ATTACHMENT #1

BANKING SERVICES RESOLUTION

WHEREAS, the Wilmington Trust Company is authorized to transact all banking activities for the City of Dover, which includes checks, drafts, certificates of deposits, collection of deposited checks, inter-account transfers, direct payroll deposits, wire transfers, and all other banking transactions; and

WHEREAS, this authorization extends to all types of accounts including but not limited to checking, interest checking, money market, savings and sweep arrangements; and

WHEREAS, the Treasurer and Assistant Treasurers of the City of Dover are authorized to transact all such banking transactions and the Treasurer and Assistant Treasurers are authorized to sign the forms and other documents related to all banking transactions, with a provision that the Treasurer may authorize appropriate personnel for certain transactions; and

WHEREAS, the Wilmington Trust Company is hereby further authorized to execute wire transfers initiated by the above authorized personnel, and that the Wilmington Trust Company is also authorized to accept computer and machine signatures of the authorized personnel.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL that the Wilmington Trust Company is approved as the City of Dover's primary depository and banking institution for a one year period beginning July 1, 1995, with a provision for renewal for two additional years at the option of the City of Dover, at the same fee schedules which are submitted by Wilmington Trust Company as per their proposal dated April 6, 1995.

BE IT FURTHER RESOLVED that the PNC Bank, Delaware Trust Company and Mellon Banks are accepted as depositories and banking institutions for the City of Dover for the accounts that may be opened by the Treasurer.

ADOPTED *

ATTACHMENT #2

AUTHORIZING RESOLUTION FOR BANK ACCOUNT OPENING PURPOSES

WHEREAS, the City of Dover's investment policy includes the investment of funds up to $100,000 per banking institution; and

WHEREAS, the banking institutions require an Authorizing Resolution for the opening of an account.

THEREFORE, be it resolved that the Treasurer and Assistant Treasurers are hereby authorized to open the account, not to exceed $100,000 per banking institution, and that they are authorized to sign the related forms and papers; and

BE IT FURTHER RESOLVED that the transactions in these accounts be carried out with any one signature.

Adopted_____

ATTACHMENT #3

D R A F T 4-26-95

MEMORANDUM OF UNDERSTANDING

PREAMBLE

The purpose of this Memorandum is to establish responsibilities undertaken by the State of Delaware Division of Public Health, henceforth referred to as "the Division" and the "City of Dover", henceforth referred to as "the City", to preserve the public health and maintain sanitary conditions in food service facilities within the City of Dover.

The Division is granted authority to promulgate food service regulations by Title 16 Delaware Code, Subsection 122. It is the Division's responsibility to oversee the enforcement of these regulations by all state and local public health officials. Municipalities, in accordance with Title 16 Delaware Code Subsection 301 (b), may elect to carry out this responsibility within their city limits, provided they appoint a local board of health and conform to program standards adopted by the Division. Historically, the City has maintained a food service inspection program. Through terms specified in this MOU the City will relinquish responsibility for the enforcement of food service regulations in public eating places within Dover to the Division. Nothing in this MOU shall deny the City it's right to re-establish a food protection program provided it complies with the requirements specified in 16 DE Code and meets the approval of the Division.

APPLICABLE CODE

The applicable code shall be the *State of Delaware Regulations Governing Public Eating Places* revised February 15, 1991 and all present and subsequent interpretations and revisions appertaining. The City shall be provided opportunity to comment on revisions to existing codes or proposed new codes affecting food service facilities within the City prior to adoption.

PERMIT ISSUANCE

The City of Dover shall suspend it's permitting system for new and existing public eating places. The Division shall administer it's permitting system for new and existing public eating places within Dover in accordance with the *State of Delaware Regulations Governing Public Eating Places*.

CONSTRUCTION

Plan Review

The Division shall review and approve plans to erect, construct, alter, enlarge, reconstruct, or convert a building for use as a public eating place, in accordance with the *State of Delaware Regulations Governing Public Eating Places*. The Division shall review plans for such facilities only after approval has been granted by City planning and zoning officials. Plans approved by the Division shall be forwarded to the City for further review by City code officials. The Division shall be notified in writing of any alteration by the City to plans which affect the food service operation. Final approval shall be issued to the applicant by the City at which time construction may begin in accordance with the approved plans.

Variances

Any requests for variance from *State of Delaware Regulations Governing Public Eating Places* shall be submitted to the Division for action. The Division shall act upon any such variances and report their decision to both the City and the applicant.

Post Construction Inspections and Permits

The Division shall conduct post construction and pre-operational inspections to assure compliance with approved plans and regulations. The City shall conduct post construction inspections with regard to all other codes under their purview. The City shall not issue a Certificate of Occupancy until satisfactory completion of post construction inspections by both agencies. Following notification by the City, the Division shall then issue a public eating place permit to the applicant.

COMPLIANCE AND ENFORCEMENT

Inspections

In order to effectively monitor for compliance and maintain an optimum level of public eating place sanitation, the Division shall conduct all routine, follow-up, complaint and investigative inspections. The Division shall report all observations of accumulated grease in kitchen exhaust systems, cooking systems and grease traps to the City. Nothing in this MOU shall hinder the City from conducting inspections in public eating places to assure compliance with other City Codes.

Compliance

Policies and procedures followed to obtain compliance shall be the responsibility of the Division. Procedures to be followed by the Division are to be found in 64-100 of the *State of Delaware Regulations Governing Public Eating Places*. The City shall continue to monitor for compliance with other City Codes affecting public eating places.

Enforcement

The Division shall take the appropriate enforcement action as required to assure compliance with the *State of Delaware Regulations Governing Public Eating Places*. The City shall assist the Division, upon request, to assure compliance with enforcement orders by the Division.

Special Investigations

City councilmen and citizens may continue to record complaints regarding public eating places directly to the City's Department of Planning and Inspections. The City shall refer all such complaints to the Division. Investigations arising from complaints about public eating places within the City shall be conducted by the Division. The City may conduct preliminary investigations to assure compliance with other City Codes and may accompany Divison inspectors during investigations of public eating places within Dover. The Dept. of Planning and Inspections shall be notified of all complaints received by the Division regarding public eating places within the City.

Outbreaks of Food Borne Illness

Investigations associated with reports of food borne illness, resulting from consumption of food in facilities within the City, shall be the responsibility of the Division. City Inspectors may assist in field investigations. Related questionnaire or survey data collection and analysis shall be the responsibility of the Division. Copies of reports resulting from such investigations shall be furnished to the City.

QUALITY ASSURANCE

The Division shall strive to assure quality of inspection though uniformity, consistency and accuracy in interpretation and implementation of all codes and regulations. During the first year following transfer of responsibility for food service inspections the Division and the City shall meet quarterly to address concerns. In subsequent years the Division and the City shall review the program on an annual basis, or more frequently if deemed necessary.

City food service facilities shall be offered the opportunity to participate in Division training programs. The Division shall participate, upon request, in the City's annual training programs for public eating places regarding compliance with applicable codes.

REPORTING

The Division shall annually report to the City rating scores and inspection frequencies for public eating places with the City of Dover following compliance with FOIA laws.

Anthony J. DePrima, A.I.C.P.
Director
Dept. of Planning and Inspections
City of Dover

Date

Charles Konigsberg, Jr., M.D., M.P.H.
Director
Division of Public Health
Dept. of Health & Social Services
State of Delaware

Date

WHEREAS, the City of Dover is entitled to $316,000 through the United States Department of Housing and Urban Development's Community Development Block Grant program; and

WHEREAS, the City of Dover is in favor of utilizing the Community Development Block Grant funds for community development purposes in accordance with the National Community Development objectives of benefiting low and moderate income families, eliminating slums and blight, and meeting other community development objectives; and

WHEREAS, the United States Department of Housing and Urban Development requires the City of Dover to submit a Consolidated Plan for Application for Federal Assistance including the proposed use of funds and including certain certifications and policies to obtain its $316,000 entitlement; and

WHEREAS, the City of Dover has prepared the attached Application for Federal Assistance, and presented it at an advertised public hearing held on April 20, 1995.

NOW, THEREFORE, BE IT RESOLVED THAT THE MAYOR AND COUNCIL OF THE CITY OF DOVER approve the application for Federal Assistance included in the Consolidated PLan along with certifications, and policies attached and authorize its forwarding to the United States Department of Urban Development for consideration.