ 665,400**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO GENERAL FUND	665,300	$ 665,300
CURRENT YEAR BALANCE	100	100
TOTALS	**$ 665,400**	**$ 665,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

ELECTRONIC RED LIGHT SAFETY PROGRAM
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Four Hundred Ninety-Seven Thousand One Hundred dollars ($497,100) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 100**	**$ 100**
POLICE FINES	497,000	497,000
TOTALS	**$ 497,100**	**$ 497,100**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO GENERAL FUND	497,000	$ 497,000
CURRENT YEAR BALANCE	100	100
TOTALS	**$ 497,100**	**$ 497,100**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

WORKERS COMPENSATION FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Million Four Hundred Seventy- Three Thousand Eight Hundred dollars ($2,473,800) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ 1,444,700**	**$ 1,542,800**
INTEREST INCOME	22,500	22,500
PREMIUM FROM CITY	908,500	908,500
TOTALS	**$ 2,375,700**	**$ 2,473,800**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
PROGRAM EXPENSES/SUPPLIES - CLAIMS	$ 550,000	$ 550,000
INSURANCE	110,000	110,000
STATE OF DEL - SELF INSURANCE TAX	39,000	39,000
CONTRACTUAL SERVICES	25,000	25,000
TOTAL EXPENSES	**724,000**	**724,000**
CURRENT YEAR BALANCE	1,651,700	1,749,800
TOTALS	**$ 2,375,700**	**$ 2,473,800**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

COMMUNITY TRANSPORTATION IMPROVEMENT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Million***On*** e Hundred Sixty-Two Thousand Four Hundred dollars ($1,162,400) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
PRIOR YEAR BALANCE	**$ 70,900**	**$ 662,400**
GRANTS REVENUE	500,000	500,000
TOTALS	**$ 570,900**	**$ 1,162,400**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
PROGRAM EXP. GRANT RELATED	$ 500,000	$ 679,900
CURRENT YEAR BALANCE	70,900	482,500
TOTALS	**$ 570,900**	**$ 1,162,400**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

LIBRARY GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Two Hundred Ninety Thousand Five Hundred dollars ($290,500) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
PRIOR YEAR BALANCE	**$ -**	**$ 1,000**
STATE GRANT	287,900	287,900
FEDERAL GRANT	1,600	1,600
TOTALS	**$ 289,500**	**$ 290,500**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
STATE GRANTS		
FURNITURE/FIXTURES	$ 5,500	$ 5,500
OFFICE SUPPLIES	25,000	25,000
PRINTING AND DUPLICATING	12,500	12,500
PROGRAM EXPENSES/SUPPLIES	26,100	26,100
BOOKS	126,000	126,000
COMPUTER SOFTWARE	2,000	2,000
COMPUTER HARDWARE	3,500	3,500
AUDIO VISUAL SUPPLIES	79,000	79,000
POSTAGE	100	100
TRAINING/CONF/FOOD/TRAV	4,000	4,000
OFF EQP/REPAIRS & MAINT	2,000	2,000
OTHER EQUIP - LEASE	2,200	2,200
SUBTOTAL EXPENSES STATE GRANTS	**287,900**	**287,900**
FEDERAL GRANTS		
PROGRAM EXPENSES/SUPPLIES	1,600	1,600
SUBTOTAL EXPENSES FEDERAL GRANTS	**1,600**	**1,600**
GRAND TOTAL EXPENSES	**289,500**	**289,500**
CURRENT YEAR BALANCE	-	1,000
TOTALS	**$ 289,500**	**$ 290,500**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

POLICE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Five Hundred Ninety-Four Thousand Three Hundred dollars ($594,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
PRIOR YEAR BALANCE	**$ 63,500**	**$ 201,300**
STATE AND FEDERAL GRANTS RECEIVED	393,000	393,000
TOTALS	**$ 456,500**	**$ 594,300**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
EXPENDITURES		
PERSONNEL EXPENDITURES		
CADET PROGRAM SALARIES	11,900	$ 11,900
CADET PROGRAM FICA	900	900
CADET PROGRAM W/COMP	700	700
MATERIALS AND SUPPLIES		
POLICE EQUIPT & PROG SUPP	317,000	317,000
ADMINISTRATIVE EXPENDITURES		
CELL PHONE CHARGES	20,000	20,000
TRAINING	15,000	15,000
AUDIT FEES	1,000	1,000
TOTAL EXPENDITURES	**366,500**	**366,500**
OTHER FINANCING USES		
OPERATING TRANSFERS-OUT	90,000	90,000
TOTAL FINANCING USES	**90,000**	**90,000**
CURRENT YEAR BALANCE	-	137,800
TOTALS	**$ 456,500**	**$ 594,300**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

CDBG GRANT FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating Four Hundred Six Thousand Nine Hundred dollars ($406,900) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
PRIOR YEAR BALANCE	**$ 2,500**	**$ 2,000**
CDBG GRANTS RECEIVED	230,300	404,900
TOTALS	**$ 232,800**	**$ 406,900**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
EXPENDITURES		
PRIOR YEAR CONNECTION SUPP PROGRAM	$ -	$ 4,000
PRIOR YEAR CLOSING COST/DOWN PAYMENT PROGRAM	-	1,800
PRIOR YEAR DOVER INTERFAITH MINISTRY	-	1,400
PRIOR YEAR MHDC HOMEOWNER REHAB.	-	57,900
PRIOR YEAR MHDC EMERGENCY HOME REPAIR	-	7,700
PRIOR YEAR HABITAT FOR HUMANITY	-	21,300
PRIOR YEAR ADMIN EXPENSE	-	39,800
CURRENT YEAR CLOSING COST/DOWN PAYMENT PROGRAM	70,000	105,000
CURRENT YEAR CONNECTION SUPP PROGRAM	5,000	5,000
CURRENT YEAR DOVER INTERFAITH MINISTRY	22,000	22,000
CURRENT YEAR MHDC EMERGENCY HOME REPAIR	29,200	39,800
CURRENT YEAR HABITAT FOR HUMANITY	20,000	20,000
CURRENT YEAR MHDC HOMEOWNER REHAB.	38,000	25,000
CURRENT YEAR ADMIN EXPENSE	46,100	54,200
TOTAL EXPENDITURES	**230,300**	**404,900**
CURRENT YEAR BALANCE	2,500	2,000
CURRENT YEAR BALANCE NSP	6,300	-
TOTALS	**$ 232,800**	**$ 406,900**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

SUBSTANCE ABUSE GRANTS FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Hundred Fifty-Four Thousand Seven Hundred dollars ($154,700) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

OPERATING REVENUES

	2018/19 BUDGET	2018/19 REVISED
PRIOR YEAR BALANCE	**$ 45,700**	**$ 93,700**
STATE GRANTS RECEIVED	28,000	28,000
RECREATION REVENUE	33,000	33,000
TOTALS	**$ 106,700**	**$ 154,700**

OPERATING EXPENSES

	2018/19 BUDGET	2018/19 REVISED
EXPENDITURES		
TEMPORARY HELP/BENEFITS	67,700	$ 67,700
PROGRAM EXPENSES/SUPPLIES	35,000	35,000
TOTAL EXPENDITURES	**102,700**	**102,700**
CURRENT YEAR BALANCE	45,700	52,000
TOTALS	**$ 148,400**	**$ 154,700**

The above budget represents the combination of all State & Federal Grants.

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

CITY OF DOVER ORDINANCE # 2019-09

REALTY TRANSFER TAX FUND
CASH RECEIPTS/REVENUES AND BUDGET FOR 2018-2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

The amount hereinafter named aggregating One Million Four Hundred Fifty-Nine Thousand Three Hundred dollars ($1,459,300) or so much thereof as may be necessary are hereby appropriated from current revenues and other funds for the use by several departments of the Municipal Government for the fiscal year beginning July 1, 2018 and ending June 30, 2019:

CASH RECEIPTS

	2018/19 BUDGET	2018/19 REVISED
BEGINNING BALANCE	**$ -**	**$ -**
REALTY TRANSFER TAXES	1,459,300	1,459,300
TOTALS	**$ 1,459,300**	**$ 1,459,300**

BUDGET SUMMARY

	2018/19 BUDGET	2018/19 REVISED
TRANSFER TO GENERAL FUND	1,459,300	$ 1,459,300
CURRENT YEAR BALANCE	-	-
TOTALS	**$ 1,459,300**	**$ 1,459,300**

The City Manager is hereby authorized, without further approval of the City Council, to make interdepartmental transfers of up to five percent of the amount hereinafter appropriated to any department with the exception of any transfers prohibited by City Procedure #F306.

ADOPTED:

ACTION FORM

PROCEEDING: Legislative, Finance and Administration Committee
DEPARTMENT OF ORIGIN: Human Resources **DATE SUBMITTED**: March 26, 2019
PREPARED BY: Kim Hawkins, Human Resources Director
SUBJECT: Proposed Amendments to Employee Handbook
REFERENCE: City of Dover Personnel Policy, Article VII. Ethical Conduct Section 6. Discrimination and Harassment
REVIEWED BY: Donna Mitchell, City Manager
RECOMMENDED ACTION: Approval of the proposed revised Personnel Policy, Article VII. Ethical Conduct, Section 6. Discrimination and Harassment

BACKGROUND AND ANALYSIS

A recent personnel matter prompted City staff to engage a labor attorney to review our personnel policy regarding discrimination and harassment. On the advice of Tim Holly of Connolly Gallagher LLP, we are recommending the City revise the current policy to improve clarity.

The proposed policy is attached as Exhibit A, and the current policy is attached as Exhibit B for your comparison.

CITY OF DOVER
PROPOSED PERSONNEL POLICY

ARTICLE VII. ETHICAL CONDUCT

SECTION 6. DISCRIMINATION AND HARASSMENT

State and/or Federal law prohibits discrimination on the basis of, among others, race, marital status, genetic information, color, age (40 or older), religion, sex (including pregnancy), sexual orientation, gender identity, national origin, disability, or status as a victim of domestic violence, a sexual offense, or stalking. Harassment (including sexual harassment) often is considered a form of unlawful discrimination. It is the policy of the City of Dover to prohibit and not tolerate unlawful discrimination or unlawful harassment and to promote a workplace and work environment that is free of unlawful discrimination or unlawful harassment or conduct that might reasonably be perceived as constituting such, whether verbal, physical, or environmental.

Anti Sex Harassment Specifically (Definition):

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment; (2) submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or (3) such conduct has the purpose or effect of unreasonably interfering with a person's work performance, or creates an intimidating, hostile or offensive working environment.

Examples of sexual harassment include, *but are not limited to*: unwanted physical advances; requests for sexual favors in exchange for favorable treatment or continued employment; unwelcome flirtation, advances, or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about a person's body, sexual prowess, or sexual deficiencies; leering, whistling, touching, or pinching; suggestive insulting, or obscene comments or gestures of a sexual nature; display in the work place of sexually-suggestive objects or pictures; transmitting or forwarding e-mails containing offensive, suggestive, or lewd attachments, statements, or jokes; and uploading, downloading, or viewing inappropriate pictures or material onto organizational information systems. The above list is illustrative of types of conduct that would violate this policy and, as such, by no means represents an exclusive list of conduct that could lead to disciplinary action, up to and including termination of employment.

Guidelines:

- All City of Dover employees must comply with this policy, which applies to conduct both within the work environment and elsewhere when an employee acts in an official capacity as a City of Dover representative.

- The City of Dover will not tolerate, condone, or allow unlawful discrimination or unlawful harassment, whether engaged in by fellow employees, supervisors, managers, outside clients, or other non-employees who conduct business with us.

- While the City of Dover encourages persons who believe they are being unlawfully harassed firmly and promptly to notify the offender that his or her behavior is unwelcome and must cease immediately, we also realize that the power and status disparities between the alleged harasser

and the person allegedly harassed may make such a confrontation unlikely. Especially when direct communication is either ineffective or impossible, City employees are expected to follow the procedures stated below.

- All employees must take appropriate measures to ensure that prohibited conduct does not occur. Members of management in particular must intercede to stop any violating behavior. City of Dover employees must report all such harassment, regardless of who the offender may be.

- In addition to discipline by the City of Dover as your employer, persons who engage in acts in violation of this policy may also be subject to civil and criminal penalties.

- The City of Dover will not retaliate in any way against any person who makes a good faith report of violation of this policy, nor will the City of Dover permit any supervisor, officer, or employee to do so. Retaliation is a serious violation of this policy and should be reported immediately.

Procedures:

1) A report of violation of this policy must be made promptly to the City of Dover Human Resources Director. While initial reports may be made verbally, a written statement of complaint also must be provided.

2) Such alleged violations will be investigated by the City of Dover Human Resources Department as appropriate under the circumstances. Throughout the investigation process, confidentiality will be maintained to the extent practical and appropriate under the circumstances, including to protect the privacy of persons involved. During an investigation, alleged offenders will generally be made aware of the report and, where deemed appropriate, will be given an opportunity to respond and propose witnesses. The Department of Human Resources will keep the complainant informed as to the status of the investigation. Upon completion of the investigation, the Human Resources Director shall recommend to the City of Dover Manager the appropriate action to be taken, unless the report alleges violation by the City Manager, in which case the recommendation shall be made to the City of Dover Council President.

3) In the event an employee alleges a violation of this policy by the Human Resources Director, then a report of a violation of this policy may instead be made to the City Manager; and any investigation will be handled through the City Manager.

4) Employment conditions of the complainant and any witnesses will be in no way adversely affected through use of this procedure. However, if an investigation clearly reveals that the complainant knowingly and intentionally made a false accusation of harassment, appropriate disciplinary action will be taken.

5) If the alleged violation of this policy cannot be substantiated, this finding will be communicated to the complainant in an appropriately sensitive manner. The complainant is always free to provide additional evidence for investigation.

6) Persons found to have engaged in misconduct constituting a violation of this policy, will be disciplined, up to and including termination of employment. Appropriate sanctions also may include written reprimand and referral to counseling.

Exhibit B

CITY OF DOVER
CURRENT PERSONNEL POLICY

ARTICLE VII. ETHICAL CONDUCT

SECTION 6. DISCRIMINATION AND HARASSMENT

No employee shall discriminate, harass, or use derogatory language toward any person on the grounds of race, color, religion, sex, sexual orientation, marital status, genetic information, physical handicap, age or national origin. This shall include inappropriate, unprofessional or illegal conduct over the City's email system or any communication means provided by the City of Dover.

City of Dover employees are prohibited from engaging in activity defined as discrimination and harassment within the work environment as well as when the employee is acting in the official capacity as a City of Dover representative. The City is to exercise reasonable care to prevent and correct promptly any improper behavior. Failure of any employee to report any instances of discrimination or harassment will be subject ~~to Article XV, Section 9, Failure in Personal Conduct~~. discipline action.

Harassment is defined as behavior intended to disturb or upset. Such behavior is illegal if it creates an environment that a reasonable person would consider to be intimidating, hostile or abusive or if acceptance of the harasser's behavior is made a condition of employment. Perceptions differ about what behaviors constitute harassment. If behaviors are unwelcomed, they may constitute harassment. Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, touching, assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance.

Sexual harassment is defined as unwelcomed advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when the conduct is implicitly or explicitly affects an individual's employment, unreasonably interferes with an individual's work performance and/or creates an intimidating, hostile or offensive work environment.

If you are subject to unwelcome conduct, tell the person that you find the behavior unwelcomed and ask him/her to stop immediately. If you cannot talk to the person, report the person to your supervisor, department head, the Human Resources Director or the City Manager giving details relating to the complaint. The supervisor, department head, the Human Resources Director or the City Manager will tell the person that you find the behavior unwelcome and ask him/her to stop. If the behavior continues, the employee should report the person to their supervisor, department head, the Human Resources Director or the City Manager.

Reporting Discrimination and/or Harassment and the Investigation

Any employee who feels that he/she has been discriminated against or harassed or any employee aware of employee discrimination or harassment shall report it immediately to the employee's Supervisor, Department Head, the Human Resources Director or the City Manager. All members of management have a obligation to intercede and stop unprofessional behavior. Complaints can initially be reported verbally. A written statement must also be provided.

The Human Resources Director or a neutral party will promptly conduct a serious and unbiased investigate regarding the complaint of harassment. All complaints will be investigated. The circumstances, including the nature of the harassment and/or discrimination and the context in which the alleged incidents occurred will be

investigated. The investigation will be conducted in a discreet manner however it cannot be conducted with complete confidentiality as the accused and witnesses will have to be provided with sufficient information to offer meaningful testimony.

Based upon the findings of the investigation, appropriate corrective action, up to and including termination will be taken. If charges are determined to be invalid, inconclusive or highly questionable based on the investigation it will be documented accordingly and advise parties that no further action will be taken.

At the conclusion of the investigation a private meeting with each party involved will be held to advise them of the results of the investigation. A follow-up interview will be held with the complainant approximately two (2) to four (4) weeks after the decision to ensure no reoccurrence and/or retaliation.

Any employee found to have knowingly and willfully filed false charges of harassment or discrimination will be subject to appropriate disciplinary action.

No employee will be retaliated against for making a good faith complaint or participating in the investigation, proceedings or lawsuit. No person shall intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with that person's right to file a complaint or discrimination or harassment.