# COUNCIL COMMITTEE OF THE WHOLE

The Council Committee of the Whole met on October 23, 2018 at 6:00 p.m., with Councilman Hare presiding in the absence of Council President Slavin presiding. Members of Council present were Mr. Anderson (arrived at 6:27 p.m.), Mr. Sudler, Mr. Neil, Mr. Cole, Mr. Polce, and Mr. Lindell. Mr. Lewis and Mayor Christiansen were absent. Civilian members present for their Committee meetings were Mr. Garfinkel and Mr. Shelton (*Safety Advisory and Transportation*), and Mrs. Doyle and Ms. Scarborough (*Utility*).

**By unanimous consent the Committee amended the agenda to change the order of the committees, as follows: Utility Committee and Safety Advisory and Transportation Committee.**

# UTILITY COMMITTEE

The Utility Committee met with Chairman Cole presiding.

**AGENDA ADDITIONS/DELETIONS**
**By unanimous consent, the agenda was approved as presented.**

**Small Cell Wireless Action Plan**
Mr. Jim Robinson, Electric Director, reviewed a presentation entitled "City of Dover Electric Department, Small Cell Wireless Action Plan."

Mr. Sudler asked what the expected life span is for this new product, and what one (1) negative aspect would be in regard to this topic. Responding, Mr. Robinson stated that it is difficult to say what the life span is of certain equipment, explaining that as it evolves, it will be changed out. He informed members that the devices that would be installed first would be a small cell version of the current 4G devices, since the 5G devices are still under evolution. Mr. Robinson stated that staff's current task is to ensure that if the installation of one (1) device is approved, entities do not install multiple devices on the same pole without the City's permission. He explained that due to rapid changes in technology, staff is going to make sure that the City's ordinances cover any issues associated with moving equipment in the future. He indicated that staff would not want rate-payers or the City to be responsible for taking abandoned equipment off poles in the future. Mr. Robinson stated that he thinks that there are a lot of pros associated with doing this and it is inevitable. He advised that potential public perception could be a negative aspect, explaining that if the City is not proactive in advertising or communicating to the public there could be some resistance when people begin to notice new devices on the poles. Mr. Robinson noted that it may make sense to have an open house in the future to provide an opportunity for the public to share their thoughts and concerns. Mr. Robinson advised that staff did not believe there were any potential safety issues regarding these devices, since they will be installed on existing poles.

Mr. Neil stated that he saw this as an economic opportunity for companies that could utilize this type of small cell wireless service and for them to know that the City is doing this would be very positive. Mr. Neil asked if the City or those entities applying to install devices would be responsible for the

cost of installation and any costs associated with changes that may occur with the installation. In response, Mr. Robinson stated that all incremental costs will be borne by the requestor. He explained that the requestor would also be responsible for paying for any make-ready work the City has to perform, for example if staff has to modify an existing pole or put in a long power pole. Mr. Neil noted that he understood there would be an application fee and asked if the City could also charge an annual fee for the use of the poles. Responding, Mr. Robinson advised that there is a two-part structure: 1) the application fee and 2) an ongoing annual fee for the use of the City's poles. He explained that the annual fee is consistent with what the City currently charges entities, such as Verizon and Comcast, for utilizing the City's poles. Mr. Robinson noted that it is too expensive and complicated to put a meter on each device; however, staff will be able to determine the annual electricity usage the same way they determine the cost of operating a streetlight, and that cost will be built into the annual fee.

Mr. Polce stated that he was really excited when the Advanced Wireless Infrastructure Investment Act was signed by the General Assembly over a year ago and is really excited about this opportunity for the City of Dover. He advised that he thought that the City now needed to think about what's in the City's best interest and how to be good stewards of the City's infrastructure. Mr. Polce stated that he thought that it would be wise to move aggressively on this matter, especially as members think about the ideals of what a smart city would look like. He explained that he thought that this is a tremendous opportunity for the City to incorporate the demands of new technology which will provide the ability to leverage economic development. Mr. Polce indicated that the Town of Fenwick Island had already adopted an ordinance regarding this matter, which was a lot less controversial than the City of Newark's ordinance, and he suggested that it would be beneficial for staff to review both ordinances. Mr. Polce noted that he was optimistic and, quoting John F. Kennedy, stated "be bold and do what the ordinary fear."

Mr. Lindell stated that he appreciated staff being proactive regarding this matter and that he agreed with the sentiments of Mr. Polce about the City being at the forefront of the latest technological advancements. Referring to Mr. Robinson's presentation, Mr. Lindell asked if Mr. Robinson mentioned that other cities were trying to stall this process through ordinances because they are opposed to it. Responding, Mr. Robinson clarified that it is not the municipalities. Mr. Lindell stated that he thought that the City should move aggressively on this matter and suggested that the ordinances be designed to protect the City interests and encourage growth in a responsible way. Mr. Robinson, noting that the carriers are far ahead on these issues, advised that staff would be very careful in developing the ordinance language and was consulting appropriate legal counsel. He stated that staff had also reviewed master license agreements for two (2) of the entities which was helpful. Mr. Robinson advised members that it was important to consider how to begin and also how to protect the City over the long-term, explaining that there could be hundreds of these devices within City limits within several years. He noted that, in the future, the City could receive 100 applications at a time and will have to turn them around within a specific amount of time. Mr. Lindell stated that he agreed with Mr. Robinson's comments and he thought that the City should protect its interests without creating unnecessary delays.

Mr. Cole thanked staff for their efforts regarding this matter.

**Mr. Neil moved for adjournment of the Utility Committee meeting. The motion was seconded by Mr. Hare and unanimously carried.**

Meeting adjourned at 6:32 p.m.

## SAFETY ADVISORY AND TRANSPORTATION COMMITTEE

The Safety Advisory and Transportation Committee met with Councilman Hare presiding in the absence of Chairman Lewis.

**AGENDA ADDITIONS/DELETIONS**

**Mr. Polce requested that consideration of item #2 - Proposed Ordinance #2018-12 Amending Chapter 70 - Offenses and Miscellaneous Provisions, Section - 70-5 Aggressive Panhandling and Appendix F - Fees and Fines (Sponsors: Hare and Polce) be deferred.**

**By unanimous consent, the agenda was approved as amended.**

**Ambulance Services - Requested Level of Service**

Mrs. Donna Mitchell, City Manager, reviewed the background and analysis regarding the Ambulance Services - Requested Level of Service. She advised that this matter was brought back to the Council Committee of the Whole/Safety Advisory and Transportation Committee so that members could provide staff with direction regarding what they would like to see in the RFP when it is resubmitted to the proposers. Mrs. Mitchell stated that Council discussed giving the proposers two (2) options: (A) the level of service requested in the original RFP, and a second option (B), so she wanted to ask members what the desired level of service is for option B.

Mrs. Mitchell noted that Mayor Christiansen had submitted correspondence dated October 23, 2018, as well as a copy of the Ambulance Services - Requested Level of Service Action Form with the Desired Level of Service (B) section completed, indicating his preference for the level of service **(Attachment #1)**.

Mrs. Mitchell noted that the contract start date would be April 1, 2019. She stated that PrimeCare's contract had been extended to April 1 to provide enough time to complete the process for this proposal. Mrs. Mitchell explained that this would also give the contractor time to get ready to start on April 1, 2019 without providing a transition period.

Staff recommended establishing the level of emergency medical services (EMS) desired by the Committee and recommending the same to City Council for inclusion in an addendum to the original RFP #19-0001CM.

Mr. Hare noted that Mayor Christiansen's desired level of service was two (2) units 24/7 with two (2) EMT-Bs on each unit and a floating unit with two (2) EMT-Bs as needed, and that there should be two (2) EMT-Bs for all units.

Mr. Sudler stated that he was in agreement with recommending and incorporating the two (2) dedicated 24/7 BLS units manned by two (2) EMT-Bs as recommended by Mayor Christiansen.

Mr. Anderson stated that he agreed with Mr. Sudler, noting if Cheswold has two (2) EMT's, it doesn't make sense for Dover not to.

Mr. Polce noted that the City's annual budgeted amount is approximately $200,000 and asked what the average annual cost was for the proposals submitted for one (1) BLS. In response, Mrs. Mitchell stated that the lowest price vendor was $150,000 for one (1) year; however she explained that she would need to go back to review the prices for years two (2) and three (3).

Mr. Polce asked if Mrs. Mitchell thought that the proposals for two (2) BLS units 24/7 would exceed the City's annual budget. Responding, Mrs. Mitchell stated that she could not say for certain. She explained that the original RFP included the number of calls, and the proposers will have to run the numbers to determine what they think the number of transports will be, the differential, and what they can afford to do.

Mr. Polce asked if the RFP Committee had provided any additional recommendations, suggestions or feedback to their initial scope. In response, Mrs. Mitchell stated that she did not consult the members of the RFP Committee, explaining that since this seemed to be a desire of Council and the Committee, she just brought it back to determine what members want as the second alternative level of service.

Mr. Lindell expressed his frustration that Council did not handle this prior to the original RFP being issued. He stated that he thought, in the future, members of Council needed to do a better job of discussing their wishes with staff regarding RFP's. Mr. Lindell noted that he agreed with Mayor Christiansen's recommendations; however, he felt members should have expressed their wishes six (6) months ago before the RFP was issued.

Responding to Mr. Neil, Mrs. Mitchell confirmed that the City used the State's standard in the original RFP and it was the standard previously used as well. Mr. Neil expressed concern that those providing mutual assistance may not operate at this proposed level of service.

Mr. Sudler moved to recommend that the City incorporate two (2) dedicated 24/7 BLS units manned by two (2) EMT-B nationally-certified personnel in an addendum to the original RFP #19-0001CM, seconded by Mr. Lindell.

Mr. Hare emphasized that when the RFP is sent out, those responding should submit proposals based on the City's request, not what they think the City should have. He stated that he thought that this situation could probably have been avoided if the City originally received proposals based on what was requested.

**The motion to recommend that the City incorporate two (2) dedicated 24/7 BLS units manned by two (2) EMT-B nationally-certified personnel in an addendum to the original RFP #19-0001CM carried with Mr. Neil voting no.**

**Proposed Ordinance #2018-12 Amending Chapter 70 - Offenses and Miscellaneous Provisions, Section - 70-5 Aggressive Panhandling and Appendix F - Fees and Fines (Sponsors: Hare and Polce)**

The Committee deferred consideration of this item, at the request of Mr. Polce.

**Mr. Sudler moved for adjournment of the Safety Advisory and Transportation Committee meeting, seconded by Mr. Cole and unanimously carried.**

Meeting adjourned at 6:42 p.m.

**Mr. Sudler moved for adjournment of the Council Committee of the Whole meeting. The motion was seconded by Mr. Cole and unanimously carried.**

Meeting adjourned at 6:42 p.m.

William F. Hare
Acting Chair

TAS/TM/dd/jt
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Attachments

Attachment #1 - Correspondence provided by Mayor Christiansen dated October 23, 2018, as well as a copy of the Ambulance Services - Requested Level of Service Action Form with the Desired Level of Service (B) section completed, indicating his preference for the level of service

# City of Dover

OFFICE OF THE MAYOR

October 23, 2018

Council President Tim Slavin
P.O. Box 475
15 The Plaza
Dover, DE 19901

Dear Mr. President:

I apologize for my absence from the meeting of the Council Committee of the Whole. I am entertaining a trade group from our sister city in Miyagi Japan. I would like to add my personal comments to the discussion of item number 1 of the Safety Advisory Committee: The Ambulance Contract Level of Service.

I, as a former EMT and current active firefighter for the Dover Fire Department, believe that I can offer some incite to what I see as staffing levels for our ambulance service contract to better serve our growing community with the highest level of EMS service. I believe that the City and our citizens would be best served by two dedicated 24/7 BLS units manned by two EMT-B nationally certified personnel. I further believe that an additional floating unit should be considered. The times for this unit would be to supplement the two dedicated units during peak hours of need based on call analysis and statistical information.

It is my feeling that such an arrangement would adequately accommodate our population which fluctuates from 38,000 (night time) to an estimated 60,000+ (daytime) which includes citizens, visitors, commuters and employees of our many offices and businesses. Those units would provide needed coverage for our growing senior population as well as increasing incidents for opioid and other types of calls for help.

Thank you for your time and consideration for the above to be part of a contract for service for the best protection for our citizens.

Respectfully Yours for a Better Dover,

Robin R. Christiansen
Mayor, City of Dover

Cc: Members of City Council
Donna S. Mitchell, City Manager

# ACTION FORM

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|---|---|
| **PROCEEDING:** Council Committee of the Whole – Safety, Advisory, & Transportation | |
| **DEPARTMENT OF ORIGIN:** City Manager's Office | **DATE SUBMITTED:** 10-16-18 |
| **PREPARED BY:** Donna Mitchell, City Manager | |
| **SUBJECT:** Ambulance Services – Requested Level of Service | |
| **REFERENCE:** RFP Number #19-0001CM | |
| **EXPENDITURE REQUIRED:** | **ANNUAL BUDGET:** FY19 $245,000 |
| **FUNDING SOURCE (Dept./Page in CIP & Budget):** FY19 Budget | |
| **TIME TABLE:** Effective April 1, 2019 | |
| **RECOMMENDED ACTION:** Establish level of EMS Service desired by the Committee and recommend the same to City Council for inclusion in an addendum to the original RFP #19-0001CM. | |

## BACKGROUND AND ANALYSIS

The Ambulance Service RFP #19-0001CM recommendation was presented to CCW – Safety Advisory and Transportation Committee on August 28, 2018. During its meeting of the Committee discussed the level of service for Ambulance Services since two of the proposals submitted included a higher level of service than was requested in the Request for Proposal (RFP). No action was taken by the Committee on this item.

At its meeting of September 10, 2018, City Council continued the ambulance level of service discussion. Council referred this matter back to the CCW- Safety Advisory and Transportation Committee with instructions to staff to determine how best to request revised responses from each of the respondents which address both the one (1) and two (2) EMT crew options and come back with revised responses from each of the respondents.

Staff recommends that an addendum be added to the Request for Proposal for an Alternate Service level as desired by the Committee and Council. The original proposals cannot be adjusted from their original form except for the Addendum response and pricing of both levels of service (A & B). The current level of service as budgeted is as follows –

| RFP Requested Level of Service (A) | Desired Level of Service (B) |
|---|---|
| First unit<br>24 hours, 7 days per week | 2 units 24/7 (2) EMT Bs each |
| Second unit<br>16 hours, 7 a.m. to 11 p.m. | Floating 2 EMT Bs as needed |
| Staffing –<br>1 EMT<br>1 EMR with EVOC | 2 EMT B for all units |

Since the time of the above discussion, the Dover Fire Department voted not to permit any use of their facilities for Ambulance Services. Staff is agreeable to accept a change in the Saint Francis proposal for a mutually agreed to location provision that was included in the Request for Proposal. The City will also be including a contract re-opener provision to partner with the vendor when bidding on other services in Dover's EMS territory. The contract start date will be April 1, 2019.

