LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

The Legislative, Finance, and Administration Committee meeting was held on December 8, 2014, at 5:01 p.m. with Chairman Slavin presiding. Members present were Mr. Anderson, Mr. Hare, Mr. Shevock, and Mr. Sudler. Members of Council present were Council President Bonar, Mr. Dixon, and Mr. Hutchison. Mayor Christiansen and Deputy City Solicitor Pepper were also present.

AGENDA ADDITIONS/DELETIONS

Mr. Sudler moved for approval of the agenda, seconded by Mr. Anderson and unanimously carried.

Overview of 1988 Consent Decree

Chairman Slavin stated that members had been provided the 1988 Consent Decree for their review due to the discussion regarding the responsibilities and reporting structure for the Mayor and City Manager scheduled to take place later in the meeting. He explained that several members felt such discussion could not occur without an understanding of the background behind the 1988 Consent Decree. Mr. Slavin indicated that the purpose of the overview was simply to provide members this understanding and that there was no desire to change the Decree.

As requested, Deputy City Solicitor William Pepper provided a brief history of the City's structure, noting that prior to 1988 the City was governed by eight (8) members of City Council and a Mayor. The Mayor presided over the City Council meetings. The eight (8) members of City Council were elected from four (4) districts; however, they were elected through at-large voting. In accordance with the 1988 Consent Decree, the government was modified. The Mayor no longer presided over City Council meetings, with the exception of the Annual Meeting, and Council's structure was changed to include nine (9) members of City Council, with eight (8) members elected from four (4) districts through district voting and one (1) member elected by at-large voting.

Responding to Mr. Anderson regarding whether the Decree contains limitations on the reporting structure for the City of Dover, Deputy City Solicitor Pepper stated that the 1988 Consent Decree does not address this issue.

In response to Mr. Sudler, Deputy City Solicitor Pepper explained that the 1988 Consent Decree would not have an effect on a change made to the City's form of government, such as implementing a strong Mayor/Council form of government. He noted that the Consent Decree only addresses how members of City Council are elected and who presides over City Council meetings. Unless there was a change made in regard to these items, it was his opinion that the Consent Decree would not be implicated.

Mr. Hare questioned the possibility of choosing to have a strong Mayor form of government, while maintaining four (4) Council Districts whose members would be elected through district voting and the Mayor representing the At-Large elected official. Responding, Deputy City Solicitor Pepper indicated that since the Consent Decree requires nine (9) members of City Council, such a change would require altering the Consent Decree.

At the request of Mr. Sudler, Deputy City Solicitor Pepper explained his understanding that a decision regarding a strong Mayor/Council form of government would involve the administrative operation of the City and not the function of City Council; therefore, he felt that the Consent Decree would not be implicated in such a decision.

Responding to Mr. Anderson, Deputy City Solicitor Pepper confirmed that, in accordance with the Consent Decree, the City had agreed that City Council meetings would be chaired by the Council President/Vice-Mayor. Mr. Pepper stated that the number of members elected was also governed by the Consent Decree and any change would require altering the Decree. However, Mr. Pepper noted that the Consent Decree would not have any bearing on the administrative operations of the City.

As a member of City Council when the Consent Decree was approved, Mayor Christiansen advised members that it was Council's intention at that time, as well as the intention of two (2) Charter Review Committees, that the Mayor should become the Chief Executive Officer (CEO) of the City and maintain veto power, while the job of City Council would be strictly to legislate and finance the operations of the City. He stated that this was eventually implemented in 1997 when the City instituted a full-time Mayor.

In response to Mr. Hutchison, Deputy City Solicitor Pepper suggested that in order to consider any modification to the Consent Decree, the City should open negotiations with Mr. Cecil Wilson as well as the Central Delaware Branch of the National Association for the Advancement of Colored People (NAACP), who were party plaintiffs in the matter that led to the Decree, to try to reach an agreement. Otherwise, the City could file a motion to modify the Consent Decree, depending on what Council wished to accomplish.

Council President Bonar noted that the last paragraph of the Consent Decree states: "The court shall retain jurisdiction of this action to determine whether any further remedial action is necessary, and to decide the issue of plaintiffs' attorney's fees and costs." He questioned if this indicated that the court would be required to approve opening the Consent Decree for discussion. Responding, Deputy City Solicitor Pepper stated his belief that the parties themselves could reach an agreement to amend the Consent Decree and the court would approve it as a matter of course; however, if the City chose to modify the Consent Decree over the objection of either of the plaintiffs, the court would be required to hold hearings.

Council President Bonar questioned if the City had ever held a referendum by registered voters of the City of Dover to determine if they preferred a full-time or part-time Mayor. Responding, Mr. Anderson recalled the question being put before the voters in 2003 or 2004 and the results indicated that 70% of the voters favored a full-time Mayor. *[City Clerk's Office Note: During the municipal election held on April 20, 2004, the results of a question on the ballot reflected that out of 4,470 votes cast, 3,185 voters (71%) favored a full-time Mayor, versus 1,285 who voted for a part-time Mayor.]*

Proposed Financial Reforms

During the Committee meeting of June 23, 2014, Mr. Slavin advised members that during the June 11, 2014 Special City Council Meeting - Budget Review, he proposed a series of 14 financial reforms to be addressed over the next six (6) to nine (9) months that would assist in shaping the City's Budget for FY 2015/2016. He stated that the proposed reforms were clustered into four (4) separate areas, as follows: 1) public safety; 2) compensation policies; 3) property tax governance; and 4) restrictions on uses of appropriations.

Compensation Policies

During their Regular Meeting of October 13, 2014, City Council approved the Committee's recommendation to obtain legal opinions regarding the three (3) proposed financial reforms related to compensation policies, as follows:

6) Council will not authorize pay raises, bonuses, or other forms of compensation in consecutive fiscal years for any City employee, including Council appointees. A two-thirds vote of Council is required to authorize an exception to this policy.

7) Council will not authorize more than 1% compensation increases (which shall include the total of salary, bonus, and other forms of compensation) for any one fiscal year. A two-thirds vote of Council is required to authorize an exception to this policy.

8) Council will not authorize any compensation package which results in a total compensation increase of more than 2.5% in any three-year period. A two-thirds vote of Council is required to authorize an exception to this policy.

Mr. Slavin advised members that the City Solicitor, Mr. Rodriguez, provided an opinion (*as on file in the Office of the City Clerk*) that the proposed compensation policies would result in the City forfeiting "good faith" negotiations if the City were to begin the process by stating such policies, and would hinder the City's ability to negotiate since it would prohibit the City's legal counsel from using a full range of options when proposing contracts with its employees. As the author and proposer of the compensation policies, Mr. Slavin requested that these compensation policies be withdrawn at this time from formal consideration; however, he welcomed any comments from Committee members, City Council, or the public regarding the spirit of these reforms. He felt that it may be the spirit of the reforms, if not the actual policies, that could carry forward.

Mr. Anderson felt that, as presented, the proposed policies may have been too restrictive. He suggested that City Council indicate their current intent with a resolution which would form the basis of Council's desire and of budgetary constraints.

Council President Bonar commended Mr. Slavin for bringing the proposed policies forward for discussion. He felt there are often situations that cause City Council to react rather than taking a proactive approach. Mr. Bonar stated that although he may not agree with all of the proposals, he did feel that some merit further discussion. He suggested that members address the problems that led to their concerns regarding compensation.

Mr. Slavin moved to recommend tabling the compensation policies to allow further discussion, seconded by Mr. Shevock and unanimously carried.

Property Tax Governance

During their Regular Meeting of September 22, 2014, City Council considered the proposed financial reforms related to property tax governance, as follows: 9) Council shall not raise the property tax rate more than 9.5% without first holding a referendum on the proposed tax increase. This provision shall not apply in those years when a revenue-neutral adjustment to the tax rate is required because of property revaluation; and 10) Council shall not raise the property tax rate more than 9.5% without two (2) separate votes of a two-thirds majority vote of Council, with the requirement that a municipal election occur between the first and second vote. This provision shall not apply in those years when a revenue-neutral adjustment to the tax rate is required because of property revaluation. After much discussion, City Council referred financial reform #9 to staff and legal counsel for drafting as an ordinance, with the provision in the drafting of the ordinance that Council may vacate the provisions in times of unforeseen emergencies, and with the stipulation that the ordinance be reviewed four (4) years after implementation. It was noted that the Committee tabled proposed reform #10 since the intent of the reform was met with the Committee's recommendation of proposed reform #9.

Mr. Slavin explained that the purpose of proposed reform #9 was to restrict Council by establishing rules and parameters. He indicated that the objective was to remove the specter that action to address long-term issues could be delayed in hopes of "things just getting better," or that they could be addressed by instituting a huge tax increase once every 10 years. He noted that the proposed reform would require City Council to ask the voters their opinion. Mr. Slavin noted that the legal opinion of the City Solicitor *(as on file in the Office of the City Clerk)* reiterated that referendums are non-binding.

Mr. Anderson relayed his strong support for proposed reform #9 and urged members to submit the proposal to City Council for consideration. He felt that the provision was important to economic development since it would provide some measure of certainty. Mr. Anderson explained that there were organizations and businesses who were investing or looking to invest hundreds and millions of dollars in the City of Dover. If there were an assurance that tax increases would be done in a predictable, moderate fashion, this would add to economic certainty, which Mr. Anderson felt would be good for jobs and economic growth. He noted that if there were an urgent need for a major tax increase, it would be presented to the citizens. Mr. Anderson suggested that the proposal would provide sufficient ability to adjust the tax rate to address problems, explaining that it was difficult to foresee the need for a tax increase above 9% in one (1) year and he felt that if that were the case, this would indicate that the City was not being managed properly. In addition to benefitting existing and potential businesses, Mr. Anderson stated that this provision would also provide families more security by allowing them to budget from year to year without being subjected to an egregious tax increase. He again urged members to approve the proposal for City Council's consideration.

Mr. Hare indicated his objections, explaining that members of City Council were elected to manage and run the City of Dover and not to put the City in a position where an egregious tax increase would be required. He stated that members of City Council were elected to manage the City in such a manner as to eliminate wasteful spending rather than continuing it simply because it may require action that would cause someone to lose their job or be laid off. Mr. Hare noted that these are tough decisions that are made every day by elected officials throughout the State, except for the City of Dover. If it were necessary to raise taxes 23%, as proposed last year, and if this was necessary due to mismanagement, then he felt that this was the action that Council needed to take and if the

residents opposed this, Council members would not be re-elected. Mr. Hare stated that former Council member Frances Weyandt once said to him, "If you wish to run for office only to worry about being re-elected, then you should not run for office." Mr. Hare stated his objections to the proposed caps, as well as requiring citizens to vote on property tax increases, explaining that it is Council's responsibility to make tough decisions. He advised members that some City employees have salaries that are well above the paygrade of comparable positions throughout the State. Mr. Hare felt that City Council should be pro-active in addressing such issues rather than taking action to cover mistakes.

Mr. Hutchison felt very strongly that it was the responsibility of elected officials of the City of Dover to raise taxes. He noted, based on history, that the City had rarely raised taxes and felt that this was due to the close working relationships between City Council, the Mayor, City Manager, and Department Heads which ensured that the City was run effectively and efficiently. However, Mr. Hutchison believed that at some point it would be necessary for the City to raise taxes and that it should be the responsibility of the elected officials to take such action.

There being no objections, Council President Bonar read a statement submitted by Mr. Thomas J. Leary (former member of City Council), as follows:

> *As members of the City Council we are elected to represent our fellow citizens. We are expected to be informed on a myriad of issues, including budgetary ones, and to make appropriate decisions. These decisions can be at times challenging and difficult. They may even be unpopular. However, we are expected to make them.*
>
> *Proposing that a tax increase go to referendum, irregardless of the size, or whether binding or non-binding, is simply put, an abrogation of the duties of one's office.*
>
> *If we lived in a highly inflationary spiral one would not put tax increases on "auto-pilot". This would show a complete lack of leadership, be considered intellectually lazy, and would be regarded as an act of faithlessness by the public.*
>
> *I would submit to you that this proposed ordinance is no different in its application and effect.*
>
> *I am available should you wish to call and remain at your disposal.*

Council President Bonar indicated that he concurred with the statement submitted by Mr. Leary, as well as the comments made by Mr. Hare. He noted that voter turnout is historically dismal and, as a result, a few hundred citizens of the City make the decision as to who the City's Mayor is, the City Council representatives for their district, and the at-large Council member. Mr. Bonar relayed concern with allowing this same authority in determining the City's tax structure. He too felt that the citizens elect members of City Council to make decisions and have put their faith in their elected officials to do so and take the appropriate action. Mr. Bonar stated that he feels that the City's taxes are extremely low and that there should be a substantial increase in property taxes. He did not feel that the matter should be submitted to the citizens for a referendum, explaining that such action is an abrogation of City Council's responsibility. If citizens are not pleased with the action taken by City Council, they have the power not to re-elect their representative. However, Mr. Bonar did agree

that such a proposal would provide certainty from an economic development standpoint, noting that businesses do depend on certainty. Since, at this time, it was City Council's right and responsibility to make such decisions, he did not feel there was a need for any change.

Mr. Sudler suggested, when there are important decisions facing members of City Council, that members hold district meetings with the community to provide information regarding such matters. It was his feeling that being aware of the opinions of their constituents would assist members in knowing how they should vote on certain issues.

Mayor Christiansen expressed his concurrence with former City Councilman Leary, as well as Council President Bonar, explaining that members of City Council and the Mayor have a distinct responsibility to the public to keep them informed and, likewise, the public has a responsibility to follow the actions of City Council if they have an interest in the future of their City. Mayor Christiansen cautioned members against any compromise of the responsibilities of City Council in taking action they feel is necessary for the betterment of the City.

Mr. Slavin stated that regardless of voter turnout, members should not stop listening to and considering the concerns of their constituents. Long before making difficult decisions, he explained that City Council's first responsibility as an elected official is to listen to their constituents. Mr. Slavin reminded members that the oath of office which each member took states that their "power flows from the people." Regarding the reference to such a referendum being an abrogation of City Council's responsibility, he indicated his objections, explaining that City Council would be submitting the matter to the people and Council would be making the decisions regarding the expenses that would cause the referendum. As a result, Mr. Slavin stated that it would not be an abrogation to get to that point; however, it would be an abrogation to ignore the wishes of taxpayers and not to have their voices heard.

Mr. Anderson suggested that the proposal would provide an additional advantage relative to arbitration situations with labor. He explained that jurisdictions that have tax control referendums, such as Colorado and South Dakota, are more able to control labor costs and, coincidentally, have some of the lowest unemployment rates. He noted that after studying this matter, he discovered that across the country the proposed initiative goes hand in hand with positive economic growth, if not done in such a manner that it becomes too restrictive.

Mr. Hare advised members that he is constantly contacted by constituents in the Second District relaying their comments, concerns, and opinions; therefore, he would very much be made aware of how his constituents would feel regarding any proposed tax increase. In addition, he stated that he attends homeowner association meetings, which provide another means of obtaining the opinions of his constituents.

Mr. Anderson noted that, in addition to being contacted by residents of the Fourth District, he is also contacted by those from the Second District, which he felt was an indication that those residents are very particularly tax sensitive. Due to the importance of this issue, he felt that its merits required further discussion by Council; therefore, he suggested that the matter be forwarded to City Council with no recommendation from the Committee.

Mr. Anderson moved to forward proposed Financial Reform #9, Property Tax Governance, to City Council without a recommendation for the purpose of having a full discussion by

City Council. The motion was seconded by Mr. Sudler and unanimously carried. *(Note: Financial Reform #9, Property Tax Governance, states that Council shall not raise the property tax rate more than 9.5% without first holding a referendum on the proposed tax increase; this provision shall not apply in those years when a revenue-neutral adjustment to the tax rate is required because of property revaluation.)*

Permission to Recruit - Dover Police Department Cadet Program

Police Chief Bernat advised members that the Dover Police Department had an active Police Cadet Program during the 1999-2001 time period. He stated that it had proven to be a beneficial program for the department since two (2) well-qualified police officers were hired from the program; unfortunately, the department did not have the support to continue the program after 2001.

Chief Bernat indicated that, due to the continuing safety and security concerns expressed by merchants, customers, and residents in the downtown area, the Dover Police Department would like to revive the Police Cadet Program and hire six (6) part-time cadets to maintain a more visible law enforcement presence in the downtown area. As indicated in his letter to Mayor Christiansen, dated October 6, 2014, Chief Bernat noted that reviving the Police Cadet Program would benefit the City of Dover, as follows:

1. Allow downtown merchants to build a rapport with the cadets, allowing the cadets to understand their needs.
2. Provide additional patrols to curb loitering, alcohol violations and pan handlers.
3. Provide additional patrols to curb noise ordinance violations (loud music from vehicles).
4. Provide additional patrols to curb harassment complaints.
5. Provide extra patrols in the Library.
6. Allow the police department to screen and vet the cadets for future employment as a Dover Police Officer.
7. Most importantly, the presence of the cadets in the area will provide a feeling of safety to the downtown patrons, as well as the downtown merchants.

Chief Bernat explained that the cadets would be paid an hourly rate of $12.00 for 19 hours per week, working part-time patrols in pairs, and be assigned to the Department's Community Policing Unit. He advised members that the Police Department was requesting to hire the cadets to begin in February 2015 and that the total costs for the remaining fiscal year would be $51,481. He provided members with a revised cost breakdown for the FY 15 Police Cadet Program - Civilian Payroll Costs, and Uniforms and Equipment Costs ***(Attachment #1)***, explaining that the original proposal included the cadets working 20 hours per week beginning in January and the revised proposal reduced the number of hours to 19 per week to begin in February rather than January.

Chief Bernat stated that the Dover Police Department would fund the program with interest from grant money received during the period from July 1996 through June 2014 (18 year period), noting that the Police Department accumulated interest amounting to $69,201.84 during this time from two (2) grants. He indicated that a total of three (3) grants accumulated interest, for a grand total of $90,528. Chief Bernat explained that the Police Department was in the process of securing grant funding for a portion of the first year costs and additional grant money was being sought to offset costs for FY2016.

Chief Bernat advised members that the six (6) male and female cadets would come from local colleges and would go through a hiring process. Those selected would have two (2) weeks of training and would spend at least one (1) week with a Field Training Officer (FTO). Chief Bernat stated that the cadets would be uniformed very similar to a regular Police Officer but would not have guns. He stated that the cadets would have full arrest powers; however, it was not anticipated they would make any serious arrests.

Staff recommended approval of the Police Cadet Program as requested, to include the establishment of six (6) part-time positions.

Mr. Sudler questioned if cadets would be patrolling the New Street, Kirkwood Street, and Queen Street areas. Responding, Chief Bernat indicated that the cadets would predominantly be patrolling the Loockerman Street area to provide additional safety to businesses there, including the Dover Public Library. The cadets would also assist with parades and other large functions, such as the Fourth of July Celebration. Noting that there are businesses, such as barber shops, located on those streets surrounding Loockerman Street and considering the high crime rate in those areas, Mr. Sudler requested consideration of including patrols in the New Street, Kirkwood Street, and Queen Street areas. Chief Bernat confirmed that cadets would be patrolling those businesses located on the streets surrounding Loockerman Street.

In response to Mr. Sudler, Chief Bernat indicated that any student aged 18 years and older could apply and that the required training would include diversity training.

Mr. Hare advised members of his recent ride-along with the Dover Police Department and noted that there was a lot of activity between 11:30 p.m. and 1:30 a.m. in these areas. He relayed his support of staff's request.

Chief Bernat stated his desire to also train the cadets to utilize bicycles, which would allow them to patrol more areas during warmer weather.

Referring to the success of the previous Police Cadet Program, Council President Bonar advised members that a former cadet for the Dover Police Department became Superintendent of the Delaware State Police several years ago. Mr. Bonar expressed his feeling that the program would be a good way to build an employment base for the Police Department and indicated his support.

Responding to Mr. Hutchison, Chief Bernat confirmed that, if the Program were approved, the cadets would be focused on day work, Monday through Saturday, and as they become seasoned, they would also perform evening work. As a former City of Dover Police Chief, Mr. Hutchison stated his positive experience with the program and its effectiveness and indicated endorsement of the program.

Mr. Sudler relayed concerns regarding 18-year-old cadets having the maturity level necessary to handle the types of issues facing law enforcement today and their safety due to lack of experience in resolving physical confrontations. Although the Cadet Program had been successful in the past, he felt that the crimes are not the same today as in previous years. In addition to the safety of the cadets, Mr. Sudler expressed concern for the citizens' safety due to the inexperience of the cadets and regarding the potential of a lawsuit for the City of Dover. Concurring, Chief Bernat explained

that a hiring process very similar to that required to hire a police officer would be conducted, including physical and psychological tests, and a total of three (3) weeks of training would be provided. In addition to monitoring the cadets, he assured members that the Department would have an evaluation period.

Responding to Mr. Shevock, Chief Bernat stated that he would know on December 9, 2014 if the full amount of grant money would be provided as funding for the program through FY2015. If the program continued and grant monies were not available, he would submit a request to City Council for inclusion of the necessary funding in the budget for the Police Department.

Mayor Christiansen indicated his total support of the request. In addition to the previous cadet for the Dover Police Department who became the Superintendent of the Delaware State Police, he advised members that former City Police Chief Keith Faulkner had also been a cadet. The Mayor felt that these successes indicated that the cadet program had merit and urged members to approve the request.

In response to Mr. Slavin, Chief Bernat stated that the use of cadets would eventually provide a savings since it would provide additional officers and eliminate the need to pay police officers overtime or comp time. Mr. Slavin suggested that this savings be calculated in order for City Council to be made aware of the offset. Responding, Chief Bernat advised members that the cost of a cadet is 25% that of a police officer, providing a savings of 75% for each cadet.

Ms. Sara Herbert, 222 N. Bradford Street, stated that she served as the corresponding secretary for the Old Dover Neighborhood Watch. She noted that the Mayor had attended their last meeting and advised members of the Cadet Program. Of those members in attendance (approximately 25 of the 35 members), she stated that this was the one (1) issue that all members supported. Ms. Herbert urged the Committee to approve the request.

Mr. Hare moved to recommend approval of the Police Cadet Program as requested by staff, seconded by Mr. Anderson and unanimously carried.

Continuing Disclosure Policy Concerning Municipal Securities

Mrs. Donna Mitchell, Controller/Treasurer, advised members that the Continuing Disclosure Policy Concerning Municipal Securities was drafted as a result of new Federal Communications Commission (FCC) regulations, to ensure that the City of Dover efficiently carries out its continuing disclosure obligations with respect to the municipal securities it issues or guarantees, pursuant to Rule 15c2-12, as amended, promulgated under the Securities Exchange Act of 1934, as amended.

Mrs. Mitchell requested that the Policy be adopted as an Appendix to the City's Debt Policy.

Mr. Hare moved to recommend adoption of the Continuing Disclosure Policy Concerning Municipal Securities (Attachment #2) as an Appendix to the Debt Policy. The motion was seconded by Mr. Anderson and unanimously carried.

Capital Improvement Project (CIP) Cost Estimating/Bid Process Guidelines

Mr. Scott Koenig, City Manager, advised members that, in response to concerns raised by Councilman Slavin during the August 11, 2014 City Council Meeting, he had developed guidelines, to be used by all Department Heads, outlining specific expectations regarding Project Development, Budgeting, and Administration for all Capital Improvement Projects (CIPs). Although Mr. Slavin had suggested the development of a policy, it was Mr. Koenig's opinion that a Council policy would not be required to achieve the requested controls and objectives. Referring to a memorandum, dated November 19, 2014, which was sent to all department heads regarding Capital Improvement Project (CIP) Cost Estimating/Bid Guidelines, Mr. Koenig assured members that these guidelines had been implemented at the staff level. He indicated that the guidelines were developed with the cooperation of the City's Controller/Treasurer and the Public Works and Electric Department Directors, explaining that those departments produce the majority of such projects.

Staff recommended acknowledgment of the Capital Improvement Project (CIP) Cost Estimating/Bid Guidelines that had been implemented by the City Manager in response to concerns raised by City Council.

Responding to Mr. Slavin regarding the requirement to include a no greater than a 15% contingency in project budgets (bullet point #5 in the memorandum) and concerns regarding how this may affect older infrastructure projects, Mr. Koenig stated that as staff develops better estimating processes, it is the intent to consider any contingencies. Mr. Koenig explained that, typically, when conducting engineering work, 15% had served as a good guideline. As an example, Mr. Koenig stated that the contingency for the new library was very low, approximately 5%, explaining that, typically, there are lower contingencies with larger projects since there are fewer unknowns. He felt confident that the 15% guideline would be sufficient.

Mr. Slavin suggested that staff include the cost of not doing a project, assuming that the project is requested for efficiency purposes or more capacity, and what the financial and other issues would be if Council were to choose not to fund the project. Responding, Mr. Koenig agreed to include this requirement in the narrative. Regarding any additional operating expenses in out years, such as staffing and supplies, he stated that the CIP already includes a small section to provide the costs of those expenses and, although the details are currently not included, such information would be included in the future.

In response to Mr. Hare, Mr. Koenig stated that as contingencies are developed, staff considers the history of similar projects. He explained that several contingencies are actually built into the unit prices by establishing a "ceiling" price. Mr. Koenig advised members that some contracts are written so that the contingency is a bid alternative and becomes an addition to the base, and in some cases it depends on how the project specifications are written. For example, a 15% contingency would be sufficient for a street program since the costs consist of unit prices and the City performs as much of the work as possible, although funding sometimes becomes available during the project from State legislators. However, for projects such as a parking lot, where the City has completed the design and the soil conditions are known, Mr. Koenig stated that the contingency may need to be only 5% since there would be very few unknowns. He felt that as each project is developed, staff would debate internally and establish the contingency rather than establishing a 15% contingency across the board, since 15% is listed as the maximum in the guidelines.

In response to Mr. Hare's concerns regarding low estimates, Mr. Koenig stated that the City does not control the bid market and that, in some cases, it will change very quickly. Referring to the Horsepond Substation Project, Mr. Koenig noting that when the City began consideration of bidding for the 69kV tie in, staff utilized a price from when that work was previously done. He advised members that when the project was bid, a lot of activity was required for the transmission work, which resulted in the price being three (3) times higher than expected. As a result, a significant amount of the work was completed by City staff in-house with only small portions of the work being subcontracted. Mr. Koenig reiterated that the bid environment is very dynamic and dependent on how many projects are available, the timing of projects, bid market, interest market, time frame, etc., regardless of the best estimate developed by the City.

Mr. Hare moved to recommend acknowledgment of the Capital Improvement Project (CIP) Cost Estimating/Bid Guidelines that have been implemented by the City Manager in response to concerns raised by City Council, as presented. The motion was seconded by Mr. Anderson and unanimously carried.

Discussion - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor

Mr. Slavin stated that the responsibilities and reporting structure for the Mayor and City Manager and continuation of full-time status for the position of Mayor had been discussed by the Committee during the past several meetings. He reminded members that during their Regular Meeting of September 22, 2014, City Council approved the Committee's recommendation for future consideration of Option A, as follows: a full-time mayor's position, with consideration of changing the City's current form of government to a mayor/council form of government, where the city manager and chief of police would be appointed by the mayor and confirmed by City Council, and that any positions which currently report to council that are moved to report to the mayor would only be removed for cause and with council approval. Members of City Council also approved the Committee's recommendation that the Council President open a dialogue with the parties to the 1988 Consent Decree *(item discussed during the Overview of 1988 Consent Decree, earlier in this meeting).*

As requested during the Committee meeting of October 27, 2014, Mr. Slavin noted that members had been provided an organizational chart for Option A as well as the current organizational chart for the City. In addition to considering maintaining the current responsibilities and reporting structure, as well as Option A, a strong mayor form of government, Mr. Slavin stated that Mr. Anderson may have an additional option for the Committee's consideration. It was his hope that at the conclusion of the meeting, the Committee would forward this matter to City Council with or without recommendations, explaining that the Committee's role was to allow for the discussion, to include the public, and then to provide City Council with this information to allow a full debate.

Mr. Sudler reminded members that, during the Legislative, Finance, and Administration Committee meeting held on September 8, 2014, he had relayed his support for a full-time Mayor with strong administrative powers, which was presented as Option A. Mr. Sudler noted that members had indicated they welcomed any suggestions relative to Option A and, as a result, he developed ideas for a job description and a job appraisal report for the Mayor, which he submitted and briefly reviewed ***(Attachment #3 - Option A)***.

Noting that Option A referred to a strong mayor form of government, Mr. Slavin suggested, for clarification, that any reference to the City's current form of government be considered as "Option B."

Referring to the job description provided by Mr. Sudler, Mr. Anderson suggested replacing Item #4 - bachelor degree, under the minimum requirements, with the requirement for the Mayor to have been a City resident for two (2) years, which would mirror the City Charter. Referring to the proposed organizational chart, he felt that the City Clerk's Office should remain under City Council since it serves as Council staff and that the Finance Office should also remain under City Council to provide "checks and balances."

Concurring with Mr. Anderson, Mr. Hare also felt that the Mayor should not appoint the Deputy Chief of Police, suggesting that the Police Chief should have that authority. Although he had no preference regarding the City having a full-time or part-time Mayor, if the City elected a full-time Mayor, Mr. Hare felt that the City should have a strong mayor form of government.

Mayor Christiansen stated his feeling that the City Manager should be hired and maintained by City Council, although he noted that in the past a Board was created to hire other officials for the City. He agreed with most of the recommendations submitted by Mr. Sudler; however, he felt that the job appraisal would be the responsibility of the public rather than City Council.

Responding, Mr. Hare noted that as an elected official, the public would be indicating their opinion regarding the Mayor's performance every four (4) years through the election.

Mr. Sudler felt that if the City chose to have a strong mayor form of government, the Mayor would be required to submit reports to City Council and, although he understood that the public would ultimately either re-elect the Mayor or vote him/her out of office, since that would occur only every four (4) years, he felt that the Mayor's performance on yearly goals and objectives should be appraised annually by City Council.

It was Mr. Hutchison's opinion that a major change that should occur would be to give the responsibilities and leadership of the City Manager more authority in the City, which would include the operations and budgetary issues of the Police Department. He stated that the City Manager should report to the Mayor and City Council. This would tie everybody into the total operations, noting that there are problems with the current system. As an example, Mr. Hutchison reminded members that earlier in the meeting, the Police Chief had submitted a request regarding the Cadet Program. Rather than submitting the request to the Mayor, Mr. Hutchison felt that it should have been submitted to the City Manager due to possible budget implications, since the City Manager is responsible for the City's budget. After the City Manager's review, the request should have then been presented to the Mayor and Council President to bring forward for consideration by the Committee. Mr. Hutchison reiterated the need for the City Manager to be in charge of the City's operations. He reminded members that, according to the City Charter, anyone 18 years of age or older can be elected as Mayor. Considering the complexity of the City, the budget, and the responsibilities of the Mayor's Office, he stated that although he supports a full-time Mayor, the day-to-day operations and financial responsibilities should belong to the City Manager since that individual is selected based on education, knowledge, and work experience necessary to oversee and run a City, and the City Manager would ultimately report to the elected officials.

For informational purposes, Mayor Christiansen advised members that the request for the Cadet Program was presented to the City Manager for his review prior to its submission to the Committee. Mayor Christiansen expressed his feeling that it is imperative, due to the Charter requirements for the Mayor to be responsible for the safety and security of the City, that the Mayor remain in charge of the Police Department. However, he conceded that the City Manager should work closely with the Mayor and Police Chief on the budget for the Police Department.

Responding to Mr. Hare, Mayor Christiansen indicated concurrence with the proposal submitted by Mr. Sudler, feeling that the City of Dover needs a strong mayor with a professional City Manager. Mr. Hare explained his concern with the City Manager being held accountable for those departments that are not his responsibility, such as the Police Department, as it relates to the City's Budget. He reiterated his opinion that the City should have a strong mayor form of government.

Mr. Dixon stated his agreement with the City having a strong mayor form of government. Noting that changes would be required, he urged members to remember that the positions are held by human beings and that people should be treated in a fair manner.

Mr. Slavin reminded members that the results of the 2004 referendum regarding the City having a full-time or part-time Mayor reflected that 3,185 voters favored a full-time Mayor and 1,285 voters favored a part-time Mayor. It was his observation, having experience working with governments, that simple reorganizations inside governments can be difficult. He stated that an overhaul of the entire form of government would require an order of magnitude well over difficult. Although he could support many of the proposed changes, Mr. Slavin stated that they would be time consuming and expensive to complete and a strong mayor form of government would be more costly than the current form of government. He suggested that this matter be presented to City Council for a final decision.

Council President Bonar indicated his support for a full-time Mayor; however, he also supported the City Manager serving as the chief business operations manager for the City. As previously mentioned, the City Manager is responsible for submitting a draft budget for the entire City and as such, Mr. Bonar felt that all departments should be placed under the City Manager. He explained the dangers of a Mayor having full control of the City and supported the Police Department reporting to the City Manager. He noted that having the City Manager in charge of the day-to-day operations of the City would allow for the Mayor to concentrate efforts on ensuring the City is recognized by, and participates in, the various forms of government, Boards, Committees, and Commissions throughout the State to ensure that the City receives its "fair share" of emergency services and legislative funding.

Mr. Hare indicated that when the Mayor's position was changed to full-time, it was to provide the necessary time to lobby the legislators, promote economic development, public relations, etc. and not to spend time in City Hall.

Noting that the Committee had held several discussions regarding this matter, Council President Bonar felt that it should now be presented to City Council for resolution.

Regarding the costs associated with a strong mayor, Mr. Sudler felt that an increase in that Mayor's salary would be less than that of an Assistant City Manager and that the Mayor could then assist the City Manager.

Mr. Slavin noted the receipt of an e-mail, dated December 8, 2014, from the City Clerk's Office regarding comments submitted by Ms. Rose Bryan of 43 Pine Street, as follows:

> *"Ms. Bryan stated that she has lived in Dover for 48 years and is very much in favor of a full-time mayor, based on the size of the City of Dover. Ms. Bryan will not be attending the [meeting] tonight and does not have access to email. She asked the Clerk's Office to convey her message to Committee members."*

Ms. Sara Herbert, 223 N. Bradford Street, stated that she was requested to submit correspondence from Ms. Yvonne Hall, Realtor with Keller Williams Realty Central DE ***(Attachment #4)***. Ms. Herbert also advised members of her own support for a full-time Mayor, noting that Dover is a growing City and serves as the capital of the State of Delaware. She indicated that free parking is not available in the downtown areas in many cities in Delaware, and although it is beneficial in Dover, she felt this was an indication that there are not be as many visitors to the area as may be desired. Ms. Herbert felt that the Mayor's job is to be the "face of the City" and bring benefits that would make the City stronger and better. She stated that, in addition to herself and Ms. Hall, her husband also felt that a full-time Mayor would be beneficial to the City of Dover.

Mr. Reuben Salters (former member of City Council), 109 Bertrand Drive, relayed his support for a full-time Mayor. He reminded members of a situation that occurred years ago in the City of Dover, when there was a very strong voice in the community supporting a full-time Mayor. Mr. Salters felt that when the Mayor's position became full-time, it benefitted the City. Although members of City Council, as well as City staff, represent the City, Mr. Salters noted that the Mayor represents all the people and aspects of the City and has a unique function in this regard. He indicated the importance of the separation of power among the branches of government in the City and felt confident that, with the urging of the citizens and influence of City Council, the Mayor will remain focused on his duties, serving full-time for the best interest of the City.

Police Chief Bernat expressed his feeling that an elected official should oversee the Police Department and that individual should be the Mayor. It was his opinion that if the City Manager were placed in charge of the Police Department, there would be more of a financial interest versus public safety.

Mr. Edward Thomas Christian, Jr., 9 Pennwood Drive, indicated his recollection that when Mr. Hutchison was elected to serve as Mayor and a full-time salary was provided, since there was no "clear" job description for the position, City Council developed a job description, listing duties and responsibilities that would compensate for the salary offered for serving as the Mayor. At that time, he stated, Mayor Hutchison was given the responsibility of overseeing the Police Department since he had previously served as Police Chief and this responsibility had continued since that time. It was Mr. Christian's opinion that there was a conflict between the Mayor and the City Manager as to who would be responsible for the various departments of the City of Dover. He noted that often people get "stuck" with customs, habits, and traditions and find it difficult to make hard decisions, explaining that one's comfort zone dictates his decisions. Mr. Christian stated that the general public does not have the knowledge or sophistication, which he defined as "unconscious ignorance," to decide what is best for the City, explaining that it is the responsibility of City Council and the

City Manager to determine what is best for the City of Dover. Referring to the comparison of municipalities, he stated that what may work for eight (8) million people may not work for the City of Dover.

In response to Mr. Christian's comments regarding the Mayor becoming responsible for the Police Department, Mayor Christiansen advised members that in 1929, when the City of Dover revised its Charter from the Town of Dover to the City of Dover, the Chief of Police was assigned to the Mayor. He noted that the Charter also requires the Mayor to be responsible for the Police Department, as conservator of the peace, and for the public safety of the citizens.

Mr. Hutchison stated his strong opinion that the Mayor should continue to serve as the Chief Executive Officer (CEO) for the City of Dover, explaining that the City Manager is the Chief Operating Officer who reports to the Mayor and Council.

Mr. Anderson noted that this issue involves personnel matters and questioned if an executive session could be held to allow for further discussion. Responding, Deputy City Solicitor Pepper stated his opinion that the discussion would not qualify for an executive session.

Responding to Mr. Anderson, Mr. Koenig stated that three (3) years ago, the Parks and Recreation Director had retired and, rather than filling that position, the Parks and Recreation Department was assigned to the Planning Department to provide managerial oversight. Mr. Koenig stated that there are approximately 15-17 positions, including temporary employees, in that Department. In addition, he stated that the Central Services Manager, who was in charge of purchasing, warehouse, and fleet maintenance, had retired. Rather than filling that position, fleet maintenance was transferred to the Public Works Department and purchasing and warehouse maintenance were transferred to the Finance Department.

In response to Mr. Anderson regarding an Assistant City Manager, Mr. Koenig stated that there had been no discussion regarding the possibility of removing responsibilities from Department Heads. He stated that the main issues facing the City Manager were budget and strategic plan development, the development of a facilities plan to enhance current facilities, and labor negotiations. In addition, Mr. Koenig stated that the Controller/Treasurer did not wish to be the point of contact for budget development; therefore, this responsibility would be re-assumed by the City Manager's Office.

Mayor Christiansen stated his recollection, as a member of City Council at the time, that the Planning Director and Finance Director were transferred from the City Manager to City Council in the 1980s due to a conflict between the then Planning Director and Fire Marshal, who was being given alternative orders. As a result, Council deemed it necessary to move the Fire Marshal and Planning Director to report directly to City Council. Likewise, the Finance Director/Treasurer position was moved from under the City Manager for misreporting numbers and due to coercion to report false information to City Council.

Mr. Hare moved to recommend that this matter be referred to City Council without a recommendation, with the stipulation that they be provided all information regarding Options A, B, and C (Mr. Anderson's amendment to Option A). The motion was seconded by Mr. Shevock.

Mr. Anderson requested that Option C also include the removal of the Deputy Police Chief from appointment by the Mayor, feeling that the Police Chief should make that selection. Mr. Slavin suggested that Mr. Anderson work with the City Clerk in the development of Option C to be presented to City Council for their review and consideration.

The motion to recommend referring this matter to City Council without a recommendation, with the stipulation that they be provided all information regarding Options A, B, and C (*Attachment #3 - Options A, B, and C*) was unanimously carried.
[City Clerk's Office Note: On January 12, 2015, Mr. Anderson provided an alternative organizational chart related to Option C which has been included with Attachment #3.]

Mr. Hare moved for adjournment, seconded by Mr. Shevock and unanimously carried.

Meeting adjourned at 6:52 p.m.

Timothy A. Slavin
Chairman

TAS/TM/jg/js/dd
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Attachments
Attachment #1 - Revised Cost Breakdown - FY 15 Police Cadet Program - Civilian Payroll Costs, and Uniforms & Equipment Costs
Attachment #2 - Continuing Disclosure Policy Concerning Municipal Securities
Attachment #3 - Responsibilities and Reporting Structure for the Mayor and City Manager and Continuation of Full-Time Status for the Position of Mayor - Options A, B, and C
Attachment #4 - E-mail dated December 8, 2014 - Yvonne Hall, Realtor with Keller Williams Realty Central DE

Dover Police Department

FY15 Police Cadet - Civilian Payroll Costs (Feb - Jun 15)

Item	Rate	Feb - Jun 15 Costs: One Cadet	Feb - Jun 15 Costs: Six Cadets	Recurring Annual Costs: One Cadet	Recurring Annual Costs: Six Cadets	FY16-18 Costs: FY16 6 Cadets	FY16-18 Costs: FY17 6 Cadets	FY16-18 Costs: FY18 6 Cadets	FY15-18 Total Cost	Remarks
Salary	$12/hr	4,853	29,118	11,888	71,328	71,328	71,328	71,328	243,102	part time employee - 38 hrs per pay period at $12/hour
			-		-			-	-	
Social Security	6.20%	301	1,805	737	4,422	4,422	4,422	4,422	15,072	
Medicare	1.45%	70	422	172	1,034	1,034	1,034	1,034	3,525	
Health Insurance	set amt	-	-	-	-	-	-	-	-	
Life Insurance	0.19%	-	-	-	-	-	-	-	-	
Worker's Compensation	3.95%	191	1,149	469	2,815	2,815	2,815	2,815	9,593	
AD&D	0.04%	-	-	-	-	-	-	-	-	
Vision Insurance	set amt	-	-	-	-	-	-	-	-	
OPEB	n/a	-	-	-	-	-	-	-	-	
Retirement	6.00%	-	-	-	-	-	-	-	-	
Total Benefits		563	3,377	1,379	8,271	8,271	8,271	8,271	28,190	
Total Salary + Benefits		5,416	32,495	13,267	79,599	79,599	79,599	79,599	271,292	
Training, Uniforms, Equipment & Ammo		6,231	18,987	100	600	600	600	922	21,108	see breakout at next tab for details Cadets will share tasers & radios
Total Cost		11,647	51,481	13,367	80,199	80,199	80,199	80,521	292,401	

ATTACHMENT #1
LF&A Committee Meeting of 12/08/2014

Dover Police Department

FY16 Police Cadet - Uniforms & Equipment Costs

Item	Vendor	State Contract?	Qty Issd	Unit Cost	Extended Cost	In Stock	1 Cadet	FY15 6 Cadets	FY16 6 Cadets	FY17 6 Cadets	FY18 6 Cadets	Grand Total	Remarks
Uniform Items (priced for average male uniform)													Uniforms (acct 20-29)
2 in 1 jacket	Dover Army Navy	Yes	1	179.99	179.99	N	179.99	1,079.94	-	-	-	1,079.94	
Ballistic vest	Lawmen (Safariland vest)	Yes	1	680.00	680.00	N	680.00	4,080.00	-	-	-	4,080.00	
Base ball cap	Galls/Dover Army Navy	No	1	19.99	19.99	Y	19.99	119.94	-	-	-	119.94	
BDU Pants	Dover Army Navy	Yes	2	39.95	79.90	Y	79.90	479.40	-	-	79.90	559.30	
Boots	Dover Army Navy	Yes	1	79.95	79.95	N	79.95	479.70	-	-	-	479.70	
Dickie w/DPD embroidery	Dover Army Navy	No	1	10.00	12.00	Y	12.00	72.00	-	-	12.00	84.00	
Patches	Graves/Dover Army Navy	Yes	1	4.50	4.50	Y	4.50	27.00	-	-	-	27.00	
Polo Shirt, LS (ansi yellow/black)	Galls/Dover Army Navy	No	2	54.99	109.98	Y	109.98	659.88	-	-	109.98	769.86	POLICE CADET (marking)
Polo Shirt, SS (ansi yellow/black)	Galls/Dover Army Navy	No	2	49.99	99.98	Y	99.98	599.88	-	-	99.98	699.86	POLICE CADET (marking)
Turtleneck w/DPD embroidery	Dover Army Navy	No	1	20.00	20.00	N	20.00	120.00	-	-	20.00	140.00	
Uniform Items Subtotal					1,286.29	-	1,286.29	7,717.74	-	-	321.86	8,039.60	
Duty Belt Equipment													Program Supplies (acct 20-26)
Baton, expandable	Galls	Yes	1	100.00	100.00	Y	100.00	600.00	-	-	-	600.00	
Baton holder	Lawmen Supply	Yes	1	20.00	20.00	Y	20.00	120.00	-	-	-	120.00	
Chemical spray case	Lawmen Supply	Yes	1	16.50	16.50	Y	16.50	99.00	-	-	-	99.00	
Chemical spray (Kap-Stun)	Lawmen Supply	Yes	1	12.00	12.00	Y	12.00	72.00	-	-	-	72.00	
CPR Case	Lawmen Supply	Yes	1	17.00	17.00	Y	17.00	102.00	-	-	-	102.00	
Duty belt (nylon)	Lawmen Supply (G&G brand)	Yes	1	32.00	32.00	Y	32.00	192.00	-	-	-	192.00	
Duty belt keepers	Lawmen Supply (G&G brand)	Yes	8	1.60	12.80	Y	12.80	76.80	-	-	-	76.80	
Handcuff case (double)	Lawmen Supply	Yes	1	27.00	27.00	Y	27.00	162.00	-	-	-	162.00	
Handcuffs	Lawmen Supply	Yes	2	35.00	70.00	Y	70.00	420.00	-	-	-	420.00	
Radio swivel case/holder	Motorola	Yes	1	100.00	100.00	Y	100.00	600.00	-	-	-	600.00	
Radio, 800 MHz portable	Motorola	Yes	1	3,600.00	3,600.00	Y	3,600.00	7,200.00	-	-	-	7,200.00	share 2 radios among group
Stinger flashlight	Bid	No	1	75.00	75.00	Y	75.00	450.00	-	-	-	450.00	
Stinger flashlight holder	Bid	No	1	22.00	22.00	Y	22.00	132.00	-	-	-	132.00	
Taser / batteries	Lawmen Supply	Yes	1	1,000.00	1,000.00	N	1,000.00	2,000.00	-	-	-	2,000.00	share 2 tasers among group
Taser Holster / cartridges	Lawmen Supply	Yes	1	200.00	200.00	N	200.00	1,200.00	600.00	600.00	600.00	3,000.00	
Duty Belt Equipment Subtotal					5,304.30	-	5,304.30	13,425.80	600.00	600.00	600.00	15,225.80	
Less costs absorbed in budget through reissuing items							(359.50)	(2,157.00)	-	-	-	(2,157.00)	
Grand Total							**6,231.09**	**18,986.54**	**600.00**	**600.00**	**921.86**	**21,108.40**	

as of: 12/8/14

CONTINUING DISCLOSURE POLICY CONCERNING MUNICIPAL SECURITIES

Issued or Guaranteed by the

CITY OF DOVER, DELAWARE

Introduction

This Continuing Disclosure Policy (the "Disclosure Policy") is promulgated by the City Controller/Treasurer to ensure that City of Dover, Delaware (the "City") efficiently carries out its continuing disclosure obligations with respect to the municipal securities it issues or guarantees, pursuant to Rule 15c2-12, as amended (the "Rule"), promulgated under the Securities Exchange Act of 1934, as amended.

Definitions

The definitions set forth herein shall apply to any capitalized term used in this Disclosure Policy unless otherwise defined herein. In addition to such terms and the terms defined above, as used in this Disclosure Policy, the following capitalized terms shall have the following meanings:

"Auditor" means the independent auditor of the City.

"CAFR" means the Comprehensive Annual Financial Report annually prepared by the City's Finance Department, which shall include, if prepared, a statement of net position, a statement of revenues, expenses and changes in net assets and a statement of cash flow. All such financial information shall be prepared using generally accepted accounting principles as in effect from time to time and operating data and operating information ordinarily disclosed by municipal governments, and audited by a certified public accountant; provided, however, that the City may change the accounting principles used for preparation of such financial information so long as the City's Finance Department includes as information provided to the public a statement to the effect that different accounting principles are being used, stating the reason for such change and how to compare the financial information provided by the differing financial accounting principles. For purposes of this policy, any reference herein discussing the submission of the CAFR shall include therein all Operating Data.

"City" means the City of Dover, Delaware.

"City Council" means the City Council of the City of Dover, Delaware.

"City Attorney" means the City Attorney or Deputy City Attorney of the City.

"City Controller/Treasurer" means the Controller/Treasurer of the City or the Acting Controller/Treasurer of the City. If this position is vacant, the Assistant Controller/Treasuer of the City shall be responsible for performing the duties of the City Controller/Treasurer under this Disclosure Policy.

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"Disclosure Documents" means the official statements, offering and reoffering circulars and similar disclosure documents prepared by or on behalf of the City in connection with the primary offering of its outstanding Obligations.

"Dissemination Agent" means that person designated in writing by the City to submit Disclosure Documents to EMMA.

"Employee" means any person who, as part of his or her employment with the City, has regular responsibility for the administration of matters related to Obligations.

"EMMA" means the Electronic Municipal Market Access system of the MSRB. Information regarding submissions to EMMA is available at http://emma.msrb.org/.

"Event" means any of the events listed in Schedule 1 of this Disclosure Policy.

"Fiscal Year" means the fiscal year of the City, being the period commencing on July 1 and ending on the following June 30.

"Mayor" means the Mayor of the City.

"MSRB" means the Municipal Securities Rulemaking Board or any other board or entity which succeeds to the functions currently delegated to the Municipal Securities Rulemaking Board by the Rule.

"Obligations" means any municipal securities issued by, or whose payment is guaranteed by, the City. A list of currently outstanding Obligations is set forth in Schedule 2 of this Disclosure Policy.

"Operating Data" means the City's financial information and operating data disclosed pursuant to the City's Undertakings and this Disclosure Policy.

"SEC'' means the U.S. Securities and Exchange Commission.

"Undertakings" means those written undertakings of the City to file certain annual operating and financial information and notice of the occurrence of certain material events executed in connection with the primary offering of certain Obligations. A list of currently applicable Undertakings and their respective Obligations is set forth in Schedule 2 of this Disclosure Policy.

Annual Submission of CAFR

1. Each year not later than June 30, the City Controller/Treasurer, and/or their designees shall undertake a review of the City's outstanding Obligations and Undertakings to determine what Operating Data must be submitted to comply with its Undertakings. Such Operating Data may be updated or submitted as part of its CAFR or it may be provided to EMMA in a supplemental report.

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2. Not later than March 31 following the end of each Fiscal Year of the City, while any Obligations remain outstanding, the City Controller/Treasurer shall submit or cause the City's CAFR to be submitted to the MSRB through EMMA as follows:

(a) The City Controller/Treasurer shall provide copies of the CAFR to the City's Dissemination Agent not less than ten (10) days prior to the above deadline for the submission of the CAFR to the MSRB and shall simultaneously request a written confirmation from the Dissemination Agent that such filing has occurred within five (5) days after the submission of the CAFR.

(b) Not more than five (5) days after the submission of the CAFR to the MSRB, the Dissemination Agent shall provide to the City Controller/Treasurer written confirmation that the CAFR has been submitted and filed properly with the MSRB through EMMA.

3. In the event that the CAFR is not completed in time to submit the CAFR to the MSRB through EMMA within the time specified in paragraph 1 above, the City Controller/Treasurer will file or cause to be filed a notice of occurrence of such Event in accordance with the policy and procedures set forth below under "Reporting of Events," and in accordance with the Rule, and the City's CAFR shall be submitted as soon as it is available.

4. The CAFR may be provided to the MSRB through EMMA in one document or a set of documents submitted to the MSRB, or may be included by specific reference to documents available to the public on the MSRB's Internet website or filed with the SEC. The City Controller/Treasurer shall clearly identify each such other document provided by cross-reference.

5. The City's CAFR shall be prepared in accordance with generally accepted accounting principles as in effect from time to time and operating data and operating information ordinarily disclosed by municipal governments. The CAFR shall be audited by a certified public accountant prior to its submission to the MSRB.

6. The City's CAFR may be incorporated by reference to other documents, including Disclosure Documents of debt issues with respect to which the City is an "obligated person" (as defined by the Rule), which have been filed with the MSRB through EMMA or the SEC. The City Controller/Treasurer shall clearly identify each such other document so incorporated by reference. In the event that the City Controller/Treasurer determines to so incorporate by reference the CAFR, the City Controller/Treasurer shall also file a notice through EMMA indicating that the City's CAFR for that year is contained in documents filed with the SEC or with the MSRB through EMMA.

Periodic Reporting of Events

7. The City Controller/Treasurer shall file or cause to be filed a notice of the occurrence of any Event or Events with the MSRB via EMMA with respect to any Obligations to which the Event or Events are applicable, in a timely manner not in excess of ten (10) business days after the occurrence of the Event. The City Controller/Treasurer shall provide notice of such Event to the MSRB through EMMA, as required by the Rule. The Events to be disclosed are listed on

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Schedule 1 hereof, which the City Controller/Treasurer is responsible for updating in a timely manner in the event that there are future changes to the Rule that result in additions, changes or deletions to the list of Events.

8. Not less than three (3) business days after providing notice of an Event to the MSRB, the City Controller/Treasurer shall provide a copy of the notice submission filed with the MSRB to the City Solicitor, along with written confirmation that such notice submission was properly filed with the MSRB through EMMA, as required by the Rule.

Manner of Submission

9. The CAFR, Operating Data, and Event notices required to be submitted to the MSRB pursuant to the Disclosure Policy shall be submitted through EMMA in a searchable, electronic format, and shall be accompanied by identifying information, including all relevant CUSIP identification numbers of outstanding Obligations, in the manner prescribed by the MSRB, or in such other manner as is consistent with the Rule. A description of such format and information as presently prescribed by the MSRB is included in Exhibit A hereto.

Disclosure Training for City Employees

10. The City Controller/Treasurer is responsible for conducting any necessary annual training of city employees responsible for implementing this Disclosure Policy. Such training shall include a complete review of this Disclosure Policy, the Rule, the Undertakings and the Events listed on Schedule 1 hereto, and shall include a complete overview of the City's obligations under the federal securities laws. Upon completion of the annual training, all City Employees will provide written certification that they have completed the annual disclosure training and that they have reviewed and understand the Disclosure Policy, the Rule, the Undertakings and the Events listed on Schedule 1 hereto, and that they will comply with the Disclosure Policy.

11. Not later than fourteen (14) business days after the end of each fiscal year of the City, the City Controller/Treasurer shall provide annual written certification to the City Solicitor that the annual disclosure training has been completed.

Public Statements Regarding Financial Information

12. Whenever officials of the City make statements or release information relating to its finances and operations to the public that is reasonably expected to reach investors and the trading markets (including, without limitation, all Event notices, statements in the CAFR, Operating Data and other reports and statements of the City), the City shall ensure that such statements and information are complete, true, and accurate in all material aspects. The City Controller/Treasurer shall have primary responsibility for ensuring that such statements and information are accurate and not misleading in any material aspect. The Mayor, the City Controller/Treasurer, and the City Solicitor shall work together to ensure that all public statements and information released by the City are accurate and not misleading in all material aspects and that the City complies with all applicable requirements of the Rule regarding continuing disclosure.

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Issuance

13. Whenever the City issues its Obligations, preliminary and/or final Disclosure Documents are prepared by or on behalf of the City. Each of these Disclosure Documents contains information relating to the City's finances. The City Controller/Treasurer shall share primary responsibility for ensuring that all such information is accurate and not misleading in any material aspect. Each Disclosure Document shall be accompanied by a certification by the City Controller/Treasurer that the information contained in the Disclosure Document regarding the City, as of the date of such Disclosure Document, does not contain any untrue statement of material fact or omit to state any material fact necessary to make the information contained in the Disclosure Document, in light of the circumstances under which it was provided, not misleading.

Additional Information

14. Nothing in this Disclosure Policy shall be deemed to prevent the City from disseminating any other accurate information using the means of dissemination set forth in this Disclosure Policy or any other means of communication.

Amendments

15. The City will consult its bond counsel (and any other member of its finance team deemed appropriate, such as its financial advisor) prior to considering any substantive change to this Disclosure Policy.

Dated _____, 2014.

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Schedule 1 to the Disclosure Policy
List of Events

The SEC requires notification of the occurrence of any of the Events listed as (1) through (14) below with respect to any applicable obligation. Notification must be provided in a timely manner, but not more than ten (10) business days after its occurrence.

1. Principal and interest payment delinquencies;

2. Non-payment related defaults, if material;

3. Unscheduled draws on debt service reserves reflecting financial difficulties;

4. Unscheduled draws on credit enhancements reflecting financial difficulties;

5. Substitution of credit or liquidity providers, or their failure to perform;

6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the obligations, or other material events affecting the tax status of the obligations;

7. Modifications to rights of the holders of the obligations, if material;

8. Bond calls (other than mandatory sinking fund redemptions), if material, and tender offers;

9. Defeasances;

10. Release, substitution, or sale of property, if any, securing repayment of the obligations, if material;

11. Rating changes;

12. Bankruptcy, insolvency, receivership, or similar event of the City;

13. The consummation of a merger, consolidation, or acquisition involving the City, or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

14. Appointment of a successor trustee or the change of name of a trustee, if material.

DRAFT

Schedule 2 to the Disclosure Policy

List of Outstanding Obligations with Undertakings

As of December 1, 2014, to be updated annually

Series	Issue Date	Final Maturity	Quarterly Filings (Y/N)	Deadline for Annual Filings (in Days)	Other Reporting/ Filings
2013 Water Wastewater Revenue Bonds	8/15/13	2033	N	275 days after fiscal year end	None
2008 Electric Revenue Bonds	7/01/08	2030	N	275 days after fiscal year end	None
2010 Electric Revenue Bonds	11/17/10	2015	N	275 days after fiscal year end	None

DRAFT

List of Current Undertakings

None

EXHIBIT A

MSRB PROCEDURES FOR SUBMISSION OF CONTINUING DISCLOSURE DOCUMENTS AND RELATED INFORMATION

Securities and Exchange Commission Release No. 34-59061 (the "Release") approves an MSRB rule change establishing a continuing disclosure service of the MSRB's Electronic Municipal Market Access system ("EMMA"). The rule change establishes, as a component of EMMA, the continuing disclosure service for the receipt of, and for making available to the public, continuing disclosure documents and related information to be submitted by issuers, obligated persons and their agents pursuant to continuing disclosure undertakings entered into consistent with Rule 15c2-12 ("Rule 15c2-12") under the Securities Exchange Act of 1934. The following discussion summarizes procedures for filing continuing disclosure documents and related information with the MSRB as described in the Release.

All continuing disclosure documents and related information is to be submitted to the MSRB, free of charge, through an Internet-based electronic submitter interface or electronic computer-to-computer data connection, at the election of the submitter. The submitter is to provide, at the time of submission, information necessary to accurately identify: (i) the category of information being provided; (ii) the period covered by any annual financial information, financial statements or other financial information or operating data; (iii) the issues or specific securities to which such document is related or otherwise material (including CUSIP number, issuer name, state, issue description/securities name, date, maturity date and/or coupon rate); (iv) the name of any obligated person other than the issuer; (v) the name and date of the document; and (vi) contact information for the submitter. Submissions to the MSRB are to be made as portable document format (PDF) files configured to permit documents to be saved, viewed, printed and retransmitted by electronic means. If the submitted file is a reproduction of the original document, the submitted file must maintain the graphical and textual integrity of the original document. In addition, as of January 1, 2010, such PDF files must be word-searchable (that is, allowing the user to search for specific terms used within the document through a search or find function), provided that diagrams, images and other non-textual elements will not be required to be word-searchable.

All submissions to the MSRB's continuing disclosure service are to be made through password protected accounts on EMMA by: (i) issuers, which may submit any documents with respect to their municipal securities; (ii) obligated persons, which may submit any documents with respect to any municipal securities for which they are obligated; and (iii) agents, designated by issuers and obligated persons to submit documents and information on their behalf. Such designated agents are required to register to obtain password-protected accounts on EMMA in order to make submissions on behalf of the designating issuers or obligated persons. Any party identified in a continuing disclosure undertaking as a dissemination agent or other party responsible for disseminating continuing disclosure documents on behalf of an issuer or obligated person will be permitted to act as a designated agent for such issuer or obligated person, without a designation being made by the issuer or obligated person as described above, if such party certifies through the EMMA on-line account management utility that it is authorized to disseminate continuing disclosure documents on behalf of the issuer or obligated person under the continuing disclosure undertaking. The issuer or obligated person, through the EMMA on-line account management utility, is able to revoke the authority of such party to act as a designated agent.

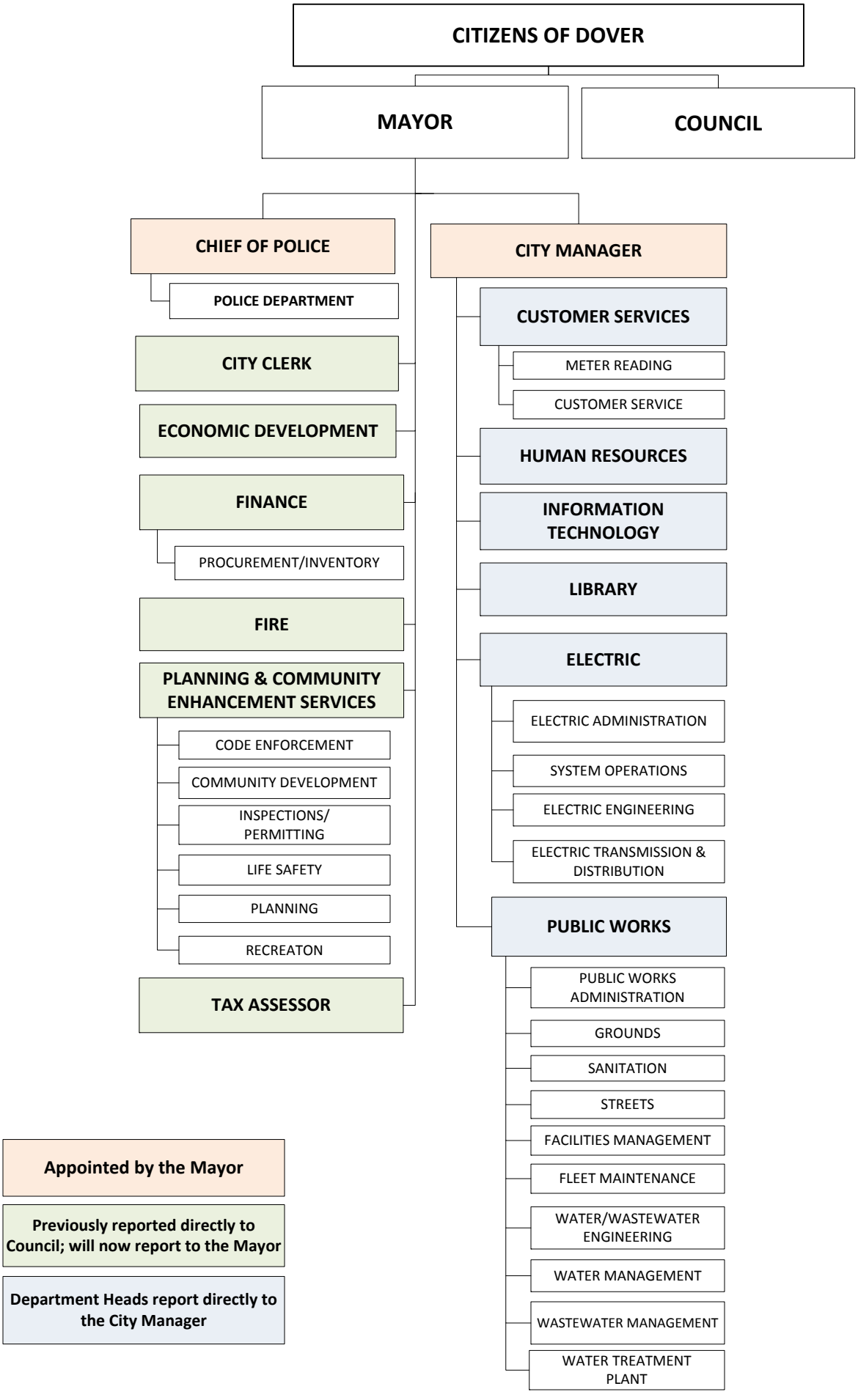
The MSRB's Internet-based electronic submitter interface (EMMA Dataport) is at www.emma.msrb.org.

DRAFT

RESPONSIBILITIES AND REPORTING STRUCTURE FOR THE MAYOR AND CITY MANAGER AND CONTINUATION OF FULL-TIME STATUS FOR THE POSITION OF MAYOR

OPTION A (09/08/2014 LF&A): A full-time mayor's position, with consideration of changing the City's current form of government to a Mayor/Council form of government, where the city manager and chief of police would be appointed by the mayor and confirmed by City Council, and that any positions which currently report to council that are moved to report to the mayor would only be removed for cause and with council approval, was unanimously carried.

CITY OF DOVER
PROPOSED ORGANIZATIONAL CHART



ROY SUDLER, JR'S SUPPORT FOR A FULL – TIME MAYOR
&
MAYOR COUNCIL FORM OF GOVERNMENT

****

September 8, 2014

After listening to **Mr. Holden's Concerns** regarding accountability and clear organizational structure for the **City's Modified and Council Form of Government**; In addition to reviewing the minutes and dialogue on the **History of a Full-Time or Part-time Mayor for the City of Dover**, it is my recommendation that the committee should support a Full-Time Mayor's Position and consider changing our current form of government to a **Mayor / Council Form of Government** where the **City Manager and Chief of Police** would be appointed by the **Mayor** and confirmed by **City Council.**

I believe that a **Mayor / Council Form Government** will provide City Council with the Mayor's Job Description Criteria consisting of strategic goals, objectives, and programs to be orchestrated by the Chief Executive Officer - approved and appraised by City Council.

In Closing, a Mayor / Council Form of Government will allow City Council the opportunity to focus more on Legislative Rules and Regulations that navigate our community's climate, but also, will enhances the Mayor's understanding of Department's - Strengths, Weaknesses, Opportunities and Threats **[SWOT]** that impact the social, demographic and economic development of our great city of Dover.

- Thank you Chairman Slavin

Respectfully Submitted,

Roy Sudler, Jr. **[Legislative Finance and Administration Committee Member]**

ROY SUDLER, JR'S SUPPORT FOR A FULL – TIME MAYOR
&
MAYOR COUNCIL FORM OF GOVERNMENT

OPTION. A **JOB DESCRIPTION**

Job Title: Mayor of Dover, Delaware **Job Code:** 2014.12

Date: December 8, 2014 **Written By:** Legislative, Finance and Administration Committee

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A. ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Serves as the Chief Executive Officer of Dover with strong administrative duties that not only consist of being a liaison between City Council and Dover Residents, but the focal point for all departments of the City to conduct business in good faith.
2. Oversee and effectively supervise city administration to help City Council decide which services to provide and how to pay for them
3. Direct Administrative Structure by appointing and removing city department heads as deemed necessary
4. Perform ceremonial duties on behalf of the community

B. ADMINISTRATIVE AUTHORITY

1. Signs ordinances, contracts and other documents authorized by City Council
2. Calls special meeting as deemed necessary for conducting city business
3. Discuss issues impacting the City with State Legislators
4. Orchestrate and present an inclusive and collaborative departmental plan of action to achieve short-term and long-term city goals and objectives for the perspective year
5. Exercise veto power as deemed necessary in accordance to the response of Dover Citizens
6. Does not have voting power on City Council
7. With City Council's confirmation selects City Manager, Chief and Deputy Chief of Dover Police Department

C. REPORTS AND PRESENTATIONS TO CITY COUNCIL

1. Make quarterly report to Legislative, Finance and Administrative Committee and or City Council concerning department's Strengths, Weaknesses, Opportunities and Threats
2. Conduct Quarterly Performance Appraisals for Chief and Deputy Chief of Dover Police Department to be reported to and reviewed by Legislative, Finance, and Administration Committee and, or, City Council
3. Conduct Quarterly Community Meetings to improve and enhance Community and Police Relations and submit recommendations for presentation to the Legislative, Finance and Administration Committee, and, or City Council
4. Represent the city on regional and local boards or committees and at meetings concerning city issues Evaluates Citizens Complaints against Dover Police Department and propose to city council remedies for future prevention methods

D. ATTENDANCE

1. Monthly attendance of meetings is required
2. Acts as spokesman for the city with media
3. Required to attend community events as possible consistent with the duties as official head of the City of Dover.

E. MINIMUM REQUIREMENTS

1. Resident of Dover, Delaware and over the age of 18
2. Eligible to vote in Dover, Delaware
3. Elected by popular election by residents of Dover, Delaware
4. Bachelor's Degree

Approved by: _____ **Date:** _____

Dover, Delaware's City Council

ROY SUDLER, JR'S SUPPORT FOR A FULL – TIME MAYOR
&
MAYOR COUNCIL FORM OF GOVERNMENT

OPTION A. MAYOR'S JOB PERFORMANCE APPRAISAL REPORT

Job Title: Mayor of Dover, DE **Evaluator:** Dover City Council Members

✓ Place a check in the column that most accurately reflects your evaluation in each category of the above-named person.

	4. Exceeds Standard	**3.** Meets	**2.** Needs Improvement	**1.** Does Not Meet Standard

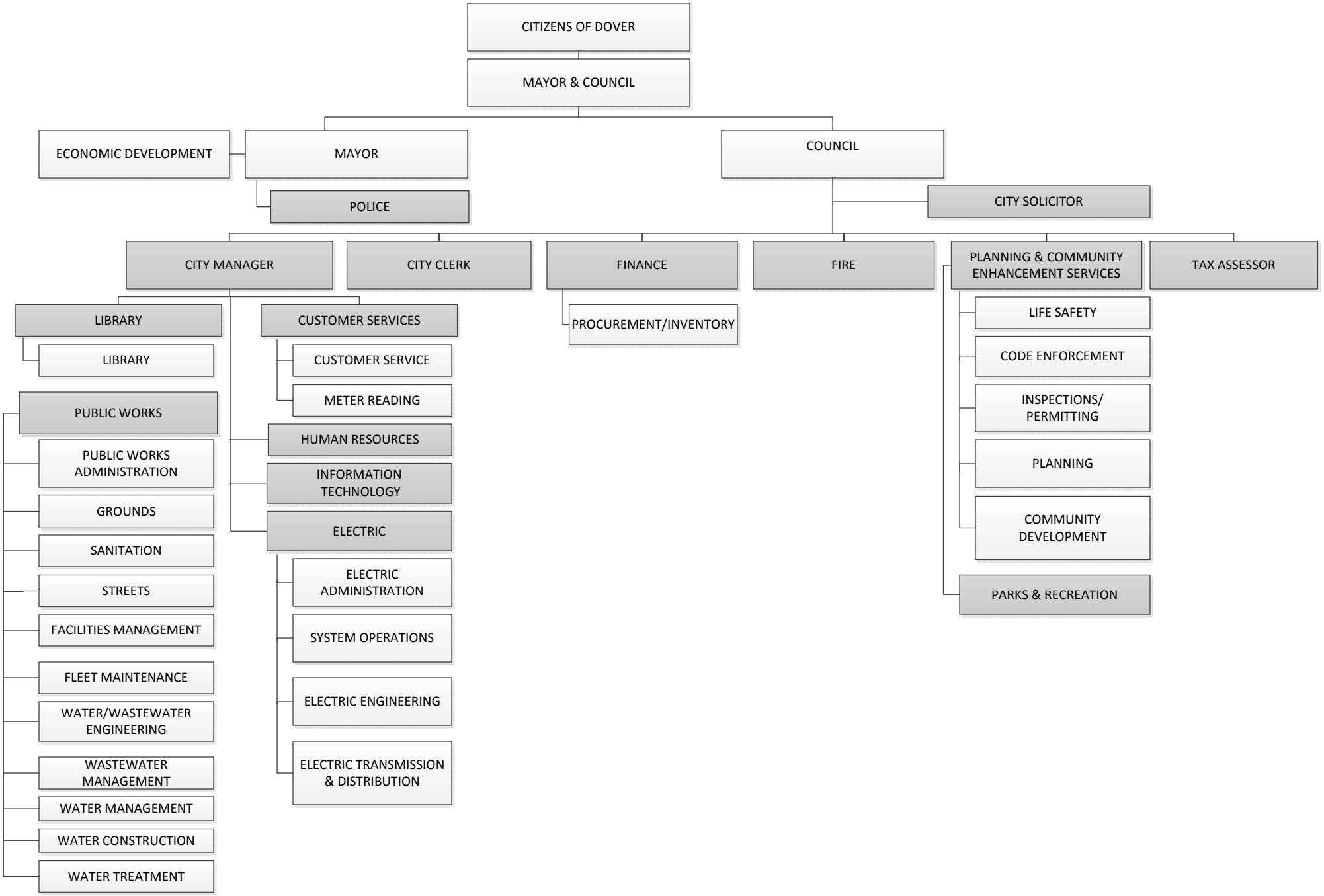
		4	3	2	1
1.	**A. ESSENTIAL DUTIES AND RESPONSIBILITIES**				
2.	**B. ADMINISTRATIVE AUTHORITY**				
3.	**C. REPORTS AND PRESENTATIONS TO CITY COUNCIL**				
4.	**D. POLICE AND COMMUNITY RELATIONS**				
5.	**E. ATTENDANCE AND PUNCTUALITY**				

Nature and Scope:

1. Serves as the Chief Executive Officer of Dover with strong administrative duties that not only consist of being a liaison between City Council and Dover Residents, but the focal point for all departments of the City in an effort to conduct business in good faith.
2. Exercise veto power as deemed necessary in accordance to the response of Dover Citizens
3. Represent the city on regional and local boards or committees and at meetings concerning city issues.
4. Evaluates Citizen's Complaints and propose recommendations to City Council for future prevention remedies methods

CITY OF DOVER

FISCAL YEAR 2014 ORGANIZATION CHART



ROY SUDLER, JR'S SUPPORT FOR A FULL – TIME MAYOR
&
MAYOR COUNCIL FORM OF GOVERNMENT

OPTION. A **JOB DESCRIPTION**

Job Title: Mayor of Dover, Delaware **Job Code:** 2014.12

Date: December 8, 2014 **Written By:** Legislative, Finance and Administration Committee

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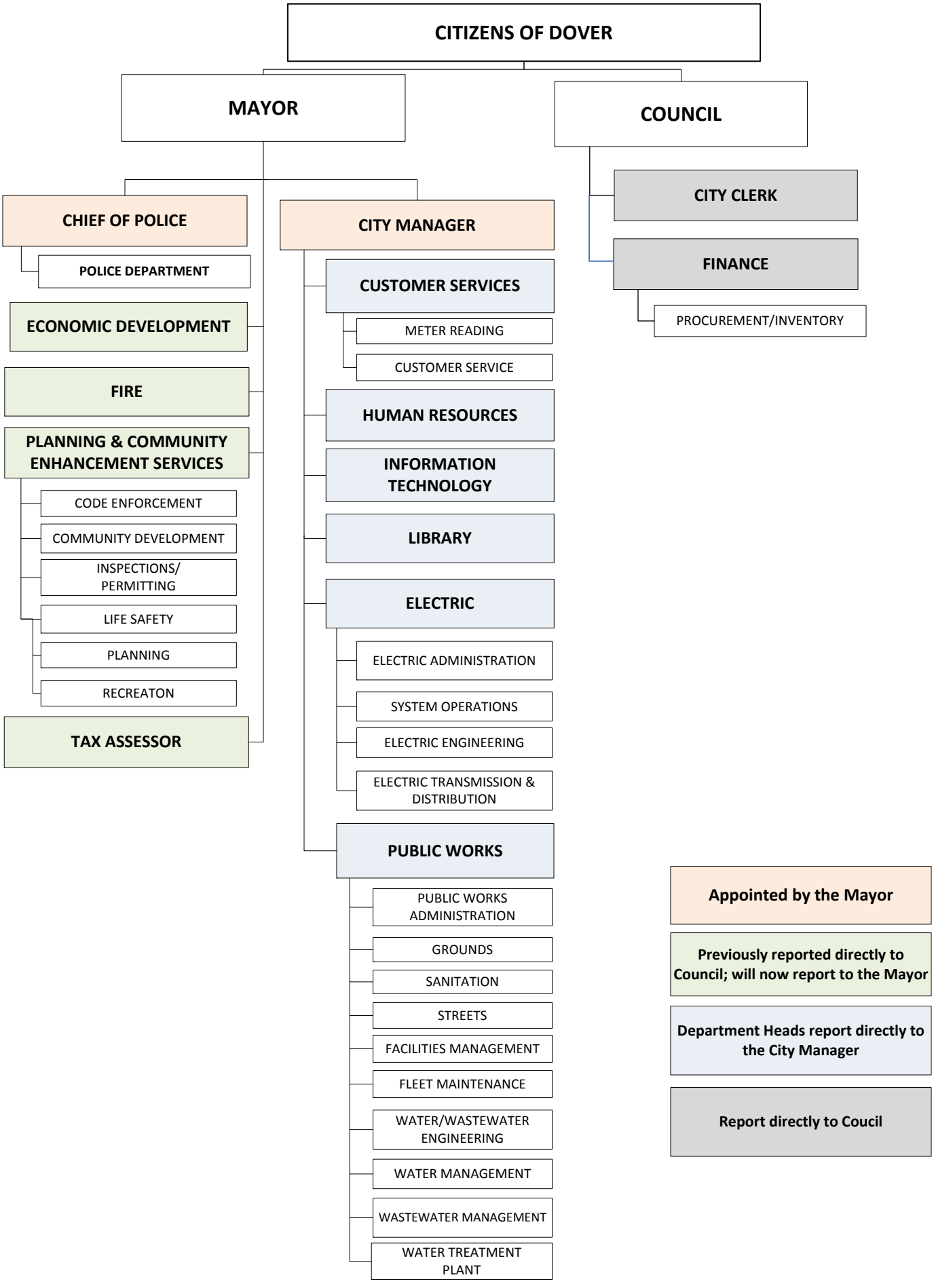
1. Resident of Dover, Delaware and over the age of 18
2. Eligible to vote in Dover, Delaware
3. Elected by popular election by residents of Dover, Delaware
4. ~~Bachelor's Degree~~

City resident for two (2) years

Approved by: _____ **Date:** _____

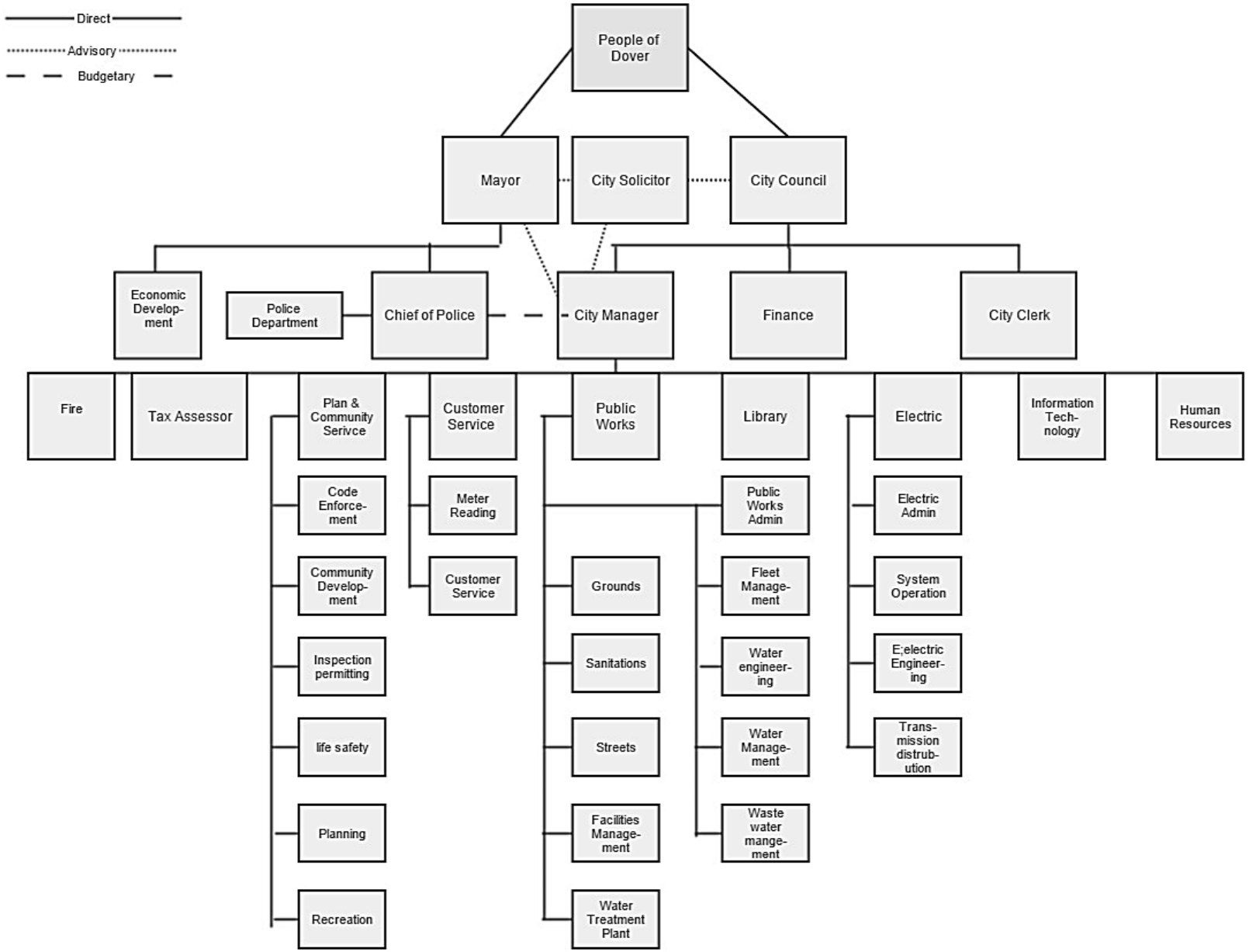
Dover, Delaware's City Council

CITY OF DOVER
PROPOSED ORGANIZATIONAL CHART



Alternative Organizational Chart Submitted by
Mr. Anderson on January 12, 2015

Option C



verizon
Verizon Message Center

Monday, Dec 8 at 1:30 PM

From: Yvonne Hall <yahyahu2@msn.com>

To:"sarabobherbert@verizon.net" sarabobherbert@verizon.net

Subject:RE: City Council

Sara: If you are allowed to speak you can also speak on my behalf. I feel we need a full time mayor so he has time to accomplish some goals he may set to improve our city. It is embarrassing when visitors to our first state coming from DC area have to drive through West Division and see the condition of the homes and trash sitting on street. It is pretty bad until you reach Division and State St. Also, making decisions for the city to put a Dollar General Store in the city, according to all the experts, is the worse thing you can do to improve a city. We need to find progressive minds who can help rebuild the downtown Loockerman St. area so we can draw people...however, first we need to make it safe for people to walk there. We don't need more apartment housing and need to create a program to help find home BUYERS not tenants in our city. I am sorry I can't be at this meeting but let me know how you make out. Yvonne

Yvonne Hall, Realtor
Keller Williams Realty Central DE
Direct: 302-677-1300
Cell: 302-423-0223
www.yvonnehall.com