LEGISLATIVE, FINANCE, AND ADMINISTRATION COMMITTEE

A G E N D A

September 26, 2011 - 5:30 P.M. - Council Chambers - City Hall - City of Dover
Public comments are welcomed on any item and will be permitted at appropriate times. When possible, please notify the City Clerk (736-7008 or e-mail at CityClerk@dover.de.us) should you wish to be recognized.

THIS MEETING WAS RECESSED ON SEPTEMBER 26, 2011 AND WILL RECONVENE ON SEPTEMBER 29, 2011 AT 5:00 P.M.

1. Presentation by Downtown Dover Partnership (DDP)
   A. Recent Grant Award in the Amount of $3M
   B. Status of $1.3M Loan for 120 S. Governors Avenue
   C. Future Plans

2. Discussion - Historical Perspective of Economic Development Office

3. Review of Cell Phone Use

4. Review of Take-Home Vehicle Use

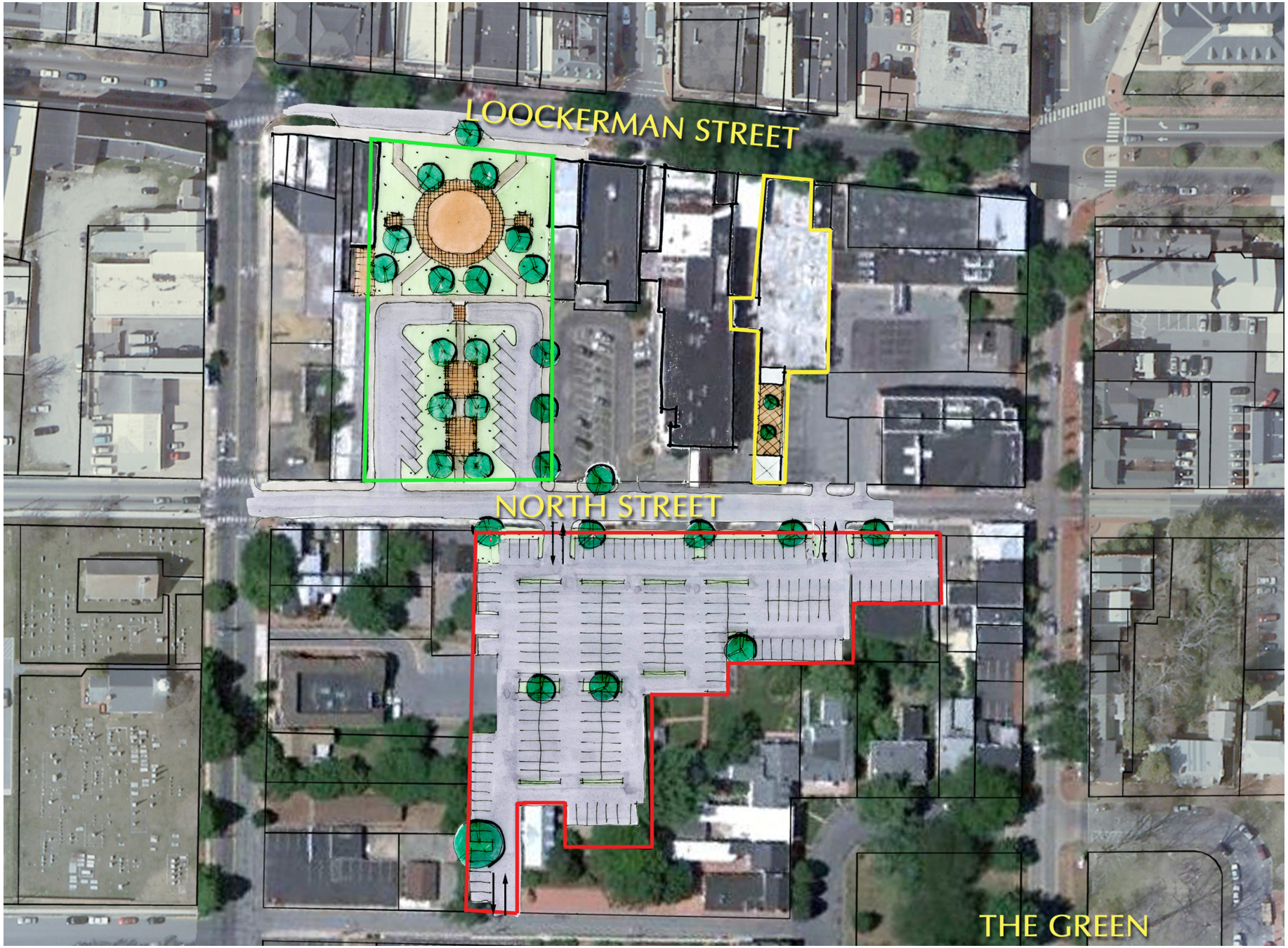
5. Review, Consolidation and/or Elimination of City Committees, Commissions, and Boards - Dover Human Relations Commission

6. Public Comment Period

7. Adjournment

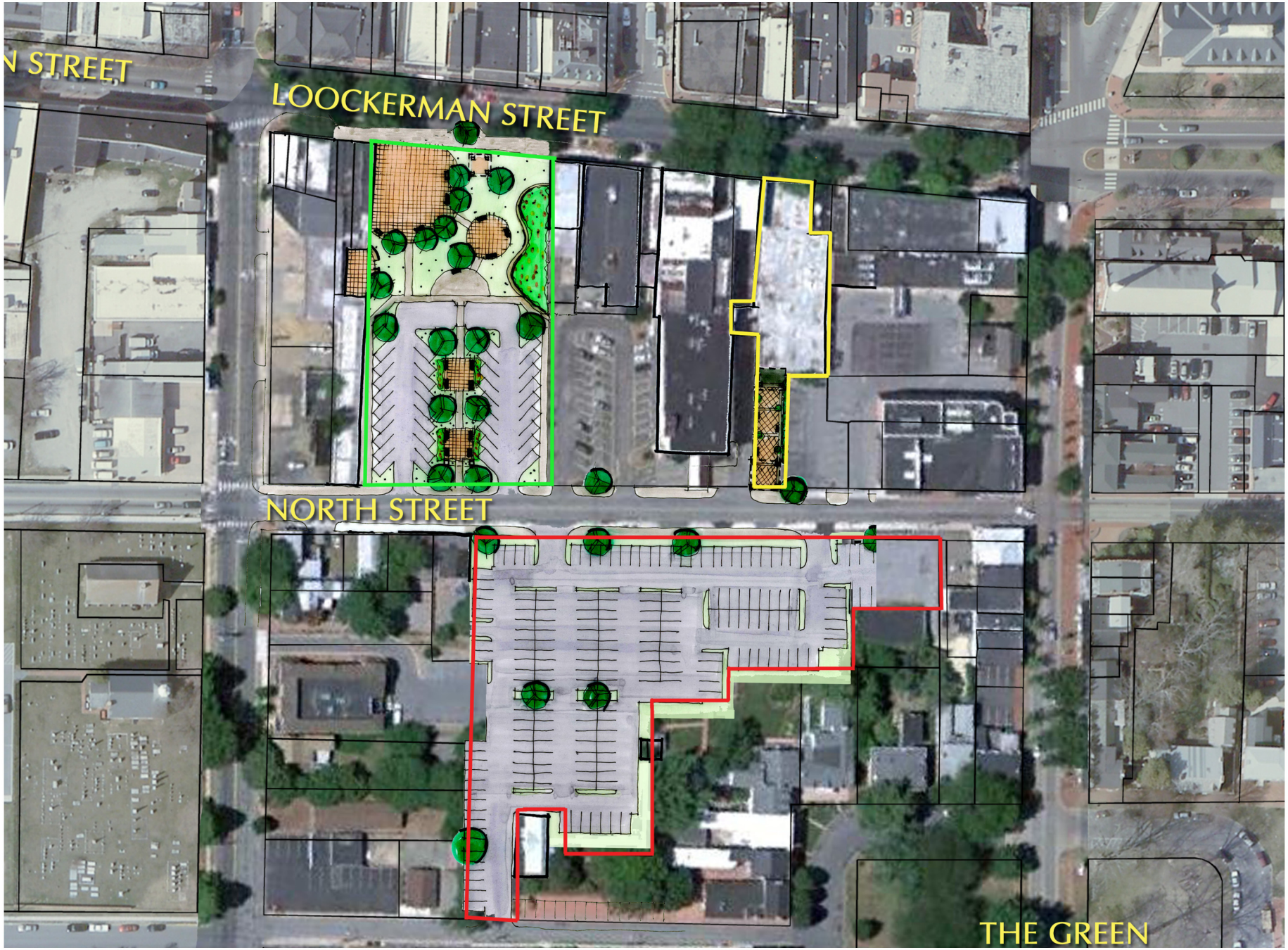
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THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE ADDITION OR THE DELETION OF ITEMS, INCLUDING EXECUTIVE SESSIONS.



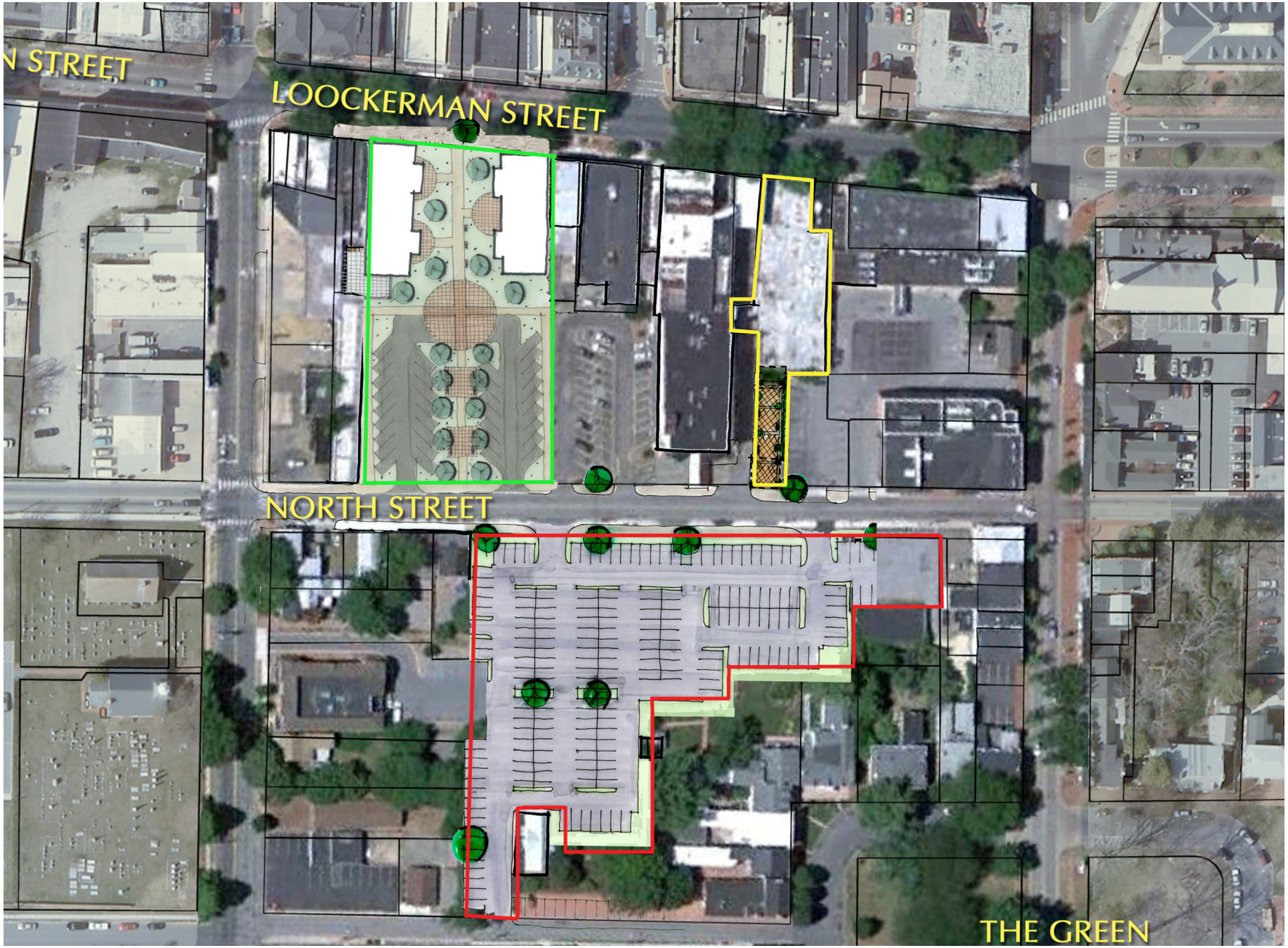
BECKER MORGAN GROUP
ARCHITECTURE
ENGINEERING

COLLEGIATE SITE - CONCEPT 1



BECKER MORGAN GROUP
ARCHITECTURE ENGINEERING

COLLEGIATE SITE - CONCEPT 2



BECKER MORGAN GROUP
ARCHITECTURE
ENGINEERING

COLLEGIATE SITE - CONCEPT 3

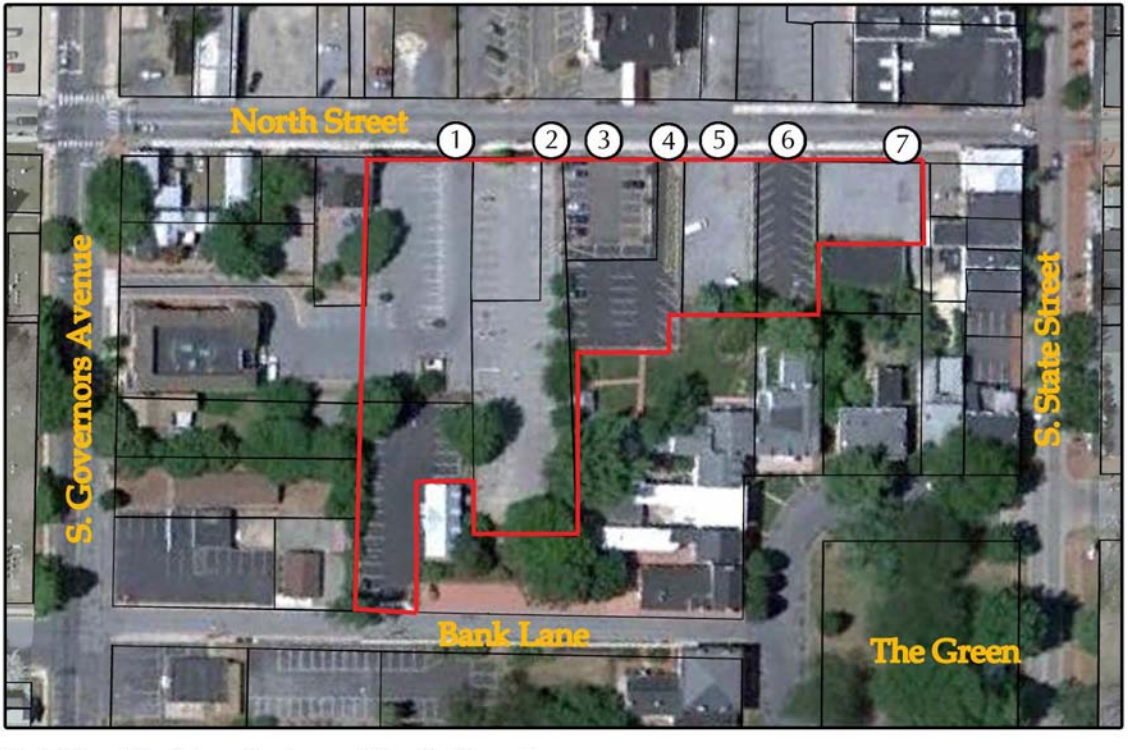
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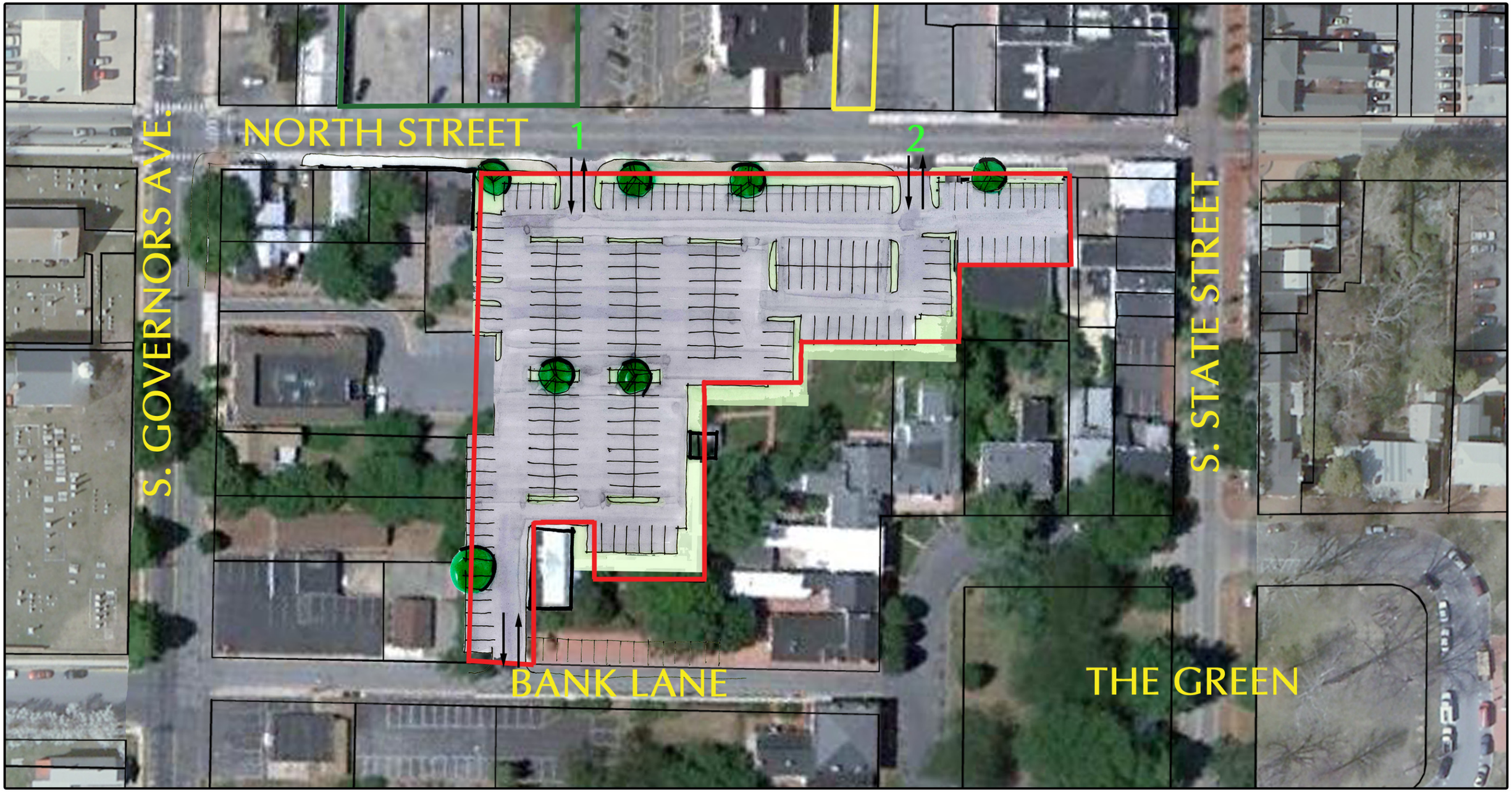
PRELIMINARY COST ESTIMATE FOR LOOCKERMAN PLAZA

	UNIT COST	UNIT	QUANTITY	TOTAL
PLANNING				
DESIGN, LEGAL, SOFT COSTS	$110,000	LUMP SUM	1	$110,000.00
PROPERTY ACQUISITION				
LAND PURCHASE (2 LOTS)	$250,000	UNIT	2	$500,000.00
CONSTRUCTION COST				
DEMO	$50,000	LUMP SUM	1	$50,000.00
CONSTRUCTION COSTS				
EARTHWORK	$75,000	LUMP SUM	1	$75,000.00
PAVEMENT				
PATCHING ETC.	$25,000	LUMP SUM	1	$25,000.00
PARKING LOT	$5,000	UNIT	36	$180,000.00
SIDEWALK (BRICK PAVERS)	$15	SF	6000	$90,000.00
CURB	$25	LF	800	$20,000.00
MISC				
LANSCAPING	$80,000	LUMP SUM	1	$80,000.00
LIGHTING	$60,000	LUMP SUM	1	$60,000.00
				$0.00
TOTAL CONSTRUCTION ESTIMATE				$1,190,000.00
CONTENGENCIES			15%	$178,500.00
TOTAL ESTIMATE				**$1,368,500.00**

Since Becker Morgan Group Inc has no control over the cost of labor, materials or equipment, or over the contractor's method of determining process or over competitive bidding or market conditions, the opinions of probable construction cost provided for herein are made on the basis of our experience and qualifications. These opinions represent our best judgment as Engineers familiar with the local construction industry. However, the Engineer cannot and does not guarantee the proposals, bids, or the construction cost will not vary from opinions of probable cost prepared. If the Owner wishes greater assurance as to the construction cost, an independent cost estimator should be employed.



Existing Parking Lots on North Street
Existing Parking Provided - 172 Spaces



BECKER MORGAN GROUP
ARCHITECTURE ENGINEERING

DOWNTOWN DOVER PARTNERSHIP

NORTH STREET PARKING LOT CONSOLIDATION - CONCEPT DESIGN

BECKER MORGAN GROUP

ARCHITECTURE ENGINEERING

PRELIMINARY COST ESTIMATE FOR NORTH STREET CONSOLIDATED PARKING LOT

	UNIT COST	UNIT	QUANTITY	TOTAL
PLANNING				
DESIGN, LEGAL, SOFT COSTS	$126,000	LUMP SUM	1	$126,000.00
CONSTRUCTION COST				
DEMO				
CURB ISLANDS / SIDWALKS	$18.0	LF	300	$5,400.00
PAVEMENT	$10.0	SY	7900	$79,000.00
SITE IMPROVEMENTS				
CURBING	$30.0	LF	1000	$30,000.00
STORMSEWER IMPROVEMENTS	$30,000.0	LUMP SUM	1	$30,000.00
PAVEMENT	$5.0	CY	72000	$360,000.00
BRICK PAVER SIDEWALK	$15.0	SF	1900	$28,500.00
MISC				
LANSCAPING	$40,000	LUMP SUM	1	$40,000.00
LIGHTING	$175,000	LUMP SUM	1	$175,000.00
TOTAL CONSTRUCTION ESTIMATE				$873,900.00
CONTENGENCIES			15%	$131,085.00
TOTAL ESTIMATE				**$1,004,985.00**

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BECKER MORGAN GROUP

ARCHITECTURE
ENGINEERING

PRELIMINARY COST ESTIMATE FOR NORTH STREET (1 BLOCK)

	UNIT COST	UNIT	QUANTITY	TOTAL
PLANNING				
DESIGN, LEGAL, SOFT COSTS	$100,000	LUMP SUM	1	$100,000.00
CONSTRUCTION COST				
DEMO			1	$0.00
CURB	$5	LF	1500	$7,500.00
SIDEWALK	$2	SF	7500	$15,000.00
PAVEMENT	$4	CF	2700	$10,800.00
UTILITIES				
STORM SEWER IMPROVEMENTS				
CATCHBASIN	$3,200	EACH	4	$12,800.00
REINFORCED CONCRETE PIPE	$50	LF	300	$15,000.00
BURY UTILITIES / UTILITY RELOCATION	$250,000	LUMP SUM	1	$250,000.00
SEWER / WATER IMPROVEMENTS	$125,000	LUMP SUM	1	$125,000.00
ROAD				$0.00
CURB	$30	LF	1500	$45,000.00
PAVEMENT				
PATCHING	$10,000	LUMP SUM	1	$10,000.00
BLACKTOP	$7	SF	1866	$13,062.00
SIDEWALK (BRICK PAVERS)	$12	SF	14000	$168,000.00
MISC				
LANDSCAPING	$30,000	LUMP SUM	1	$30,000.00
LIGHTING	$175,000	LUMP SUM	1	$175,000.00
TOTAL CONSTRUCTION ESTIMATE				$977,162.00
CONTINGENCIES			15%	$146,574.30
TOTAL ESTIMATE				**$1,123,736.30**
			3 BLOCKS EST.	$3,371,208.90

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CITY OF DOVER
DEPARTMENT OF FINANCE
PROCEDURE MANUAL

TITLE: **City or Employee Owned Cellular Phone Assignment and Usage**

PROCEDURE # F320
DATE: February 3, 2009

I. PURPOSE:

The use of cellular telephones provides improvement to customer service, is helpful when other means of communication is not readily available, and enhances department's efficiencies and safety. Possessing a cellular telephone may be a job requirement when the employee must be available to respond to issues when he/she is not physically located at his/her workstation.

The purpose of this procedure is to provide for the uniform administration of City owned cellular telephone assignment and usage, and governing the use and reimbursement for employee owned cellular telephones to conduct City business within each department. The City of Dover reserves the right to make changes to these procedures as circumstances warrant.
This procedure is meant to provide a uniform mechanism for the review and certification:

- of cellular telephone charges
- the reimbursement of non-business call charges to the City
- annual reimbursement for employee owned cell phones.

II. CELLULAR TELEPHONE ASSIGNMENT:

Cellular telephones are not a personal benefit and will only be provided to those employees who have demonstrated need. All employees who are issued cellular telephones are expected to use them responsibly.

The discretion over cellular telephone assignments is delegated to the respective Department Director. The assignment of cellular telephones is to be documented on the approved Communication Devices Service Request form (Attachment 1 – FORM56) with City Manager approval required.

Employees to whom a cellular telephone is assigned are to be provided a copy of this procedure. Employees to whom a cellular telephone is assigned must formally accept responsibility for the device and the attendant responsibilities imposed by this procedure as represented by his or her signature on the Communication Devices Service Request form, Section IV.

The Communication Devices Service Request form is to be retained in the section files with an electronic copy to the Accounts Payable office.

On an annual basis, the Department Director or designee shall review the list of authorized cellular telephone users, complete the Annual Department Director Cell Phone Review Report form (Attachment 4 – FORM57) due to the Finance Department on June 1 annually for the employees or positions authorized to use cellular telephones, and review the usage of each cellular telephone within his/her department to determine whether the assigned calling plan (including number of minutes associated with the plan) is appropriate for each employee. At that time, any changes to the calling plan will be made, to ensure that each employee is participating in the most economical plan.

This will permit calling plans to be expanded or reduced, based on job requirements and actual usage. When ensuring the employee has the most economical plan, personal telephone use minutes shall not be included in that analysis.

The Finance Department will conduct periodic reviews of cellular phone usage and send the results of their analysis to the Department Director and City Manager.

III. EMPLOYEE OWNED CELLUAR TELEPHONE QUALIFICATIONS:

The Department Director will determine which employees qualify for the reimbursement. The following criteria will be used to make this determination:

- Employee is a key staff member needed in the event of an emergency.
- Employee is frequently away from access to traditional land-based phone service.
- Employee is involved in frequent off on-call activity where contact by cell phone is essential.
- Nature of employee's work is critical to the operation of the City's business and immediate response is required.
- Employee's assigned work requires substantial travel and contact by cell phone is essential.
- Level of business use is significant.
- Necessary for the employee to be in direct communication with contractors, customers, and state agencies.

IV. CELLULAR TELEPHONE USAGE:

Cellular telephones are a convenience and a time saver. Cellular telephones are to be used only when access to conventional landlines is not readily available and the urgency of the call outweighs the time necessary to locate another telephone instrument.

City provided cellular telephones are not intended for personal use; however, extended work schedules, emergencies or other special circumstances may, on occasion, necessitate non-City business calls to make family arrangements. Personal cellular telephone use is permitted but shall be limited to infrequent, incidental, and/or emergency use, in situations directly related to City business.

Non-City business calls are to be reimbursed by the employee to whom the telephone is assigned, in accordance with Section V of this procedure. When personal cellular telephone usage is justified as work related or necessary because of unusual circumstances, the employee is not required to reimburse the cost of cellular telephone calls to City as long as the calls are within the total plan minutes. If calls exceed the plan minutes, City employees are required to pay for all personal cellular telephone calls incurred during the billing cycle.

Text messaging and photographic features are to be authorized by the Department Director. This procedure applies to all features allowable for use with a cellular telephone.

V. SECURITY;

Cellular telephones are not a secure form of communication. Sensitive conversations must be either postponed until a conventional landline can be used or sufficiently "guarded" to inhibit understanding by possible interlopers.

Reasonable precautions must be used to guard against conversation trespass and "cloning" fraud to include the use of Personal Identification Numbers (PIN) or authenticated equipment as warranted.

Cellular telephone accounts that have been "cloned" must be reported to the carrier within 24 hours of the time the fraud is identified. Any cellular telephone which has been "cloned" must have a PIN assigned when the account is cleared and service is reinstated.

Each employee issued a City-owned cellular telephone is responsible for its reasonable care. In the event of loss or damage to the telephone, the employee shall be held personally responsible for replacement or repair of the cellular telephone unless the employee can demonstrate that reasonable care to protect and safeguard the telephone was exercised. If the employee has exercised reasonable care, the City will repair or replace the telephone.

Employees are expected to exercise care when using cell phones so as not to endanger themselves or others. Use of cell phones while operating a motor vehicle is discouraged. Employees must adhere to all federal, state, and local rules, regulations and laws regarding the use of cellular telephones while driving.

VI. CERTIFICATION OF CHARGES:

Department Directors will designate a person or persons responsible for distributing copies of cellular telephone bills to employees each month. The cellular telephone bills will be distributed within seven days of receipt to each employee to whom a cellular telephone is assigned.
Cellular telephone bills are to be reviewed by the person to whom the device is assigned. The bills are to be examined to identify evidence of illegal cloning, usage or trespass. Employees to whom cellular telephones are assigned will certify each billing, by annotating and signing the service provider's billing statement or invoice. The employee's notes and signature on the telephone bill will be considered the employee's attestation of the following:

- They have examined the charges for accuracy.
- There is no apparent evidence of illegal usage or cloning.
- They have identified any non-business calls and have provided a reimbursement settlement when required, according to this policy.
- All other calls represented on the billing are appropriate and made in the conduct of, and pursuant to City business.

If the plan minutes are exceeded, employee reimbursements for personal cellular telephone calls are due on a monthly basis. The employee shall reimburse the City for personal use of the cellular telephone at the rate shown on the billing statement, plus roaming charges, if applicable. In the event that the billing statement does not list a specific amount for identified personal telephone calls, the employee shall reimburse the City at the per minute rate for calls exceeding the plan minutes, plus roaming charges, if applicable. If the billing statement does not include a record of incoming

telephone calls, the cellular telephone user shall estimate the number of minutes for incoming calls and reimburse the City at the per minute rate for exceeding the plan minutes.

The invoice review must be accomplished, and reimbursement received, within 30 days of the receipt of the subject billing.

VII. REIMBURSEMENT FOR QUALIFYING EMPLOYEE OWNED CELLULAR TELEPHONE

Qualifying employees will receive a one-time reimbursement check in the amount of $15.00 per month; reimbursement to be paid at the end of each fiscal year for the prior year's usage or pro-rated appropriately.

Reimbursement does not constitute an increase in base pay, and will not be included in the calculation of percentage increases to base pay due to annual salary increases, job upgrading, or other similar calculations. This reimbursement is not taxable income and is not subject to withholding.

To be considered for this type of cell phone use and reimbursement, an employee's supervisor shall consider whether the employee's business need for a cell phone meets the required criteria and then shall submit a *Cell Phone Reimbursement and Authorization Request* and *Agreement* signed by the employee and supervisor, then forwarded to the Department Director for consideration.

If approved, the Department Director shall submit a completed *Cell Phone Reimbursement and Authorization Request (see Attachment 2),* and proof of cell phone coverage to the Finance Department.

If there is a change in an employee's responsibilities that would disqualify them from continuing to receive the supplemental compensation, the supervisor must immediately take the necessary steps to terminate the supplemental compensation, effective with the date that the employee's responsibilities changed.

Supervisors shall conduct an annual review and document the continued qualification for the supplemental compensation. Regardless of when the supplemental compensation is established, it will cease at the end of the fiscal year (June 30). A new *Cell Phone Reimbursement and Authorization Request Form* shall be submitted to the Department Director for consideration. The cost of the reimbursement is a departmental expense.

Qualifying employees receiving reimbursement shall acquire and maintain an active cell phone service that provides national coverage and has an activated voicemail feature. Qualifying employees will provide their supervisors with a copy of one month's cell phone statement to document the specified coverage and ownership of account. Qualifying employees must be the primary owner of the cell phone plan to be eligible for reimbursement.

Qualifying employees shall notify the Department Director within 15 days of any changes in his/her cell phone service during the fiscal year. The employee's cell phone number shall be provided to the Department Director for placement on contact/directory lists. The employee shall be available by cell phone while on duty.

The Department Director will provide a list of authorized employees, reimbursement amount and a copy of each employee's cell plan for the current fiscal year to Finance by June 1.

VII. NON-COMPLIANCE:

Employee's assigned cellular telephones shall comply with this Procedure as a condition of continued usage of cellular telephone privileges. Misuse of a City issued cellular telephone will result in revocation of those privileges, possible disciplinary action up to and including discharge, and/or criminal charges.

IX. EFFECTIVE DATE

This procedure shall become effective February 3, 2009.

DISTRIBUTION: Department Directors
Central Services Procurement Manager
Mayor
City Manager
Finance Procedure Manual

ATTACHMENT 1

TELEPHONE & CELLULAR PHONE SERVICE REQUEST FORM

To be completed for all telephone and cellular phone purchase, changes, additional equipment purchase and/or cancellations. **RECEIPTS ARE REQUIRED FOR ALL PURCHASES**. Copy of completed form should be forwarded to Finance-AP.

THIS SECTION TO BE COMPLETED BY REQUESTING DEPARTMENT

Request made by: _____ Date: _____

Department: _____ Division: _____

Service for the Following Employee(s):
_____

Reason for Request:
_____

Type of Service Needed: ____ Phone Purchase ____ New Plan ____ Additional Equipment Purchase

____ Additions ____ Deletions ____ Cancel Plan ____ Changes

Plan Requested:
_____

Assigned New Phone to Existing Account:
_____

G/L Account to be Charged: _____ Contact Person: _____

_____ _____
Department Head Approval Date

THIS SECTION TO BE COMPLETED BY PURCHASER

Received by: _____ Date Received: _____

Costs for: Installation $_____ Equipment $_____ Other _____ $_____

TOTAL COSTS $_____

Remarks: _____

THIS SECTION TO BE COMPLETED BY CITY MANAGER AND FINANCE-CONTROLLER/TREASURER

_____ _____
City Manger Approval Signature Finance-Controller/Treasurer

_____ Approved _____ Not Approved

Form56

Cell Phone Reimbursement and Authorization Request Form

Complete this form to request reimbursement for cell phone expenses. The completed form must be signed and submitted to your immediate supervisor. The supervisor will submit to the Department Director for approval.

Qualifying employees will receive a one-time reimbursement check in the amount of $180.00 payable (15.00 per month) or the cost to the employee if less; reimbursement to be paid at the end of each fiscal year for the prior year's usage.

Employees are required to provide proof/documentation (copy of monthly cell phone invoice showing coverage and employees name as owner of account.)

Cell Phone Provider_____

Cell Phone Number_____ (will be published in contact listings)

Cell Phone Coverage:

Type of Plan: _____ Monthly Cost: $_____

- I confirm that I will use the above phone for work-related purposes. I agree to provide this cell phone number to appropriate people/organizations who may need to contact me on the job, or on call. I further agree to carry this cell phone and keep it turned on at all times while on duty. A copy of signed form should be forwarded to Finance - Accounts Payable.

Print Employee Name: _____

Employee Signature: _____

Supervisor Signature: _____

Department Director Recommending Signature: _____

___Approved ____Not Approved

If not approved, reason: _____

Date: _____

ATTACHMENT 3

City of Dover
Mobile Phone Reimbursement Agreement

This procedure is designed to govern the relationship between the city and an employee regarding reimbursement for business use of a personal mobile phone. Under the terms of this agreement, the city may elect to reimburse an employee for business use of a personal mobile phone in lieu of providing the employee with a city-owned mobile phone. The following clauses are agreed to by the city and the employee:

- The option of reimbursing an employee for mobile phone use rather than providing a city-owned phone is at the sole discretion of the city and the employee's supervisor. Reimbursement will be provided on a schedule determined by the Finance Department.
- Provision of a mobile phone is not an employee benefit. It is a business tool issued by the city for the purpose of conducting city business. Therefore, the reimbursement in lieu of a city-issued phone is offered under the same conditions and for the same purpose. It may be revoked at any time for any reason by the city, and is subject to annual budgetary approval.
- An employee's shared use of a personal phone for both city and personal business does not imply that personal use of the phone is acceptable during an employee's time at work. Personal use during working hours is only acceptable on an occasional basis for specific purposes, and can be curtailed or prohibited at a supervisor's discretion.
- The city will not compensate an employee for the cost of new equipment, and will not be held liable for damage or repair costs of equipment.
- The amount of reimbursement will not be influenced by the amount the service is used for business purposes. Unusually high activity on the line of service due in part to its use for business purposes will not entitle the employee to an increase in the reimbursement amount.
- The phone number to be used by the employee on their personal mobile phone must be a local phone call from the City of Dover. The phone number must not be changed throughout the term of employment unless approved by the Department Director.
- The phone number for the personal service may be distributed by the supervisor as he/she sees fit for the purposes of the city. The fact that the phone line is also the personal number for the employee will not be considered when deciding how to distribute the number.
- The employee will be expected to answer the phone in an appropriate fashion for business purposes. Likewise, voicemail greetings will acknowledge the full name of the employee and be appropriate for business purposes.
- The applicable provisions contained in the City's Cellular Phone Assignment and Usage, Procedure # F320, Dated February 3, 2009, or latest revision, shall apply to this procedure without restating.
- This agreement may be amended at anytime by the city.
- A copy of signed agreement should be forwarded to Finance - Accounts Payable.

I, the undersigned, have reviewed this policy and agree to abide by its terms.

_____ _____

Employee Signature Date

ATTACHMENT 4

City of Dover
Annual Department Director Cell Phone Review Report
(Due Annually to Finance on June 1)

To: Finance - Accounts Payable

I, _____ have reviewed the cell phone use of _____
(Department Director) (Department)

and determined the following:

_____ List of authorized users has been reviewed and approved (Attached).

_____ Determined that assigned calling plans are appropriate or have been Changed to an appropriate plan as needed.

_____ Spot reviews of monthly bills indicate that employees are following the policy.

_____
Department Head Signature

_____
Date

Form57

ATTACHMENT 5

CITY OF DOVER
CELL PHONE ASSIGNMENT NUMBER & SIGNATURE

To be signed upon receipt a list of authorized users for the City of Dover Cell Phone Device.

Cell Phone #	Employee Name (Print)	Employees Signature

CITY OF DOVER VERIZON WIRELESS CELL PHONES

VENDOR #	DEPARTMENT	USER	TITLE
6526	CUSTOMER SERVICES	JEFF PEARSON	FIELD SERVICE REP II
6526	CUSTOMER SERVICES	NANCY SWAGGARD	FIELD SERVICE REP III
6526	CUSTOMER SERVICES	TOM OLSEN	FIELD SERVICE REP
5769	CENTRAL SERVICES	ON CALL	WAREHOUSE
5769	CENTRAL SERVICES	PETE GREGG	PURCHASING AGENT
5769	CENTRAL SERVICES		DIRECTOR
7852	CITY CLERK	USB MODEM	
6364	INFO TECHNOLOGY	ANDREW SIEGEL	DIRECTOR
7319	ECONOMIC DEV	BILL NEATON	DIRECTOR
7811	FINANCE	DONNA MITCHELL	DIRECTOR
151	MAYOR	CARLETON E CAREY	MAYOR
2448	PARKS & REC	SHERWANDA RACHAL	RECREATION SPECIALIST
3753	PARKS & REC	ZACHERY CARTER	DIRECTOR
6139	PLANNING	ED GRAVES	INSPECTOR I
6139	PLANNING	GIS MOBILE	AIR CARD
6139	PLANNING	AIRCARD	AIR CARD
6139	PLANNING	**VACANT POSITION**	EMERGY MGT COORD
6139	PLANNING	BROADBAND	BROADBAND
6139	PLANNING	BROADBAND	BROADBAND
6139	PLANNING	BROADBAND	BROADBAND
6139	PLANNING	TIM TARAILA	INSPECTOR I
6139	PLANNING	DAVID MCGINNIS	INSPECTOR I
6139	PLANNING	AIRCARD	AIR CARD
6139	PLANNING	ANN MARIE TOWNSHEND	DIRECTOR
6013	PUBLIC SERVICES	WESLEY ROAN	PW OPERATIONS MGR
6013	PUBLIC SERVICES		SANITATION DEPT SUPERVISOR
6013	PUBLIC SERVICES	PERRY SAMMONS	STREET DEPT SUPERVISOR
6013	PUBLIC SERVICES	PAUL THOMPSON	PW INSPECTOR I
5259	PUBLIC SERVICES	BROADBAND	BROADBAND
5259	PUBLIC SERVICES	BROADBAND	BROADBAND
5259	PUBLIC SERVICES	SAM GONZALEZ	FIRE MARSHALL - I
5259	PUBLIC SERVICES	TIMOTHY MULLANEY	FIRE MARSHALL - II
5259	PUBLIC SERVICES	DAVE TRUAX	FIRE MARSHALL - III
5688	PUBLIC SERVICES	ED MARTIN	INSPECTOR I
5688	PUBLIC SERVICES	MIKE MCGREGGOR	INPSECTOR I
5688	PUBLIC SERVICES	GREG AKERS	CHIEF BLDG INSPECTOR

CITY OF DOVER VERIZON WIRELESS CELL PHONES

VENDOR #	DEPARTMENT	USER	TITLE
5688	PUBLIC SERVICES	CHRIS SCOTT	INSPECTOR I
2384	PUBLIC SERVICES	BILL COOPER	GROUNDS
4279	PUBLIC SERVICES	SCOTT KOENIG	PUBLIC SVC MANAGER
967	PUBLIC UTILITIES	STEVEN MOXLEY	T&D ENGINEER COORD
4212	PUBLIC UTILITIES	GARY LAWSON	ELEC FIELD ENGINEER
159	PUBLIC UTILITIES	ON CALL	W/W ON CALL PHONE
1230	PUBLIC UTILITIES	ROBERT SEE	P/U INSPECTOR
1230	PUBLIC UTILITIES	LEE RIDGWAY SR	P/U CONSTRUCTION II
967	PUBLIC UTILITIES	SHARON DUCA	W/WW MANAGER
967	PUBLIC UTILITIES	RALPH MCDOUGALL	W/WW SUPERVISOR
967	PUBLIC UTILITIES	SYSTEM OPERATIONS	EMERGENCY CALLS
967	PUBLIC UTILITIES	STEVE ENSS	ENG SUPERINTENDENT
967	PUBLIC UTILITIES	AREN WRIGHT	ENGINEER CREWLEADER
967	PUBLIC UTILITIES	SCOTT FOWLER	OPER/CONST MANAGER
967	PUBLIC UTILITIES	RON LUNT	DIRECTOR
967	PUBLIC UTILITIES	ON CALL	ELECTRIC RELAY
967	PUBLIC UTILITIES	JOHN MUMFORD	P/U INSPECTOR
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	PAUL COOKSON	
4860	POLICE	TIMOTHY STUMP	CAPTAIN
4860	POLICE	VEHICLE PHONE CNT	VEHICLE PNONE CNT
4860	POLICE	BLUE LIGHT PROGRAM	SCHUTTE PARK/PITTS CTR
4860	POLICE	BLUE LIGHT PROGRAM	WHITE OAK PLAYGROUND
4860	POLICE	BLUE LIGHT PROGRAM	WHITE OAK SOCCER FLD
4860	POLICE	JAMES HOSFELT	CHIEF OF POLICE
4860	POLICE	DIANE GLENN	VICTIM SVC CORRDINATOR
4860	POLICE	BEN COUNSELMAN	ADMIN DIV COMMANDER
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	BLUE LIGHT PROGRAM	SILVER LAKE PARK BEACH
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	PAUL BERNAT	MCPL
4860	POLICE	BLUE LIGHT PROGRAM	SILVER LAKE BOAT RAMP
4860	POLICE	STEVEN GETEK	MAJOR
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE

CITY OF DOVER VERIZON WIRELESS CELL PHONES

VENDOR #	DEPARTMENT	USER	TITLE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
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4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
4860	POLICE	CDMA LINE	IN CAR COMPUTER LINE
7730	POLCE	DET ROBERT ROSWELL - CI	FEDERAL FORTEITURE FUND
7730	POLCE	SGT JASON PIRES - DVOC	FEDERAL FORTEITURE FUND
7730	POLCE	DET KEVIN STREAOWICK - CI	FEDERAL FORTEITURE FUND
7730	POLCE	CAPT TIMOTHY STUMP	FEDERAL FORTEITURE FUND
7730	POLCE	SGT ERIC RICHARDSON - CI	FEDERAL FORTEITURE FUND
7730	POLCE	DET LAWRENCE SIMPKISS - CI	FEDERAL FORTEITURE FUND
7730	POLCE	TRANSFERRED TO PATROL	FEDERAL FORTEITURE FUND
7730	POLCE	DET CHRISTOPHER BUMGARNER - TAC	FEDERAL FORTEITURE FUND
7730	POLCE	DET DAVID SPICER - CI	FEDERAL FORTEITURE FUND
7730	POLCE	DET JEFFREY GOTT - CI	FEDERAL FORTEITURE FUND
7730	POLCE	DET JENNIFER KING - CI	FEDERAL FORTEITURE FUND
7730	POLCE	DET JEFFREY MELVIN - CI	FEDERAL FORTEITURE FUND
7730	POLCE	DET SCOTT HURD - DVOC	FEDERAL FORTEITURE FUND
7730	POLCE	DET JORDAN MILLER - DVOC	FEDERAL FORTEITURE FUND
7730	POLCE	LT DANIEL MCKEOWN - CI	FEDERAL FORTEITURE FUND
7730	POLCE	MCPL PAUL BERNAT	FEDERAL FORTEITURE FUND

2011 EMPLOYEE CELL PHONE REIMBURSEMENT AGREEMENT

REIMBURSEMENT TO BE PAID AT THE END OF EACH FISCAL YEAR FOR THE PRIOR YEAR'S USAGE

A NEW CELL PHONE REIMBURSEMENT & AUTHORIZATION FORM SHALL BE SUBMITTED AT THE BEGINNING OF EACH FISCAL YEAR

EMPLOYEE	DEPARTMENT	TYPE OF PERSONAL PLAN	MONTHLY COST OF PLAN	MONTHS OF REIMB ($15 PER MNTH)	AMOUT OF REIMB.
CHERYL RUSSELL	ASSESSOR OFFICE	AT & T FAMILY PLAN NATION & INTERNET	$150.00	12	$180.00
JAMES C. KEENER	ASSESSOR OFFICE	VERIZON 450 MONTHLY - 250 MESSAGES	$44.99	12	$180.00
RAY WHEATLEY	PUBLIC UTILITIES	VERIZON FAMILY SHARE PLAN 1400	$120.69	12	$180.00
BILL HEWLETT	PUBLIC UTILITIES	AT & T FAMILY PLAN & BUSINESS	$88.00	12	$180.00
RICHARD GARDNER	PUBLIC UTILITIES	VERIZON FAMILY SHARE PLAN 1400	$48.00	12	$180.00
JAMIE ROY	INFORMATION TECH	SPRINT UNLIMITED	$85.00	7	$105.00
ANDREW SIEGEL	INFORMATION TECH	VERIZON FAMILY SHARE PLAN	$126.37	7	$105.00
ALAN RACHKO	POLICE	VERIZON NATIONWIDE TALK	$107.67	12	$180.00
ROBERT SCOTT	POLICE	VERIZON NATIONWIDE TALK	$133.00	12	$165.00
YTD TOTAL REIMB					**$1,455.00**

CITY OF DOVER DEPARTMENT MONTHLY CELL PHONE SUMMARY
FISCAL YEAR 2010

MONTH	CUSTOMER SERVICES	CENTRAL SVCS	CITY MANAGER	INFO TECH	MAYOR	PARKS & REC	FIRE MARSHALL	PLANNING & INSPECTION	P & R DPN	POLICE	PUBLIC UTILIITES	PUBLIC WORKS	TAX ASSESSOR	ECONO DEV
JULY	164.50	66.01	68.44	155.43	68.89	20.31	156.95	517.37	49.28	2,058.04	500.92	310.91	2.76	68.89
AUGUST	164.50	63.28	68.44	156.14	68.89	20.31	174.01	438.76	49.82	1,599.21	646.69	172.97	23.07	68.89
SEPTEMBER	164.50	63.86	68.90	156.14	68.89	20.31	267.39	532.59	49.28	1,796.48	429.26	315.04	(7.19)	68.89
OCTOBER	164.20	63.18	69.42	155.97	68.83	20.28	106.28	495.29	49.39	1,807.24	448.45	462.57	CANCELLED CELLPHONES	68.83
NOVEMBER	207.75	68.67	69.94	155.97	77.54	20.28	156.25	469.17	49.31	1,605.24	457.61	363.13	CANCELLED CELLPHONES	68.83
DECEMBER	207.75	71.79	68.88	155.97	77.54	20.28	158.29	471.65	49.21	1,628.00	457.21	362.38	CANCELLED CELLPHONES	68.83
JANUARY	208.50	71.02	69.48	156.33	77.69	20.35	156.77	472.01	49.95	1,982.29	447.40	362.56	CANCELLED CELLPHONES	224.34
FEBRUARY	208.50	69.26	69.94	156.33	307.68	20.35	156.52	478.73	49.45	1,876.00	401.80	243.48	CANCELLED CELLPHONES	172.71
MARCH	208.50	69.83	286.25	152.69	77.69	20.35	156.77	471.37	49.53	1,915.43	402.97	373.74	CANCELLED CELLPHONES	66.99
APRIL	208.95	68.84	60.19	154.32	77.78	20.39	157.27	472.63	49.69	1,861.02	406.63	245.99	CANCELLED CELLPHONES	92.78
MAY	122.89	69.26	60.29	154.32	77.88	20.49	157.47	508.53	49.53	1,820.21	384.63	374.40	CANCELLED CELLPHONES	93.57
JUNE	125.67	69.39	60.29	154.32	77.88	20.49	158.73	471.43	49.61	0.00	394.02	377.90	CANCELLED CELLPHONES	92.88
YTD TOTAL	**$2,156.21**	**$814.39**	**$1,020.46**	**$1,863.93**	**$1,127.18**	**$244.19**	**$1,962.70**	**$5,799.53**	**$594.05**	**$19,949.16**	**$5,377.59**	**$3,965.07**	**$18.64**	**$1,156.43**

GRAND TOTAL $46,049.53

2010 EMPLOYEE CELL PHONE REIMBURSEMENT AGREEMENT

EMPLOYEE	DEPARTMENT	TYPE OF PLAN	MONTHLY COST OF PLAN	PAY DATE OF REIMBURSEMENT	AMOUT OF REIMB.
CHERYL RUSSELL	ASSESSOR OFFICE	AT & T FAMILY PLAN NATION & INTERNET	$150.00	June 23, 2010	$180.00
JAMES C. KEENER	ASSESSOR OFFICE	VERIZON 450 MONTHLY - 250 MESSAGES	$44.99	June 23, 2010	$180.00
RAY WHEATLEY	PUBLIC UTILITIES	VERIZON FAMILY SHARE PLAN 1400	$120.69	June 23, 2010	$165.00
BILL HEWLETT	PUBLIC UTILITIES	AT & T FAMILY PLAN & BUSINESS	$88.00	June 23, 2010	$165.00
RICHARD GARDNER	PUBLIC UTILITIES	VERIZON FAMILY SHARE PLAN 1400	$48.00	June 23, 2010	$165.00
ROBERT SCOTT	POLICE	VERIZON FAMILY SHARE CONNECT PLAN	$119.99	July 7, 2010	$105.00
YTD REIMBURSEMENT					**$960.00**

CITY OF DOVER
DEPARTMENT OF FINANCE
PROCEDURE MANUAL

TITLE: Municipal Vehicle Use Procedure **PROCEDURE # F-362**
DATE: March 1, 2009

PURPOSE: Establishes the official vehicle use procedures for the employees and officials of the municipal government of Dover, Delaware. Vehicles exempt from this policy are listed in Appendix C.

SCOPE: The procedure applies to any person operating a vehicle for the purpose of conducting official functions of the municipal government.

PROCEDURE ARTICLES:

1. City vehicles will be parked at the employee's residence during the off-duty period. During the off-duty period, the assigned vehicle will not be used for personal convenience.
2. Employees may be assigned after hour duties in accordance with the contents of their assigned job description, or employment contract.
3. Employees assigned a city vehicle by employment contract are required to maintain a monthly log of vehicle mileage with a break out of business and personal usage for tax purposes. The mileage logs must be reported to the Finance Department by December 1st each year as outlined below for compliance with the Internal Revenue Service regulations.
4. Use of City general-purpose vehicles will be in accordance with applicable federal, state, and local statutes, regulations, and city municipal codes. Employees assigned a general-purpose vehicle while on call is required to live in Kent County.
5. No employee shall request or be permitted the use of City general-purpose vehicles for personal convenience when such vehicles are provided for use in the conduct of official business as a matter of policy.
    A. Each employee shall endeavor to pursue a course of conduct, which will not raise suspicion among the public that they are engaging in acts which are in violation of the public trust and which will reflect unfavorably upon the City. No employee or official shall use his public office to secure unwarranted privileges or perquisites during the use of City general-purpose vehicles, or use the vehicle for political purposes.
    B. No City general-purpose vehicle shall be operated for the purpose of travel to a residence, store or restaurant for any meal, unless it is in route to the job site.
    C. No City general-purpose vehicle shall be operated for providing travel for passengers in such vehicle for the purpose of any meal at a residence or restaurant. This principal does not apply to public works and utility vehicles that are utilized to transport work crews to and from job sites.
    D. City general-purpose vehicles may be authorized, on a case-by-case basis, for the operator and passengers to travel to and from appropriate meals when performing official municipal government business. Prior approval of the operator's immediate supervisor is required.

E. Any personal convenience use of a city general-purpose vehicle will be reimbursed to the city. The manner of the valuation of such expense shall be determined by Controller/Treasurer

F. City general-purpose vehicles authorized for commuting shall be charged at the rate of $1.50 for each one-way commute trip.

1. Authorized commuting charges will be a taxable compensation and included in the employee's gross salary.

2. Employees performing on-call duties will incur the commute charge when a general-purpose vehicle is used to commute, unless required in their job description.

6. The Finance Department will prepare an annual analysis of the expenses of City general-purpose vehicles used for commuting purposes for cost comparison purposes (see Appendix D).

A. The analysis shall set forth a standard cost rate per mile of travel encompassing all expenses incurred in the operation of general-purpose vehicles.

B. The standard rate will be the comparative rate used for cost analysis to qualify alternative proposals to achieve the most cost effective solution of general-purpose vehicle proposals and considerations.

C. No costs associated with an employee's wages or benefits will be included in the calculation for the standard cost rate per mile of travel.

7. The Finance Department has prescribed a form to record the detail factors associated with the daily use and monthly use of general-purpose vehicles to conduct city business including Commute Trip Mileage in Appendix E. Appendix F is the form prescribed by the Internal Revenue Service for daily use. The employee may choose which form is conducive to their personal use, and return the form to the Finance Department.. The forms are implemented to insure proof of compliance with applicable federal regulations.

A. As an alternative, the approved form may be contained in a computerized format and printed at the time of need.

B. The records of general-purpose vehicle travel will be maintained by the Payroll Office and will be readily available to City Auditors, City Council, City management staff, and the general public.

C. Employees failing to submit properly completed vehicle travel forms timely will be taxed at the current mileage reimbursement rate as outlined in the City's travel policy times an estimated mileage as determined by the Finance Department.

8. When not in use or assigned a City vehicle, all general purpose vehicles will be parked at a municipal government parking location.

9. City general-purpose vehicles may be authorized for commuting use when:

A. A general-purpose vehicle will be authorized for commuting purposes when the employee has been assigned responsibility for on-call duties or emergency response. On-call and emergency response use does not constitute a federal or state taxable benefit.

B. The City Manager may authorize vehicle use for Non-Emergency Use provided the employee can demonstrate that the actual number and nature of call-ins during the previous year warrants such approval for the benefit of the citizens and not the personal convenience of the municipal person. An authorization form must be completed and signed by the City Manager. Non-Emergency use constitutes taxable wages to the employee and federal and state taxes for both the employee and the City.

C. The Director of the employee(s) being assigned on-call or emergency status is responsible for maintaining and providing updated lists of all personnel assigned City vehicles to the Human Resources Director by November 1st each year. The list shall contain the following elements:

1. identification of the municipal person authorized to commute,
2. the one way mileage between the municipal person's residence and normal place of work,
3. the control information of the authorized general purpose vehicle,
4. the normal duty hours of the authorized municipal person, reason or need for an on-call vehicle.
5. the telephone contact information of the authorized municipal person,
6. the designation of the employee's use – on-call, emergency, or commute.

D. The Finance Department shall receive from Human Resources a master list of all employees and the vehicle assigned that are authorized use of City vehicles before November 30th each year. For those employees applicable, the payroll office will complete the calculation to determine the taxable commuting wages for each employee.

The Payroll office will then send notification to each employee with approved use of a city general-purpose vehicle for commuting. The notification will include the amounts to be charged to gross salary, the rule allowing the charge, and the method of determining the charged value.

10. Employee(s) assigned City general purpose vehicles will care for vehicles in a responsible manner.

A. Failure to provide responsible care can result in disciplinary action.

B. The use of any tobacco products is prohibited when accompanied by non-smoking passengers in any take-home vehicle.

C. All persons shall wear seat belts while operating or riding in any City vehicle.

D. The employee shall provide written disposition of the assigned vehicle while on extended vacation to their immediate supervisor.

E. When operating a City vehicle, the employee must have in his/her possession or the vehicle the vehicle registration, insurance card, a City issued identification card, and a valid driver's license.

F. Employees are required to close vehicle windows and lock doors when the vehicle is not in use. This measure will help ensure that the vehicle is not stolen as well as safeguarding the contents of the vehicle. Vehicle keys must be removed and properly

secured when the vehicle is in use. The City is not responsible for personal property in the vehicle.

11. All City over-the-road vehicles, except those used as surveillance cars, shall have permanently affixed to each front door an official City emblem.

12. To provide internal control and audit documentation with policies and procedures, each employee that is assigned a city vehicle for commute purposes will have on file in the Payroll Office the following:

    A. "Authorization to Use a City Vehicle" (see Article 6) to be used by the Finance Department to report on W-2 forms the value of daily commuting as an employee fringe benefit.

    B. "Statement of Personal Usage for City Provided Vehicles" (see Article 7) to validate personal mileage and insure compliance with federal and state regulations.

    C. These forms are to be provided to the Finance Department on or before December 1st each year. This will provide the payroll department time to make any necessary adjustments to the estimated vehicle usage amount entered at the start of the calendar year. For federal and state tax purposes, vehicle use is calculated on a calendar year.

    D. **For those employees that follow the commute rule:** The City has elected to tax the benefit and pay the respective taxes on each bi-weekly payroll period, based on the calculation in the Authorization Form (see Appendix D). Changes to the estimated vehicle usage amount entered at the start of the year should not be expected unless significant changes occurred in your driving pattern.

    E. **For those employees that follow the per mile or lease value rule:** An employer may treat the value of the benefits provided during the last two months of the calendar year as paid during the subsequent calendar year. The City has adopted this policy. The value of the benefit is calculated for the period of November 1 (of previous year) to October 31 (of current year).

13. Policy exemptions and exceptions:

    A. Robbins Hose Company No. 1 vehicles are not owned by the City of Dover, and therefore the City is not required to ensure compliance with the Internal Revenue Code.

    B. The City currently has three employees with Fire Marshal duties. All three employees are assigned a clearly marked emergency response vehicle for rotation of on-call duties. When one or more Fire Marshal employees are not on call, the City owned vehicle is not to be used for commuting purposes, except for the Chief Fire Marshal. Any other exceptions must be substantiated with historical records of experience.

14. In consideration of these guidelines and policies, one's interpretation should be on a strict, rather than loose, construction basis, and obviously, the objective should not be to rationalize ways and means for circumvention of this policy.

ATTACHMENTS:

Appendix A – Definitions

Appendix B – City of Dover Related Policies

Appendix C – Explanation of Regulations

Appendix D – Authorization of Vehicle Use Form

Appendix E – Statement of Personal Usage for City Provided Vehicles Form (Monthly Use Log)

Appendix F – Vehicle Mileage Log (Daily Use Log)

APPENDIX A

DEFINITIONS:

Primary Place of Employment

the official work location a municipal person is normally assigned to or working at

General Purpose Vehicle

a vehicle that is not specifically designed and used for specialized applications and may be used for personal convenience.

Commuting

taking an employer-provided vehicle to or from a work site and the employee's residence. The reporting of commuting miles should be based on the distance from an employee's home to their work site and not to a city vehicle storage facility.

Commute Trip Mileage

the mileage to/from a municipal person's residence to their office or site to perform normally scheduled work.

Personal Convenience

anything fitting or suited to the municipal person's beneficial welfare, which shall also mean any money, thing of value, or any other economic benefit of any kind or nature whatsoever.

Official

shall mean any elected or appointed official of the City of Dover and all members of any committee, commission or board appointed by the Mayor of the City of Dover or appointed by the City Council.

Official Responsibility

shall mean any direct administrative or operating authority at any level, either exercisable alone or with others, either personally or through subordinates to approve, disapprove, recommend or otherwise direct action on behalf of the City of Dover.

APPENDIX B

CITY OF DOVER RELATED POLICIES

The following in an excerpt from the City of Dover Employee Handbook:

USE OF CITY SUPPLIES AND EQUIPMENT

City equipment, materials, tools and supplies shall not be available for personal use nor be removed from City property except in the conduct of official City business.

Vehicles owned by the City shall be cared for by an employee in the same responsible way that an employee would care for their personal vehicle. Lack of care can result in disciplinary procedures. Such vehicles are to be used exclusively for official City business, except when by special approval. Use of vehicles for commuting to and from work shall usually be limited to an employee who is subject to an emergency call back to work.

No individual shall operate or ride in a City vehicle except as is required for the conduct of City business.

The following is an excerpt of Division 4 – Code of Conduct, Section 2-10, Prohibitions Relating to Conflicts of Interest, Subsection (f) – Abuse of Office, Paragraph (3), of the Dover Code:

(3) No city official or employee shall request or permit the use of city owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

APPENDIX C

EXPLANATION OF APPLICABLE REGULATIONS

FEDERAL LAW

Under IRS (IRC ss 274(d)) regulations, the imputed value of personal use of an employer-provided vehicle must be included in the employee's gross pay and is taxable for income and social security purposes. Employees and employers are required to keep records substantiating the personal use of an employer-provided vehicle and the business use of the vehicle.

Even if an individual is exempt under state law from the state reimbursement requirement, the amount of the benefit that is added to an employee's gross pay is still considered a taxable fringe benefit for IRS purposes. However, the reimbursement to the City can reduce the imputed value of personal use of the employer-provided vehicle by the amount of reimbursement.

The Internal Revenue Service has issued rules and regulations detailing how employees will be taxed on employer provided vehicles used for commuting purposes.

The value of employer-provided road vehicles used by State employees for commuting and personal use are fringe benefits and must be included in wages for Income Tax and Social Security tax purposes. However, when the employee pays the employer the fair market value for the personal use of the vehicle, no income results to the employee. Partial payment reduces the employee's income by the amount of the payment. The amount added to wages is not considered salary for the purposes of computing retirement benefits. The term "road vehicle" means any motorized wheeled vehicle manufactured primarily for use on public streets, roads, and highways.

The following employer-provided vehicles are to be excluded:

a) Clearly marked police and fire vehicles;
b) Delivery trucks with seating only for the driver, or only for the driver plus a folding jump seat;
c) Flatbed trucks; any vehicles designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds;
d) Passenger buses used as such with a capacity of at least 20 passengers
e) Ambulances used as such or hearses used as such;
f) Bucket trucks ("cherry pickers");
g) Cranes and derricks;
h) Forklifts;
i) Cement mixers;
j) Dump trucks (including garbage trucks);
k) Refrigerated trucks;
l) Tractors and other special purpose farm vehicles;
m) Combines
n) School buses used as such;
o) Qualified moving vans;
p) Qualified specialized utility repair trucks (other than a van or pick-up truck)
q) Officially authorized uses of unmarked vehicles by law enforcement officers or arson investigators who are full-time employees, authorized to carry fire arms, execute search warrants and make arrests.
r) Such other vehicles the (IRS) commissioner may, from time to time, designate.

Under the regulations, the employer is exempt from withholding taxes, other than Social Security, if the employer notifies the employee that the employer is not withholding and the employer includes the value in the employee's W-2. The regulations also allow payment of Social Security Taxes annually.

An employer may treat the value of the benefits provided during the last two months of the calendar year as paid during the subsequent calendar year.

RECORDKEEPING REQUIREMENTS

The law implements the record-keeping standard of "adequate records or sufficient evidence" to support any credit or deduction claimed for business use for an employer-provided vehicle. Examples of acceptable substantiation would be account books, diaries, logs, receipts, bills, trip sheets, expense forms or statements by disinterested witnesses. Records must substantiate the time, date, place, purpose and cost of travel with written evidence having more probative value than oral substantiation.

The city has a policy that city-owned vehicles cannot be used for personal use except for commuting purposes.

TAXATION RETURN QUESTIONS

Compliance is tracked by the IRS through a series of questions included on tax return forms. Taxpayers are required to state the amount of personal use of an employer-provided vehicle and that business use can be substantiated. Employees must provide this information to their employers who in turn are required to keep those reports on file for corroborative purposes. Audits are also conducted by the IRS to track compliance.

CALCULATING VALUE AND REPORTING FOR GOVERNMENT CONTROL EMPLOYEES

Governmental control employees = elected officials or any employee whose compensation equals or exceeds $110,700.

These officials may not use the commuting value method but can determine the value of the benefit using the annual lease value rule or the vehicle cents-per mile rule.

CALCULATING VALUE AND REPORTING FOR GOVERNMENT NON-CONTROL EMPLOYEES

A City employee who is (1) provided a City-owned vehicle to drive to and from work for valid business reasons (ability to respond to emergency calls); (2) prohibited from using the vehicle for personal use; except for commuting, and (3) not a governmental control employee as defined above may use the vehicle cents-per-mile method, the $1.50 per commute method, or the annual lease value method.

Once either method is adopted, the employer and the employee must use this valuation technique for all subsequent periods until circumstances change. The types of excluded vehicles listed on pages 1 and 2 of this appendix are exempt from taxation. An employee provided with any other type of vehicle is subject to taxation on the commuting value.

See the Finance Department for examples of each method of calculation.

Appendix D

City of Dover
Authorization of Vehicle Use

Employee's Name	Department/Division	License Number/State/Expiration
Vehicle #	**Year/Make/Model**	

	Calculation of City Cost		Calculation of Fringe Benefit	
Maintenance Costs: gasoline, oil, tires, batteries, parts, service, labor, and depreciation expressed as a cost per mile in accordance with federal regulations	0.611	Rate per Mile	260	Total workdays
	785.40	Projected Annual Mileage	(12)	Less Holidays
	479.88	Total Maintenance (A)	(10)	Less Vacation Days
Overhead: Insurance and administrative expressed as a cost per mile at 15% of maintenance rate	0.0249	Rate per Mile		
	785.40	Projected Annual Mileage		Total days for calculated fringe
	19.56	Total Overhead (B)	238	benefits
Social Security & Medicare taxes paid on the greater of cost per mile calculation or daily commute calculation at 7.65%	54.62	Additional cost of City contribution for FICA (C)	$ 3.00	Times $1.50 Commute Rate (at two daily commutes)
	$ 554.06	Total City Cost (A,B & C)	$ 714.00	Annual Benefit
Decision Factor The selection method will be based on the most advantageous financial position for the City of Dover.			$ 27.46	Bi-weekly Pay Adjustment/26 wks

City Code Section 2 - 10 (f) (3)

No City official or employee shall request or permit the use of city owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

City Manager's Signature

I certify that I have read the above and understand my responsibilities for use of a City vehicle. A copy of the City of Dover Vehicle Use Policy has been provided to me.

Employee Signature

Form# 101-1

Appendix E

City of Dover

Statement of Vehicle Personal Usage

Employee's Name: _____ **Calendar Year:** _____

Vehicle #: _____ **Vehicle Year/Make/Model:** _____

	Beginning Mileage	Ending Mileage	Total Miles	Personal Commute	Business Commute	# of Commutes
January			0.0			-
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						

Form# 101-2

_____
Signature of Employee/Official

Employee Name_____ Daily Vehicle Mileage Log Appendix F

Assigned Vehicle #_____
Year_____ Make _____
Model _____

Month		Year			Odometer Reading					
Day	Desinations	Bus	Pers	Purpose	Begin	End	Trip	MPG's & Cost	Parking & Toll Costs	Misc. Expense
Forward the balances from the previous page if it is for the same month										
					Subtotal of the page					
					Total for the month					

BUS/PERS: Please check the appropiate box as to whether this trip is Business (BUS) or Personal (PERS).
Trip: This is the difference between "Begin" and "End" Odometer Readings.
MPG's & Cost: This column is to be used for gasoline purchased from somewhere other than at the City of Dover Warehouse, that you would put in for reimbursement.

City of Dover (IRS approved form)

Form# 101-3

City of Dover
Vehicle Usage
Authorized On-Call/Emergency Employees
Calendar Year 2011

Department: _____

City Manager Approval: _____

Submitted by: _____

Date: _____

Employee's Name	One Way Mileage from Employee's Residence to Work	Vehicle Number	Normal Duty Hours of Employee	Employee's Telephone Number	Designation of Use: On-Call or Emergency
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
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20					
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22					
23					
24					
25					
26					
27					
28					
29					
30					

City of Dover
Vehicle Usage
Authorized On-Call/Emergency Employees
Calendar Year 2011

Department: _____

City Manager Approval: _____

Submitted by: _____

Date: _____

Employee's Name	One Way Mileage from Employee's Residence to Work	Vehicle Number	Normal Duty Hours of Employee	Employee's Telephone Number
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

Calendar Year 2011
Tax Documentation

Mitchell, Donna

From: Mitchell, Donna
Sent: Thursday, January 06, 2011 6:04 PM
To: DePrima, Tony
Cc: Hawkins, Kim; Teal, Peggy; Lunt, Ron; Koenig, Scott; Baker, Ed; Carey Sr., Carleton
Subject: Vehicle Usage Logs
Attachments: Info fr Faw Casson.pdf

Tony,

As a follow up to my email a couple of weeks ago, I have now spoken with our Audit Firm's Tax Accountant and he has confirmed that we need to have employee's maintain vehicle usage logs for all employee's that are not "On-Call" employee's and receive on-call pay. This includes employee's who take home a vehicle in case of an emergency. These employee's are to log all dates and mileage each time they are called in for an emergency. The attached file was sent to me after my discussion with Faw Casson.

The log has to be maintained as the vehicle is used. It should include the beginning and ending odometer reading for each use. If the vehicle is used for commuting only, then the usage can be done weekly. The calculations used for the taxable benefit are based on the cost standards we establish and we can take into consideration the employee's annual accrual of vacation and holidays when considering work days for the upcoming year.

Beginning next week we will need anyone who is not "on-call" (will not be paid on-call pay) and takes home a City vehicle to maintain this log. The log will be provided to the Finance Department upon their departure or the end of the calendar year. We will send out a reminder at the end of each year.

Our records indicate the following persons should be maintaining a vehicle use log (sample logs are attached to the Vehicle Use Procedure I sent out to all department heads in December). The log should include the odometer reading on the first of January and the end of December.

Mayor Carey – The Mayor provides us with a log and is in compliance.
Anthony DePrima
Wesley Roan
Ed Baker
Pete Gregg – no longer takes vehicle home. DSM 1/7/11
Ron Lunt
Stephen Enss
Ralph McDougall

I don't believe Scott Koenig and Ann Marie take home a City vehicle so they are not listed. If I have missed anyone, please let me know. As soon as we are done with the ADP payroll conversion, we will complete the vehicle usage calculations and get them out to the applicable individuals.

This email will be on file to demonstrate that we have requested compliance.

Thank you,

Donna S. Mitchell, CPA
Controller/Treasurer
City of Dover
5 E. Reed Street
Weyandt Hall, Suite 300
Dover, DE 19901
Office (302) 736-7018
Fax (302) 760-4930

11-22-10
FW:
TONY
CITY MGR

City of Dover
Vehicle Usage
Authorized On-Call/Emergency Employees
Calendar Year 2011

Department: Central Services

City Manager Approval:

Submitted by: Ed Baker

Date: November 22, 2010

V#128
2004 FORD CROWN VICTORIA
TAG # 985731

Employee's Name	One Way Mileage from Employee's Residence to Work	Vehicle Number	Normal Duty Hours of Employee	Emp Telephone Number	On Call or Emergency
1. ED BAKER	1 MILE	128	7-3:30	736-1296	CITY-WIDE NON-/EMERGENCY
2. PETE GREGG	3.5 MILES	124	7-3:30	735-8904	WHSE/NORTH STREET/EMERGENCY
3. FLOYD ANDERSON	1 MILE	124/125 123	7-3:30	678-9129	WHSE/NORTH STREET/EMERGENCY
4. WENDY VOSSBERG	10 MILES	124/125 123	7:30-4:00	535-2492	WHSE/NORTH STREET/EMERGENCY
5. SCOTT TUSON	5 MILES	124/125 123	7-3:30	678-8058	WHSE/NORTH STREET/EMERGENCY
6. BARRY WOLFGANG	8 MILES	124/125 123	7-3:30	670-4756	WHSE/NORTH STREET/EMERGENCY
7.					
8.					

City of Dover
Vehicle Usage
Authorized On-Call/Emergency Employees
Calendar Year 2011

Department: Public Services

City Manager Approval:

Submitted by: Scott D. Koenig, Public Services Manager

Date: November 17, 2010

Employee's Name	One Way Mileage from Employee's Residence to Work	Vehicle Number	Normal Duty Hours of Employee	Employee's Telephone Number	Designation of Use: On-Call or Emergency
1. Wesley Roan	3	332	7:00 a.m. to 3:30 p.m.	264-9590 270-9137	Supervisor
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					

V# 332

2003 CHEVROLET SILVERADO PICKUP

TAG# C105709

Rec'd 12/6/10

Vehicle Log

On-Call/Emergency
Calendar Year 2011

Approved 11/30/10

Department: Public Utilities Department
Submitted by: Lisa C. Gardner, Departmental Budget & Staff Supervisor
Date: November 23, 2010

Employee's Name Electric	One Way Mileage from Employee's Residence to Work	Vehicle Number	Normal Duty Hours of Employee	Employee's Telephone Number	Designation of Use: On-Call Emergency
1. Dave Boyd	17.0	Varies	7 – 3:30 pm.	284-9593	On Call
2. Randy Boyd	25.0	Varies	7 – 3:30 pm.	398-4198	On Call
3. Dave Carden	17.0	Varies	7 – 3:30 pm.	653-4134	On Call
4. Matthew Clendaniel	16.0	Varies	7 – 3:30 pm.	335-2874	On Call
5. Ronald Cotton	8.0	Varies	7 – 3:30 pm.	698-3522	On Call
6. Matthew Espil	21.0	Varies	7 – 3:30 pm.	284-4493	On Call
7. John Grinstead	2.0	Varies	7 – 3:30 pm	678-9253	On Call
8. Bill Hewlett	18.0	Varies	7 – 3:30 pm.	284-2202	On Call
9. Dave Hiser	1.5	Varies	7 – 3:30 pm.	698-9063	On Call
10. Greg Hiser	3.0	Varies	7 – 3:30 pm.	734-7092	On Call
11. Chad Larimore	26.0	Varies	7 – 3:30 pm.	398-6213	On Call
12. Mark Lloyd	4.0	Varies	7 – 3:30 pm.	387-1236	On Call
13. Ronald Lunt	8.0	701	7 – 3:30 pm.	382-7846	Non-Emergency
14. Dave Morgan	23.0	Varies	7 – 3:30 pm.	398-0760	On Call
15. William Myers	1.0	Varies	7 – 3:30 pm.	674-2098	On Call
16. Tim Porter	5.0	Varies	7 – 3:30 pm.	697-1875	On Call
17. Brian Robbins	12.0	Varies	7 – 3:30 pm.	284-2220	On Call
18. Rodney Rodrigue	4.0	Varies	7 – 3:30 pm.	241-1893	On Call
19. Stephen Sapp	13.0	Varies	7 – 3:30 pm.	233-2708	On Call
20. Curtis Scott	6.0	Varies	7 – 3:30 pm.	674-9095	On Call
21. James Vinson	18.0	Varies	7 – 3:30 pm.	284-9049	On Call

One More

22. Dennis Wimer	26.0	Varies	7 – 3:30 pm.	422-2380	On Call
23. Tom Embert	5.0	Varies	7 – 3:30 pm.	284-3276	On Call
24. Scott Jones	10.0	Varies	7 – 3:30 pm.	492-0878	On Call
25. Eric Long	9.0	Varies	7 – 3:30 pm.	698-1742	On Call
26. Ernie Long	9.0	Varies	7 – 3:30 pm.	698-1942	On Call
27. John Thompson	7.0	Varies	7 – 3:30 pm.	698-0496	On Call
28. Stephen Enss	12.0	#770	7 – 3:30 pm.	492-0176	Non-Emergency
Water/Wastewater/Construction	One Way Mileage from Employee's Residence to Work	Vehicle Number	Normal Duty Hours of Employee	Employee's Telephone Number	Designation of Use: On-Call Emergency
29. Carl Acton, Jr.	7.0	695	7 – 3:30 pm.	943-8330	On Call
30. Victor Brown	12.0	695	7 – 3:30 pm.	674-5859	On Call
31. Robert Carson	1.0	695	7 – 3:30 pm.	674-3567	On Call
32. John Durk, Jr.	.5	695	7 – 3:30 pm.	734-1577	On Call
33. Raughley Lloyd	11.0	695	7 – 3:30 pm.	492-0221	On Call
34. Joel Martin	9.0	695	7 – 3:30 pm.	736-1326	On Call
35. Ralph McDougall	8.0	668	7 – 3:30 pm.	697-9436	Non-Emergency
36. Andrew McNatt	17.0	695	7 – 3:30 pm.	450-2275	On Call
37. John Mumford	23	695	7 – 3:30 pm.	398-9766	On Call
38. George O'Neal	9.0	695	7 – 3:30 pm.	697-3156	On Call
39. Wayne Oeller	12	695	7 – 3:30 pm.	284-8071	On Call
40. Gordon Ridgeway	5.0	695	7 – 3:30 pm.	653-4995	On Call
41. Shawn Ridgeway	9.0	695	7 – 3:30 pm.	730-8149	On Call
42. Emanuel Ridgway	6.0	695	7 – 3:30 pm.	734-5488	On Call
43. Emanuel Ridgway, Sr.	6.0	695	7 – 3:30 pm.	736-5011	On Call
44. Michael Robbins	14.0	695	7 – 3:30 pm.	335-0767	On Call
45. Keith Sanders	4.0	695	7 – 3:30 pm.	674-1953	On Call
46. Michael Scheers	9.0	695	7 – 3:30 pm.	242-2945	On Call
47. Dale Scotton, Jr.	4.0	695	7 – 3:30 pm.	734-9187	On Call
48. Donald Scotton	8.0	695	7 – 3:30 pm.	653-7218	On Call

RECEIVED JAN 27 2011 Appendix D

City of Dover
Authorization of Vehicle Use

Employee's Name	Department/Division	License Number/State/Expiration
Edwin Baker	Central Services 110-2500-552	985731/DE/12/31/11
Vehicle #	**Year/Make/Model**	**Calendar Year Benefit**
#128	2004 Ford Crown Victoria	2011

From: 1526 Forest Street
To: 135 Electric Ave = 1.0 miles

Maintenance Costs: gasoline, oil, tires, batteries, parts, service, labor, and depreciation expressed as a cost per mile in accordance with federal regulations

Overhead: Insurance and administrative expressed as a cost per mile at 15% of maintenance rate

Social Security & Medicare taxes paid on the greater of cost per mile calculation or daily commute calculation at 7.65%

Decision Factor
The selection method will be based on the most advantageous financial position for the City of Dover.

Calculation of City Cost		
0.166		Rate per Mile
444.00		Projected Annual Mileage
73.70		Total Maintenance (A)
0.0249		Rate per Mile
444.00		Projected Annual Mileage
11.06		Total Overhead (B)
50.95		Additional cost of City contribution for FICA (C)
$ 135.71		Total City Cost (A,B & C)

Mileage determined via Mapquest or other internet available software, rounded down to nearest 10th. Same method applied to all.

Calculation of Fringe Benefit	
260	Total workdays
(11)	Less 2011 Holidays
(27)	Less Vac/Pers Days Eligible for in 2011
222	Total days for calculated fringe benefits
$ 3.00	Times $1.50 Commute Rate (at two daily commutes)
$ 666.00	Annual Benefit
$ 25.62	2011 Bi-weekly Pay Adjustment/26 wks 2010 = $25.62

City Code Section 2 - 10 (f) (3)

No City official or employee shall request or permit the use of city owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

City Manager's Signature

I certify that I have read the above and understand my responsibilities for use of a City vehicle. A copy of the City of Dover Vehicle Use Policy has been provided to me.

Edwin Baker
Employee Signature

Prepared by: D Mitchell 1/24/11

Form# 101

RECEIVED JAN 28 2011

Appendix D

City of Dover
Authorization of Vehicle Use

Employee's Name	Department/Division	License Number/State/Expiration
Ron Lunt	Public Utilities 480-8400-564	PC454470/DE/12/31/11
Vehicle #	**Year/Make/Model**	**Calendar Year Benefit**
#701	2008 Ford Escape	2011

From: 171 Apoorva Lane, Smyrna
To: 860 Buttner Pl = 8.0 miles

Maintenance Costs: gasoline, oil, tires, batteries, parts, service, labor, and depreciation expressed as a cost per mile in accordance with federal regulations

Overhead: Insurance and administrative expressed as a cost per mile at 15% of maintenance rate

Social Security & Medicare taxes paid on the greater of cost per mile calculation or daily commute calculation at 7.65%

Decision Factor
The selection method will be based on the most advantageous financial position for the City of Dover.

Calculation of City Cost		
0.166		Rate per Mile
1,872.00		Projected Annual Mileage
310.75		Total Maintenance (A)
0.0249		Rate per Mile
1,872.00		Projected Annual Mileage
46.61		Total Overhead (B)
52.56		Additional cost of City contribution for FICA (C)
$ 409.92		Total City Cost (A,B & C)

Mileage determined via Mapquest or other internet available software, rounded down to nearest 10th. Same method applied to all.

Calculation of Fringe Benefit	
260	Total workdays
(6)	Less 2011 Holidays
(25)	Less Vac/Pers Days Eligible for in 2011
229	Total days for calculated fringe benefits
$ 3.00	Times $1.50 Commute Rate (at two daily commutes)
$ 687.00	Annual Benefit
$ 26.42	2011 Bi-weekly Pay Adjustment/26 wks 2010 = $26.42

City Code Section 2 - 10 (f) (3)

No City official or employee shall request or permit the use of city owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

City Manager's Signature

I certify that I have read the above and understand my responsibilities for use of a City vehicle. A copy of the City of Dover Vehicle Use Policy has been provided to me.

Employee Signature

Prepared by: D Mitchell 1/24/11

Form# 101

RECEIVED JAN 28 2011

Appendix D

City of Dover
Authorization of Vehicle Use

Employee's Name	Department/Division	License Number/State/Expiration
Steve Enss	Public Utilities - Electric Engineering 480-8300-563	341406/DE/12/31/11
Vehicle #	**Year/Make/Model**	**Calendar Year Benefit**
#7	2008 Dodge Avenger	2011

From: 244 Enss Road
To: 860 Buttner Place = 12.1 miles

Maintenance Costs: gasoline, oil, tires, batteries, parts, service, labor, and depreciation expressed as a cost per mile in accordance with federal regulations

Overhead: Insurance and administrative expressed as a cost per mile at 15% of maintenance rate

Social Security & Medicare taxes paid on the greater of cost per mile calculation or daily commute calculation at 7.65%

Decision Factor
The selection method will be based on the most advantageous financial position for the City of Dover.

Calculation of City Cost		
0.166	Rate per Mile	
5,372.40	Projected Annual Mileage	
891.82	Total Maintenance (A)	
0.0249	Rate per Mile	
5,372.40	Projected Annual Mileage	
133.77	Total Overhead (B)	
50.95	Additional cost of City contribution for FICA (C)	
$ 1,076.54	Total City Cost (A,B & C)	

Mileage determined via Mapquest or other internet available software, rounded down to nearest 10th. Same method applied to all.

Calculation of Fringe Benefit	
260	Total workdays
(6)	Less 2011 Holidays
(32)	Less Vac/Pers Days Eligible for in 2011
222	Total days for calculated fringe benefits
$ 3.00	Times $1.50 Commute Rate (at two daily commutes)
$ 666.00	Annual Benefit
$ 25.62	2011 Bi-weekly Pay Adjustment/26 wks 2010 = $25.96

City Code Section 2 - 10 (f) (3)

No City official or employee shall request or permit the use of city owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

City Manager's Signature

I certify that I have read the above and understand my responsibilities for use of a City vehicle. A copy of the City of Dover Vehicle Use Policy has been provided to me.

Employee Signature

Prepared by: D Mitchell 1/24/11

Form# 101

RECEIVED JAN 28 2011

Appendix D

City of Dover
Authorization of Vehicle Use

Employee's Name	Department/Division	License Number/State/Expiration
Ralph McDougall	Public Utilities - Electric Engineering 412-6800/6900-568/569	C59360/DE/12/31/11
Vehicle #	**Year/Make/Model**	**Calendar Year Benefit**
#698	2008 Ford F250	2011

From: 88 Hazlettville Road
To: 710 William Street = 8.1 miles

Maintenance Costs: gasoline, oil, tires, batteries, parts, service, labor, and depreciation expressed as a cost per mile in accordance with federal regulations

Overhead: Insurance and administrative expressed as a cost per mile at 15% of maintenance rate

Social Security & Medicare taxes paid on the greater of cost per mile calculation or daily commute calculation at 7.65%

Decision Factor
The selection method will be based on the most advantageous financial position for the City of Dover.

Calculation of City Cost		
0.166	Rate per Mile	
3,596.40	Projected Annual Mileage	
597.00	Total Maintenance (A)	
0.0249	Rate per Mile	
3,596.40	Projected Annual Mileage	
89.55	Total Overhead (B)	
50.95	Additional cost of City contribution for FICA (C)	
$ 737.50	Total City Cost (A,B & C)	

Mileage determined via Mapquest or other internet available software, rounded down to nearest 10th. Same method applied to all.

Calculation of Fringe Benefit	
260	Total workdays
(11)	Less 2011 Holidays
(27)	Less Vac/Pers Days Eligible for in 2011
222	Total days for calculated fringe benefits
$ 3.00	Times $1.50 Commute Rate (at two daily commutes)
$ 666.00	Annual Benefit
$ 25.62	2011 Bi-weekly Pay Adjustment/26 wks 2010 = $25.62

City Code Section 2 - 10 (f) (3)

No City official or employee shall request or permit the use of city owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such official or employee in the conduct of official business as a matter of municipal policy.

City Manager's Signature

I certify that I have read the above and understand my responsibilities for use of a City vehicle. A copy of the City of Dover Vehicle Use Policy has been provided to me.

Employee Signature

Prepared by: D Mitchell 1/24/11

Form# 101

Annual Lease Value Calculation

Employee Name	**Mayor Carleton Carey Sr.**
Assigned Vehicle #	**2**
Year/Make/Model	**2000 Ford Taurus 4 Dr**
Calendar Year of:	**2011**

Fair Market Value (FMV) of vehicle			$	4,575.00
Annual lease value per IRS Table 3-1		A	$	1,600.00
Total miles Driven				6,286
Subtract: Total business miles driven				5,259
Total Personal Miles Driven				**1,027**
Personal Use % (personal miles divided by total miles)	**1,027**	**B**		**16%**
Personal Annual Lease Value $1,600 @ 16%		**C**	**$**	**261.46**
If employer pays for fuel **Multiply # of Personal miles driven by 5.5 cents per mile**	**1,027 x .055 =**	**D**	**$**	**56.50**
Total Employee Taxable Income (C+D)			**$**	**317.96**
Bi-weekly Pay Adjustment/26 weeks			**$**	**12.23**

Beginnng Odometer Reading	37,146.3
Ending Odometer Reading	43,432.2
Total Miles Driven	6,285.9

Personal Mileage per logs	
4.8 miles commuting @ 214 trips per log	1,027.2

Mayor's daily mileage logs maintained in Payroll office

Prepared by: D Mitchell 1/24/11

The Power of Vehicle Information
NADAguides.com

☒ Close Window

1/24/2011

2000 Ford Taurus

Sedan 4D SE

NADAguides.com Price Report

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Retail
Base Price	$900	$1,500	$2,000	$3,650
Mileage: 43,432 miles	$1,000	$1,000	$1,000	$1,000
Options:				
W/out Pwr Door Locks	-$75	-$75	-$75	-$75
Aluminum/Alloy Wheels	Std.	Std.	Std.	Std.
TOTAL PRICE	$1,825	$2,425	$2,925	$4,575

Standard Equipment

Standard Equipment Details

Engine Specifications
Type: Gas V6
Size: 3.0L/181
Horsepower: 155 @ 4900 RPM
Torque: 185 @ 3950 RPM

Drive Train
Drive Train: Front Wheel Drive
Transmission: 4 speed Automatic w/OD, Electronic

Safety
Air Bag-Driver-Front
Air Bag-Passenger-Front
Air Bag-Side-Body-Front
Brakes-ABS-4 Wheel
Brakes-Type-Front Disc/Rear Drum
Engine Immobilizer/Vehicle Anti-Theft System
Headlights-Daytime Running lights
Locks-Child Safety Rear Door
Traction Control
Trunk-Emergency Release

Comfort & Convenience
Air Cond-Front
Cruise Control
Keyless Entry
Locks-Pwr
Mirrors-Pwr Driver
Mirrors-Pwr Passenger
Mirrors-Vanity-Driver
Mirrors-Vanity-Passenger
Pedals-Adjustable
Rear Seat Heat Ducts
Seat Trim-Cloth
Seat-Pwr-Driver

CHESAPEAKE UTILITIES CORPORATION

RECEIVED DEC 22 2010

DIVISION _____ Mileage Reports 2010

NAME Carlton L Cargle Jr. VEHICLE # _____ EMPLOYEE # _____ Rec'd 12/21/10

DATE	COMMUTING	OTHER PERSONAL MILES	COMPANY MILES	ON CALL MILES	OTHER MILES	OTHER DESCRIPTION	ENDING ODOMETER READING
1-1	0						37,146.3
1-2	0						
1-3	0						
1-4	0						
1-5	4.8						37,160.0
1-6	4.8						37,192.2
1-7	4.8						37,202.2
1-8	4.8						37,222.0
1-9	0						
1-10	0						
1-11	4.8						37,242.2
1-12	4.8						37,352.2
1-13	4.8						37,370.2
1-14	4.8						37,384.2
1-15	4.8						37,449.1
1-16	0						"
1-17	0						"
1-18	0						"
1-19	4.8						37,456.2
1-20	4.8						37,425.0
1-21	4.8						37,487.2
1-22	4.8						37,500.4
1-23	0						"
1-24	0						"
1-25	4.8						37,515.2
1-26	4.8						37,529.2
1-27	4.8						37,546.2
1-28	4.8						37,632.2
1-29	4.8						37,662.2
1-30	0						
1-31	0						
	19						

Annual Lease Value Calculation

Employee Name		**Anthony DePrima**	
Assigned Vehicle #		**1**	
Year/Make/Model		**2005 Ford Escape**	
Calendar Year of:		**2011**	
Fair Market Value (FMV) of vehicle	Odometer 34,851		$ 14,775.00
Annual lease value		A	$ 4,100.00
Total miles Driven			6,448
Subtract: Total business miles driven			-
Total Personal Miles Driven			**6,448**
Personal Use %	**6,448**	**B**	**100%**
(personal miles divided by total miles)			
Personal Annual Lease Value 6600x.46		**C**	**$ 4,100.00**
If employer pays for fuel			
Multiply # of Personal miles driven			
by 5.5 cents per mile	**6,448 x .055 =**	**D**	**$ 354.64**
Total Employee Taxable Income			**$ 4,454.64**
(C+D)			
Bi-weekly Pay Adjustment/26 weeks			**$ 171.33**

Prepared by: D Mitchell 1/24/2011

I agree with calculation of having 100% of the value added to my pay. ~~No~~ 10's will be necessary

Anthony S. DePrima

11/24/11

The Power of Vehicle Information
NADAguides.com

Close Window

2005 Ford Escape

1/24/2011

Utility 4D Hybrid (4WD, 4 Cyl.)

NADAguides.com Price Report

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Retail
Base Price	$7,125	$8,225	$9,125	$12,075
Mileage: 34,851 miles	$2,700	$2,700	$2,700	$2,700
Options:				
Aluminum/Alloy Wheels	Std.	Std.	Std.	Std.
4 Cyl. Engine	Std.	Std.	Std.	Std.
TOTAL PRICE	$9,825	$10,925	$11,825	$14,775

Standard Equipment

Standard Equipment Details

Engine Specifications
Type: Gas/Electric I4
Size: 2.3L/140
Horsepower: 133 @ 6000/94 @ 5000 RPM
Torque: 124 @ 4250 RPM
Max Towing Capacity: 1000

Drive Train
Drive Train: 4-Wheel Drive
Transmission: 1 speed CVT Automatic

Safety
Air Bag-Driver-Front
Air Bag-Passenger Switch (On/Off)
Air Bag-Passenger-Front
Air Bag-Side-Body-Front
Air Bag-Side-Head-Front
Alarm System
Brakes-ABS-4 Wheel
Brakes-Type-4 Wheel DISC
Headlights-Daytime Running lights
Locks-Child Safety Rear Door

Comfort & Convenience
Air Cond-Front
Cruise Control
Keyless Entry
Locks-Pwr
Mirrors-Pwr Driver
Mirrors-Pwr Passenger
Mirrors-Vanity-Driver
Mirrors-Vanity-Passenger
Navigation System
Reading Lamps-Front
Rear Seat Heat Ducts

Memorandum

Office of the City Manager
PO Box 475
Dover, DE 19903
Phone: (302) 736-7005
FAX: (302) 736-7002
E-mail tdeprima@dover.de.us

To: **Donna Mitchell**

From: **Anthony J. DePrima, AICP**
City Manager

Date: **December 14, 201**

Subject: **2010 Vehicle usage**

This is the standard format for mileage information that I have been providing to payroll in the past:

Total miles in 2010 (Dec 1 to Dec 1) = 6448

Weekend Personal Miles - 6448*21.91% (based on 2004 usage analysis)	= 1413
Weekday Commute – 7 times a week *48 weeks*3.6miles per trip	= 1210
University Delaware trips 100 miles *15 trips	= 1500
Total Personal Miles	= 4123
% of total miles	63%

Per audit on 1/6/11 Need to maintain log. Cannot use 2004 usage. Calendar 2011 to be done via log. City Manager agreed.

Cc: Kim Hawkins

c:Tony/City Manager\Admin\Vehiclemileagereport2010

ACTION FORM

PROCEEDING: Legislative, Finance, and Administration Committee	**AGENDA OF:** 09-26-2011
DEPARTMENT OF ORIGIN: City Council	**DATE SUBMITTED**: 09-19-2011
PREPARED BY: Traci A. McDowell, City Clerk on Behalf of Council President Leary	
SUBJECT: Review, Consolidation and/or Elimination of City Committees, Commissions, and Boards - Dover Human Relations Commission	
EXHIBITS: Human Relations Commission History	
TIMETABLE: Recommendation to City Council on 10-10-2011	
RECOMMENDED ACTION: Recommend Approval of Committee's Recommendation	

BACKGROUND AND ANALYSIS

With increasing staff vacancies, and in consideration of current hiring limitations, Council President Leary has requested members of Council and City Staff to explore possible efficiencies within the City of Dover committees, commissions, and boards. Some boards appear to serve like purposes and others have become obsolete; therefore, the Committee will consider whether any groups can be consolidated or eliminated. Several recommendations have been received and will be considered by the committee in the following weeks and months.

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Dover Human Relations Commission History

Excerpt from Legislative, Finance, and Administration Committee Meeting - January 15, 2002

Proposed Ordinance Amendment - Establishment of Human Relations Commission by Creating a new Division 6 - Human Relations Commission in Chapter 2 - Administration , Article I - In General, of the Dover Code

For the past several months, a group of community members (Community Harmony Group) have worked diligently to begin dialogue and develop objectives and strategies to restore and rebuilding the community. The State Human Relations Commission felt that, due to the climate in the Dover community, it was important to take necessary steps to develop strategies to avoid potential escalating tension within the community. During the Regular Council Meeting of October 22, 2001, Ms. Juana Fuentes-Bowles, Director of the Delaware State Division of Human Relations, gave an update on the State Human Relations Commission and recommendations.

Mr. Ruane stated that we live in a City with tremendous diversity which gives us both opportunities and challenges. He felt the establishment of the Human Relations Commission would assist in addressing issues in a proactive manner. The Commission will be comprised of fifteen (15) members and will assist the City in promoting and developing an environment of fairness and respect among its citizens.

Mr. Cecil Wilson, President of the Central Delaware Branch of the NAACP, felt that this was a historical moment for the City of Dover and indicated that the commission would represent the voice of the community during critical times. He thanked all those who were involved in developing and supporting the legislation.

Reverend James Hill, 102 Meeting House Lane, recognized that the City of Dover would continue to grow and felt the Human Relations Commission would greatly benefit the City and its citizens.

On behalf of Council, Mayor Hutchison and Council President McGlumphy also expressed their gratitude to Ms. Fuentes-Bowles and to all those who assisted in developing the proposed legislation.

Mr. Ruane moved to recommend adoption of the proposed ordinance amendment (Attachment #1), seconded by Mr. Salters and unanimously carried.

Excerpt from City Council Meeting - December 22, 2001

HUMAN RELATIONS COMMITTEE UPDATE

Ms. Juana Fuentes-Bowles, Director of the Delaware State Division of Human Relations advised members that a group of community members have worked diligently to begin dialogue, and develop objectives and strategies to restore and rebuild the community. As an enforcement agency of the State Human Relations Commission, she stated that there are many tasks one of which is to promote amicable relationships among all racial ethnical groups in the State of Delaware. During the past six (6) months, the State Human Relations Commission felt that due to the climate in the Dover community, it was important to take necessary steps to develop strategies to avoid potential escalating tension within the community.

Ms. Fuentes-Bowles relayed appreciation for those members of Council and staff that have been participating in the meetings that have occurred for the past several months. As a result, she stated that the group has identified seven (7) priority issues that need to be addressed, as follows: 1) concerns of citizens; 2) how citizens are viewed by local officials; 3) how citizens view the Dover Police Department; 4) isolation; 5) Dover Police Department recruitment, promotions, retention, new hires, minority group members, etc.; 6) role of the Capital School District; and 7) the media.

Referring to the first issue being citizens' concerns, Ms. Fuentes-Bowles explained that citizens feared that if they made a complaint, there would be adverse actions towards them, and that many were not aware of how to make a complaint to the City or the Police Department. A Task Force was developed in formulating a process to address these issues. On behalf of the Task Force, she presented a new Citizen Complaint Form and Citizen Complaint Process Brochure to Chief Horvath developed to be used by the City of Dover Police Department. It is hoped that the Chief, as well as Mayor and Council will welcome and implement the form and brochure as a part of City policy.

On behalf of the Dover Police Department, Chief Horvath commended all those that worked on this project and relayed assurance that the new form and brochure will be utilized, stating his feeling that it will enhance the department's public service.

Ms. Fuentes-Bowles advised members that the next Human Relations Commission's meeting is scheduled to be held on November 20, 2001 at 6:30 p.m. at the State DelDOT facility. The topic for discussion is to consider the establishment of a local Human Relations Commission.

Council President McGlumphy thanked Ms. Fuentes-Bowles and the members of the Human Relations Commission and other community participants for beginning the building of harmony in the City and for taking positive action in this regard.

Excerpt from Dover Community Meeting Minutes - December 4, 2001

Councilman Ruane submitted an extended draft of Human Relations Ordinance.

No minutes from November 20, 2001. Meeting canceled?

Excerpt from Dover Community Meeting Minutes - September 25, 2001

Councilman Ruane asked the group to review the responsibilities of a commission for discussion at the next scheduled meeting November 20, 2001 at 6:30 p.m.

Excerpt from Dover Community Meeting Minutes - August 28, 2001

The group decided to look into developing a local Human Relations Commission. They felt that this idea would benefit the whole community. They requested the Human Relations Commission find other local government that have Human Relations Commissions and get information forwarded to them for review. Juana Fuentes-Bowles indicated there are many local governments that have Human Relation Commissions. She will follow-up and see what information she can gather to forward to the group.

DOVER HUMAN RELATIONS COMMISSION
FEBRUARY 2011 - FEBRUARY 2012 STATISTICS

As of May 26, 2011

Reappointments

Reappointments Recommended by Mayor Carey

Mr. Roy Sudler, Jr.
Date of Original Appointment: 07/26/2004
Date of Reappointment: 02/14/2011
Term Expires: 02/2014

Reappointments Recommended by Council President Hogan

Ms. Dawn Allen-Pyne
Date of Original Appointment: 10/13/2008
Date of Reappointment: 02/14/2011
Term Expires: 02/2014

Ms. Anlee Baccio-Walker
Date of Original Appointment: 07/26/2010
Date of Reappointment: 02/14/2011
Term Expires: 02/2014
Previously Served: 10/13/2008 to 02/2010; 07/26/2010 to 02/14/2010

Members Who Resigned

Reverend Charles Lee MacCallum *(Filled the unexpired term of Paul Fleming)*
Appointed By: Council President
Date of Appointment: 10/25/2010
Term Expires: 02/2013
Resigned: 05/11/2011

Canceled Meetings

01/26/2011 (Due to inclement weather)

Special Meetings

03/17/2011

Community Meetings

02/23/2011

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DOVER HUMAN RELATIONS COMMISSION
FEBRUARY 2010 - FEBRUARY 2011 STATISTICS

New Members Appointed

Appointments Recommended by Mayor Carey

Dr. Maisha D. Britt *(Filled the expired term of Brian Lewis)*
Date of Appointment: 07/26/2010
Term Expires: 02/2013
Previously Served: 04/08/2002 to 05/2004

Mr. G. Thomas Steele *(Filled the unexpired term of Anlee Baccio-Walker)*
Date of Appointment: 01/10/2011
Term Expires: 02/2012

Appointments Recommended by Council President Hogan

Ms. Anlee Baccio-Walker *(Filled the expired term of Saundra Sutton)*
Date of Appointment: 07/26/2010
Term Expires: 02/2011 **(See Reappointments Below)**
Previously Served: 10/13/2008 to 02/2010

Mrs. Catherine Gregory *(Filled the expired term of Dr. Samuel Hoff)*
Date of Appointment: 07/26/2010
Term Expires: 02/2013
Previously Served: 01/26/2009 to 02/01/2010

Mr. Willie Jones *(Filled the expired term of Gregory Bunkley)*
Date of Appointment: 07/26/2010
Term Expires: 02/2013

Reverend Charles Lee MacCallum *(Filled the unexpired term of Paul Fleming)*
Date of Appointment: 10/25/2010
Term Expires: 02/2013

Reappointments

Reappointments Recommended by Mayor Carey

Mr. Roy Sudler, Jr.
Date of Original Appointment: 07/26/2004
Date of Reappointment: 02/14/2011
Term Expires: 02/2014

Reappointments (Continued)

Reappointments Recommended by Council President Hogan

Dr. Phyllis Edamatsu
Date of Original Appointment: 04/08/2002
Date of Reappointment: 07/26/2010
Term Expires: 02/2013

Mr. Paul Fleming
Date of Original Appointment: 03/22/2004
Date of Reappointment: 07/26/2010 **(See Members Who Resigned Below)**
Term Expires: 02/2013

Ms. Dawn Allen-Pyne
Date of Original Appointment: 10/13/2008
Date of Reappointment: 02/14/2011
Term Expires: 02/2014

Ms. Anlee Baccio-Walker
Date of Original Appointment: 07/26/2010
Date of Reappointment: 02/14/2011
Term Expires: 02/2014
Previously Served: 10/13/2008 to 02/2010; 07/26/2010 to 02/14/2010

Members Who Resigned

Mr. Brian Lewis
Appointed By: Mayor
Date of Appointment: 10/13/2008
Term Expires: 02/2010
Resigned: 02/01/2010

Ms. Katrina Brumble
Appointed By: Council President
Date of Appointment: 08/13/2007
Term Expires: 02/2010
Resigned: 02/01/2010

Mr. Paul Fleming
Appointed By: Council President
Date of Appointment: 03/22/2004
Term Expires: 02/2013
Resigned: 08/23/2010

Mr. Ivan Finney
Appointed By: Mayor
Date of Appointment: 10/09/2006
Term Expires: 02/2012
Resigned: 10/28/2010

Members No Longer Eligible to Serve

Mr. Mark Monroe (Ineligible to serve due residency requirement)
Appointed By: Mayor
Date of Appointment: 10/13/2008
Term Expires 02/2012

Canceled Meetings

07/28/2010
10/06/2010 (due to lack of quorum)
11/24/2010
12/15/2010 (due to lack of quorum)
01/26/2011 (due to inclement weather)

Meetings Lacking a Quorum

06/30/2010
09/22/2010

Special Meetings

08/04/2010
11/17/2010

Community Meetings

05/26/2010 - Mental Health Forum
02/23/2011 - Concerns and Needs of Dover Citizens

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DOVER HUMAN RELATIONS COMMISSION
ANNUAL REPORT OF ACTIVITIES
February 2009-February 2010

The Dover Human Relations Commission (DHRC) had a very busy and productive year from February 2009 through January 2010. This report details the activities and achievements of the DHRC over the latter period.

The DHRC continued its advocacy role by revisiting the Slavery Apology Resolution, which was originally passed unanimously by the Commission in April 2007. Thanks to the initiative of Commissioner Mark Monroe, the DHRC undertook an extensive study of similar resolutions passed by the U.S. Congress and by at least six states throughout America. As a result of this study, and with the renewed interest in the topic by members of the Commission and citizens alike, the DHRC held public forums in November 2009 and January 2010, both of which garnered overwhelming support for the resolution. After revising the original Slavery Apology Resolution, the DHRC passed the resolution unanimously for the second time in less than three years. The resolution was forwarded to Dover City Council for action.

While the latter issue resulted in strong support among members of the Dover community, the Gay Marriage Resolution did not. This resolution was initiated by Chairman Dr. Sam Hoff at the request of persons living and working in Dover. After a very well attended community forum on the topic, it was apparent that a vast majority of citizens opposed granting full marriage rights to gay men and women. The Commission subsequently rejected the latter resolution. However, the DHRC's attention to the issue may have influenced the direction of General Assembly passage of anti-discrimination legislation designed to prevent bias in the public sector within the State of Delaware.

The DHRC continued its commitment to assisting the homeless population within the City of Dover. In March 2009, two members of the Commission shared dinner with homeless men at one of the shelters established by the Interfaith Task Force, itself an outgrowth of the DHRC. The Commission followed immediately with a meeting at the shelter, where problems and challenges confronting the homeless were expressed. Subsequently, the Interfaith Task Force was able to acquire a separate building for use by homeless men together with other resources which will help to alleviate this recurrent problem.

During 2009, the DHRC began a review of its mission and bylaws. The purpose was to make sure that all members of the Commission understood and agreed with the objectives of the group. Further, because a comprehensive review of the bylaws had not taken place since 2004, it was deemed necessary to by Commissioners update the rules. This process will continue during 2010.

At the request of DHRC member Brian Lewis, the Commission passed a motion requesting the Dover City Council to change its charter to permit sitting Commissioners to remain on the DHRC if they decide to pursue elective office. In unanimously endorsing the latter motion, the Commission understood that while it has a quasi-judicial function with the intake process, the DHRC should not be singled out for such treatment. Further, the case was made that the run-and-resign rule had already led to the removal of two Commissioners, thereby negatively affecting the membership stability of the DHRC. Despite a compromise offered by Chairman Hoff—which would require a DHRC member to suspend membership during a campaign for elective office but rejoin the group after the election—the Dover City Council rejected the motion by a 7-2 vote.

The Commission was indebted to DHRC member Ellen Wasfi, who led a five-week Study Circle training session for Commissioners on the topic of race. These meetings, which were held at Dover Police Headquarters and Kent General Hospital among other venues, encouraged DHRC members to explore their views and emotions on the topics of bias, prejudice, and racism.

The Commission was aided in its training by Dr. Donald Blakey, a Delaware State University professor and member of the State House of Representatives.

In January 2010, Chairman Dr. Sam Hoff traveled to Newark, Delaware at the request of the City Council there in order to outline the steps necessary for establishing a local Human Relations Commission. The presentation featured a review of how the DHRC was created and evolved.

At present, the DHRC has five active committees, which are listed below with the chairs of each:

--Intake Screening: Gregory Bunkley, Chair
--Community Programs: Roy Sudler, Jr., Chair
--School Programs: Ellen Wasfi, Chair
--Assessment: Dr. Phyllis Edamatsu, Chair
--Election Committee: Mark Monroe, Chair

Other members of the Commission, all of whom have taken an active part in meetings and activities of the group, are Catherine Gregory, Dawn Allen-Pyne, Paul Fleming, Ivan Finney. As of the end of January 2010, the Commission had five vacancies. DHRC members Brian Lewis and Katrina Brumble stepped down at the end of their regular term. Three other members who served on the Commission for most or all of 2009—Nauleen Perry, Dr. Saundra Sutton, and Anlee Baccio-Walker—resigned as well.

The Commission will work with the Mayor and City Council President to ensure that these openings are filled so that the DHRC may fully represent the citizens of Dover in 2010 and beyond.

>Composed and submitted by Dr. Sam Hoff, DHRC Chair, on
February 15, 2010.

ARTICLE II. - HUMAN RELATIONS COMMISSION

Sec. 58-31. - Purpose.
Sec. 58-32. - Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.
Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.
Sec. 58-34. - Expenses.
Sec. 58-35. - Conflicts of interest.
Sec. 58-36. - Powers and duties.

Sec. 58-31. - Purpose.

The city council has deemed it to be in the best interest of the city to establish a human relations commission to include members who are broadly representative of the entire community and who are committed to a philosophy of inclusion, intergroup cooperation, and fair treatment that will effectively help the city meet the following needs:

(1) *Fairness, respect.* Promote and develop an environment of fairness and respect among its citizens;

(2) *Monitoring.* Develop ways to measure and monitor community relations, particularly those that are sources of intergroup conflict;

(3) *Intergroup relations.* Involve all segments of the community in understanding and appreciating the benefits of positive intergroup relations;

(4) *Issues.* Offer a range of programs and services that will help its residents and neighborhoods prevent and resolve issues of human relations; and

(5) *Intergroup conflict.* Develop ways of anticipating, preparing for, and relieving community tensions arising from intergroup conflict.

(Code 1981, § 2-16; Ord. of 2-11-2002)

Sec. 58-32. - Established; composition; appointment; representation; holding other office; removal from office; terms of office; vacancies; reappointments.

(a) *Established.* There is hereby established an advisory commission to be known as the "City of Dover Human Relations Commission," to carry out the objectives as described in this article.

(b) *Composition; appointment.* The commission shall consist of 15 members, all residents of the city. Five of these members shall be appointed by the mayor and confirmed by the city council. Ten of these members shall be appointed by the president of the council, based upon recommendations from the council and confirmed by the council.

(c) *Representation.* In selecting the membership of the commission, the mayor and president of the council and the council shall take particular care to ensure that the commission is broadly representative of racial, religious, gender and ethnic groups residing in the city.

(d) *Holding other office; removal.* No member of the commission shall hold any elected or appointed office under the government of the United States or the state, county, or city. The mayor or the city council president may remove members of the commission, with the concurrence of the city council, for substantial neglect of duty, or gross misconduct in office.

(e) *Terms of office; vacancies.* A member of the commission shall be appointed for a term of office of three years and until his successor has been appointed and has qualified. The appointees shall be appointed for staggered terms of office. When a vacancy occurs in the membership of the commission, it shall be filled by appointment for the unexpired portion of the term in the same manner as the original appointment.

(f) *Reappointments.* Members may be reappointed.

(Code 1981, § 2-17; Ord. of 2-11-2002; Ord. No. 2010-23, 8-23-2010)

Sec. 58-33. - Organization; quorum; meetings; rules of procedure; limitation of functions; agreements; compensation; legal counsel; reports.

(a) *Organization.* The human relations commission shall annually elect its own chairperson to preside over its meetings and may create and fill such other offices and committees among its members as may be found necessary and proper for its effective organization.

(b) *Quorum.* A majority of the membership of the commission shall constitute a quorum and, if a quorum is present, a vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

(c) *Meetings.* The commission shall hold such meetings as may be deemed necessary for the completion of its purposes, responsibilities and functions. Regular meetings shall be held at least once per month unless there is no business to be considered by the commission. Special meetings may be called by the chairperson or three members of the commission.

(d) *Rules of procedure.* The commission is also authorized to adopt rules of procedure for the conduct of its meetings.

(e) *Functions limited.* The commission shall not involve itself in activities or functions already assigned by law or decree to other governmental bodies.

(f) *Agreements.* The commission may enter into agreements and build partnerships with other entities and organizations for the purpose of more efficiently and effectively carrying out its responsibilities.

(g) *Compensation.* Members of the commission shall receive no compensation.

(h) *Legal counsel.* The city solicitor shall provide legal counsel to the commission and shall be the legal representative of the commission in connection with its duties hereunder, on a case-by-case basis, or determine that outside counsel is needed and obtain such outside counsel for a particular matter.

(i) *Reports.* The commission shall make such reports to the mayor and city council as shall be periodically necessary. An annual report of its accomplishments and a summary of its recommendations, as appropriate, shall be sent to the mayor and the city council.

(Code 1981, § 2-18; Ord. of 2-11-2002)

Sec. 58-34. - Expenses.

(a) *Budget.* The city council may appropriate a budget for the city human relations commission to provide for necessary expenses and expenditures.

(b) *Other funding.* The commission may also receive funding from other governmental, philanthropic or private organizations for the exclusive purpose of carrying out its responsibilities.

(Code 1981, § 2-19; Ord. of 2-11-2002)

Sec. 58-35. - Conflicts of interest.

If any member of the human relations commission concludes that he has a conflict of interest with respect to a matter which is pending before the commission, that member shall disqualify himself from participating in any deliberations, discussions and decision making processes of the commission.

(Code 1981, § 2-20; Ord. of 2-11-2002)

Sec. 58-36. - Powers and duties.

The powers and duties of the human relations commission shall be to:

(1) *Recommendations.* Review city programs, activities, functions and ordinances, and make recommendations to the city council for new, amended or changed programs, functions, activities or ordinances which would support inclusiveness and civility among city residents and enhance communication and understanding among residents of the city;

(2) *Intergroup conflicts.* Inquire into incidents of intergroup conflicts and disputes within the city and take such action as may be designed to alleviate such conflicts and disputes;

(3) *Intergroup cooperation.* Promote and encourage communications between and cooperation of all groups interested in bettering human relations in the city;

(4) *Complaints.* Seek the active assistance of the state human relations commission in the solution of complaints of alleged discrimination which fall within the jurisdiction of the state commission;

(5) *Research, education, etc.* Engage in such research, education and advocacy as, in the judgment of the commission or the city council, may be needed to improve human relations in the city;

(6) *Programs.* Develop and maintain programs that build positive relations among communities and enhance problem-solving skills among residents throughout the city;

(7)

Other functions. Do all other acts and deeds necessary and proper to carry out and effectively accomplish the objectives, functions and services contemplated by the provisions of this article.

(Code 1981, § 2-21; Ord. of 2-11-2002)



HOME > TITLE 31

§ 3001 § 3002 § 3003 § 3004 § 3005 § 3006

TITLE 31

Welfare

Welfare Agencies

CHAPTER 30. STATE HUMAN RELATIONS COMMISSION

§ 3001. Creation; composition; vacancies; compensation.

(a) There is created a State Human Relations Commission which shall consist of 28 members. Each county of the State shall be represented by 7 members, and 7 members shall be selected without regard to the county in which they reside. The members shall be appointed by the Governor and shall be broadly representative of various racial and cultural groups of the State. Seven of the original members shall be appointed for a term of 1 year, 7 for a term of 2 years, 7 for a term of 3 years and 7 for a term of 4 years. Thereafter, all appointments shall be made for terms of 4 years.

(b) In the event of death, removal or resignation of a member, a successor shall be appointed to serve for the unexpired term.

(c) Members shall serve without compensation but shall be reimbursed for actual and necessary expenses; provided, however, that those Commissioners designated by the Chairperson to serve on hearing panels shall be compensated the sum of $50 per day up to a maximum of $500 in a calendar year for each day spent in attendance of a hearing.

(d) Any member of the Commission who fails to attend 3 consecutive meetings, without reasonable excuse to the Chairperson, or fails to attend at least half of all regular business meetings during any calendar year, shall automatically upon such occurrence be deemed to have resigned from office and the Chairperson shall immediately notify the Governor that a vacancy on the Commission exists and that a replacement must be appointed. The notice shall identify the member deemed to have resigned and the reason therefore.

(e) The Commission shall adopt bylaws that provide for operating procedures such as: election of officers, appointment of committees, designation of a quorum, conducting of meetings, and other matters that will promote the efficient operation of the Commission in the performance of its duties under this chapter.

31 Del. C. 1953, § 3001; 53 Del. Laws, c. 261, § 1; 65 Del. Laws, c. 377, §§ 7, 8; 70 Del. Laws, c. 186, § 1; 75 Del. Laws, c. 356, §§ 3, 4.;

§ 3002. Chairperson and executive committee; meetings.

(a) The Governor shall designate 1 of the members of the Commission to serve as its Chairperson.

(b) The Chairperson of the Commission may appoint an executive committee of not less than 7 members. The Chairperson shall serve as Chairperson of the executive committee.

(c) There shall be a meeting of the executive committee or of the Commission at least once a month.

31 Del. C. 1953, § 3002; 53 Del. Laws, c. 261, § 1; 70 Del. Laws, c. 186, § 1.;

§ 3003. Responsibilities.

The Commission shall be responsible for carrying out public information and education programs, for preparing reports and recommendations, and for making surveys and studies necessary for the performance of its duties under this chapter. The Commission may delegate 1 or more of its responsibilities under this section to the Division; provided, however, that such delegation shall specifically state the responsibility the Division must undertake.

31 Del. C. 1953, § 3003; 57 Del. Laws, c. 679, § 1; 75 Del. Laws, c. 356, § 5.;

§ 3004. Powers and duties.

The Commission shall cooperate with the Governor, the General Assembly, public agencies, officials, firms, corporations, civic groups and individuals in promoting amicable relationships among the various racial and cultural groups within the State. To this end the Commission may:

(1) Act as conciliator in matters involving race, age, marital status, color, sex, disability, creed, national origin or ancestry; provided, however, that the provisions of the Freedom of Information Act in Chapter 100 of Title 29 shall not apply to meetings that involve conciliation or mediation;

(2) Make such investigations, surveys and studies as are pertinent to the performance of its duties;

(3) Make recommendations to the Governor and General Assembly concerning needed legislation.

31 Del. C. 1953, § 3004; 53 Del. Laws, c. 261, § 1; 62 Del. Laws, c. 122, § 1; 62 Del. Laws, c. 330, § 1; 75 Del. Laws, c. 356, § 6.;

§ 3005. Special Administration Fund.

(a) Creation. -- There is created in the State Treasury a special fund to be known as the Special Administration Fund of the Human Relations Commission. This Fund shall consist of:

(1) All civil penalties assessed and collected pursuant to Chapter 45 or 46 of Title 6.

(2) Costs, attorneys' fees and expenses awarded to the Commission pursuant to Chapter 45 or 46 of Title 6.

(3) All Community Development Block Grant moneys designated for the administration and enforcement of Chapter 46 of Title 6.

(4) All other moneys specifically designated for this Fund.

(5) All interest on or profits earned by the Special Administration Fund.

(b) Administration. --

(1) All moneys collected pursuant to this section shall be deposited or paid into this Fund and shall be continuously available to the Commission for expenditure in accordance with this section and shall not lapse at any time or be transferred to any other fund. All moneys in this Fund shall be prudently invested to the credit of this Fund, administered and disbursed in the same manner as is provided by law for other special funds in the State Treasury and such moneys shall be maintained in a separate ledger account on the books of the Secretary of Finance.

(2) All moneys in the Fund which are received from the federal government or any agency thereof or which are appropriated by this State for purposes described in this chapter or Chapters 45 or 46 of Title 6, shall be expended solely for the proper and efficient administration of this chapter.

(3) The State Treasurer shall be the custodian of and shall be liable on the State Treasurer's official bond for the faithful performance of duties in connection with the Fund. Such liability on the official bond shall exist in addition to the liability on any separate bond which may be given by the State Treasurer. All sums recovered on any such official bond for losses sustained by the Fund shall be deposited in the Fund.

(c) Use. -- The moneys in the Special Administration Fund may be used by the Commission for:

(1) The payment of litigation expenses, costs and attorneys' fees in connection with the enforcement provisions of Chapters 45 and 46 of Title 6.

(2) The payment of the expenses of investigations conducted pursuant to Chapters 45 and 46 of Title 6, and this chapter.

(3) The payment of studies and surveys conducted pursuant to this chapter.

(d) Transfer. -- The Commission, whenever it determines that the money in the Special Administration Fund is more than adequate to pay for all foreseeable needs for which this Fund is created, may authorize the transfer therefrom to the General Fund of such amount as it deems proper.

68 Del. Laws, c. 311, § 2; 70 Del. Laws, c. 186, § 1; 70 Del. Laws, c. 350, §§ 2, 3.;

§ 3006. Subpoenas; compelling testimony.

(a) The Commission may issue subpoenas and order discovery in aid of the investigations, surveys and studies authorized under § 3004 of this title when the Attorney General has reason to believe that such subpoenas and discovery will enable the Commission to perform the duties imposed by this chapter.

(b) Any subpoena, process, order of the Commission, or other paper requiring service may be served by any sheriff, deputy sheriff, or constable, or by any employee of the Division of Human Relations.

(c) If a witness refuses to obey a subpoena lawfully issued by the Commission, or to give evidence properly requested by the Commission, the Commission may petition the Superior Court to compel the witness to obey the subpoena or give the evidence. The Court shall immediately issue process to the witness and shall hold a hearing on the petition as soon as possible. If the witness refuses, without reasonable cause or legal grounds, to obey the subpoena or to give the evidence, the Court shall punish the witness for contempt.

'75 Del. Laws, c. 356, § 7.;