13. MATERIAL COMMITMENTS

A. The City budgets monies to assist the volunteer fire company with payments on several pieces of fire fighting equipment and the mortgage on Station #2. The payments are budgeted as expenditures in the General Fund - Fire Department budget.

The schedules of payments are as follows:

Rescue #1	$	95,000
Ladder #1	$	70,000
Engine #4	$	126,000
Fire Station #2 - Mortgage	$	60,000

In addition to the above payments, the City has paid vendors directly for Communications Equipment and radios in the amount of $272,141.

B. The City entered into a two year contract for the construction of the John W. Pitts Recreation Center in the amount of $2.7 million. The construction is expected to be completed in January, 2008.

C. On May 4, 2006 the City entered into a contract to provide a market-based approach for power supply managed by Pace Global Asset Management, LLC. The five year management contract with Pace covers asset, energy and risk management programs. Pace will manage energy purchases and utilize the City's generating assets to provide a level of rate stability as necessary to mitigate the effects of rising and volatile energy prices. The contract provides for management fees to be paid monthly with a performance incentive to be paid at the end of the each fiscal year. The average annual cost is approximately $3 million.

D. On May 4, 2006, the City also entered into a four year management contract with North American Energy Services to operate and maintain the generating assets of the electric utility. The City has incorporated the budgets and financial activity of the plant into its procedures used for all other divisions of the electric utility. These procedures include a line item budget and adherence to City policies. All personnel are employed by North American and personnel costs are billed to the City bi-weekly. Any capital improvements are included in the City's capital improvement plan. The contract also provides for a monthly management fee and a performance incentive based on budget and plant performance. The average annual cost for management and the incentive is approximately $.7 million and is included in the plant operating budget.

14. FORWARD CONTRACTS

Pursuant to the May 4, 2006 Energy Management Agreement between the City and Pace Global Asset Management, LLC, the City has formed an Executive Risk Management Committee ("ERMC"). The ERMC has adopted a Governing Policy for Energy Commodity Risk Management (Policy) aimed at addressing the energy commodity risks and the Procedures and Controls Manual for Energy Commodity Risk Management ("Procedures Manual"). The Procedures Manual further describes the risk management philosophy under which Pace Global, the City's designated provider of energy risk management services conducts its activities.

The Procedures authorize Pace to enter into physical forward transactions which shall be governed by Edison Electric Institute (EEI), North American Energy Standards Board (NAESB), or similar agreements with counterparties approved by the City. These agreements will enable the City to hedge the forward price of purchased power, natural gas or fuel oil for delivery as needed to meet its load requirements. No speculative transactions for volumes in excess of forecasted power and fuel needs are permitted. Pace is not authorized to enter into financial hedges.

Under the Procedures the City will not extend credit to any potential counterparty that has a credit rating below investment grade (defined as BBB as rated by Standard & Poor's or Baa2 as rated by Moody's). Any counterparty that is unrated by either S & P or Moody's must be approved by the ERMC prior to the execution of any trading activities.

Credit risk is mitigated through the use of collateral thresholds, credit limits, maximum nominal exposure and term limitations. A collateral threshold is the amount of unsecured credit granted to the counterparty. Unsecured credit exposure includes amounts owed by the counterparty, whether billed or not, and the mark-to-market differences in value of any collateral held. Any net exposure above the collateral threshold will require the posting of collateral by the counterparty. Collateral thresholds, term limitations and credit exposure limits are subject to maximums as established by the ERMC.

Counterparty Credit Risk ($000's)

Counterparty	Credit Rating	Credit Limit	Line Availability	Maximum Amount of Loss due to Credit Risk w/o Respect to Collateral ($)	Collateral Description	Diversification Requirement
Sempra Energy Trading	Baa1	$15,000,000	$9,622,517	$5,377,483	No Collateral if exposure under specified threshold	NA
Constellation	Baa1	$40,000,000	$40,000,000	$0	Up to $10,000,000 is guaranteed by Constellation Energy/Group	NA
Conectiv	Baa3	NA	NA	$114,605	Up to $3,000,000 is guaranteed by Pepco	NA
Integrys	A3	NA	$14,002,286	$997,714	No Collateral if exposure under specified threshold in the event of potential default, performance from counter party is required	NA

CITY OF DOVER
POSITION DESCRIPTION

TITLE: CONTROLLER/TREASURER

FLSA: Exempt

GENERAL DESCRIPTION

The Controller/Treasurer is responsible for the City's financial plans and policies, its accounting practices, the conduct of its relationships with lending institutions and the financial community, the maintenance of its fiscal records, and the preparation of financial reports. The position involves supervision over general accounting, property accounting, cash management, debt management, internal auditing, cost accounting, and budgetary controls. A primary function of the position is to develop an organized system of accounts, policies, records, and procedures and to provide data that can be analyzed and interpreted for the benefit of Council in making decisions to achieve the goals and objectives of the City. The position formulates long range goals for the organization; develops policy and position papers.

The Controller/Treasurer must demonstrate a high degree of initiative, anticipating informational needs of the City Council and management. The position must also be responsive in a timely manner to specific requests made for data and to be resourceful and flexible in meeting changing conditions and requirements. The position is required to uphold standards of conduct and maintain integrity. The position requires the ability to be fair and impartial when presenting adverse reports on a function, executive or employee. The Controller/Treasurer is a direct report to City Council.

PRIMARY DUTIES: *This list represents the essential tasks performed by the position. Employees may be assigned additional duties by management as required.*

Development, analysis, and interpretation of statistical and accounting information in order to appraise operating results in terms of profitability, performance against budget, and other matters bearing on the fiscal soundness and operating effectiveness of the organization.

Responsible for evaluating the performance of personnel in the Finance Department. Recommends training requirements, has the duty to keep self and staff at the highest level of skill necessary to meet organization needs and objectives, and recommends that personnel be hired or removed from the Department.

Responsible for the installation, maintenance, and supervision of the City's system of accounts. Keeps books and records on all City transactions and assets.

Proposes major economic objectives and policies for the City and prepares reports that outline the City's financial position in the areas of income, expenses, and earnings based on past, present, and future operations.

Participates in the coordination and preparation of the budget and financial forecasts, institutes and maintains other planning and control procedures, and analyzes and reports variances. Responsible for review of all items requiring Council's decision that have an impact on the City finances; Insures accuracy and completeness of financial analysis for presentation to City Council.

Responsible for the management and security of all City bank accounts, investments, trust accounts, and bond accounts. Responsible for assuring availability of funds and assets during natural disasters and emergencies.

Approves payment of all checks and other negotiable instruments as authorized by City Council. Directs financial processes; Cash flow, investment strategies, debt strategies, disbursements, payroll, and other management and budgetary processes and activities.

Responsible for determining that current financial transactions covered by minutes of the Council or Committee are properly executed and recorded.

Responsible for risk assessment and implementation of internal controls and procurement risk assessment; Develops policies and procedures insuring accountability over public funds. Directs the continuous audit of all accounts and records of the City. Directs the annual audit and completes the Comprehensive Annual Financial Report.

Advises and consults with elected and appointed officials, department heads, staff, agencies, and others on financial problems, performance measurements, trends, strategies, policies, and procedures, and budgetary matters such as interpretation of budget plans, strategies and information, controls and procedures, solutions to budget problems, research projects, or other financial/budgetary matters.

Represents the City on boards or committees involved in financial planning, management, or other financial issues; participates in interagency or other meetings or conferences; makes financial presentations to elected or appointed officials, department heads, staff, and other public or private agencies or groups.

DATA RESPONSIBILITY: *Data refers to information, knowledge, and conceptions obtained by observation, investigation, interpretation, visualization, and mental creation. Data are intangible and include numbers, words, symbols, ideas, concepts, and oral verbalizations.*

Formulates new concepts or theories based on original research, intellectual creativity, and ideas.

PEOPLE RESPONSIBILITY: *People refers to individuals who have contact with or are influenced by the position.*

Directs others by issuing orders.

INVOLVEMENT WITH THINGS: *Things refers to inanimate objects such as substances, materials, machines, tools, equipment, work aids, or products. A thing is tangible and has shape, form, and other physical characteristics.*

Develops and implements long range plans and programs to support the goals and objectives of the organization.

ASSETS RESPONSIBILITY: *Assets responsibility refers to the responsibility for achieving economies or preventing loss within the organization.*

Requires responsibility for the overall administration of fiscal and administrative policy with authority and responsibility over all departments or the direction of the organization's legal department; reports directly to the top elected body.

SAFETY OF OTHERS: *Safety of others refers to the responsibility for other people's safety, either inherent in the job or to assure the safety of the general public.*

Requires management level responsibility for application and interpretation of the policies regarding the provision of continuous enforcement of the laws and standards of public health and safety.

MATHEMATICAL REQUIREMENTS: *Mathematics deals with quantities, magnitudes, and forms and their relationships and attributes by the use of numbers and symbols.*

Uses advanced algebra working with exponents and logarithms or linear quadratic equations; analytic geometry; and/or statistics, applying mathematical operations to frequency distribution, reliability and validity; analysis of variance, or correlation techniques.

COMMUNICATIONS REQUIREMENTS: *Communications involves the ability to read, write, and speak.*

Reads and interprets highly complex professional materials involving abstract theories and concepts; writes for professional publications; develops and presents papers at professional conferences.

COMPLEXITY OF WORK: *Complexity of work addresses the analysis, initiative, ingenuity, creativity, and concentration required by the position and the presence of any unusual pressures.*

Performs work involving the application of broad principles of professional management and leadership to solve new problems for which conventional solutions do not exist; requires sustained, intense concentration for accurate results and continuous exposure to unusual pressure.

IMPACT OF DECISIONS: *Impact of decisions refers to consequences such as damage to property, loss of data or property, exposure of the organization to legal liability, or injury or death to individuals.*

Makes decisions with severe impact – affects entire organization, other activities/organizations, the general public, and a wide geographic areas; loss of life and/or damage is highly likely.

EDUCATION AND EXPERIENCE REQUIREMENTS

EDUCATION REQUIREMENTS: *Education requirements refers to job specific training and education required for entry into the position.*

Requires master's degree in finance, accounting, or a closely related field.

LICENSES, CERTIFICATIONS, AND REGISTRATIONS REQUIRED: *Licenses, certifications, and registrations refers to professional, state, or federal licenses, certifications, or registrations required to enter the position.*

Requires Certified Public Accountant License.

EXPERIENCE REQUIREMENTS: *Experience refers to the amount of work experience that is required for entry into the position that would result in reasonable expectation that the person can perform the tasks required by the position.*

Requires over ten years of related experience.

AMERICANS WITH DISABILITIES REQUIREMENTS

PHYSICAL DEMANDS: *Physical demands refers to the requirements for physical exertion and coordination of limb and body movement.*

Requires sedentary work involving standing or walking for brief periods, exerting up to 10 pounds of force on a regular basis, and some dexterity in operating office equipment.

UNAVOIDABLE HAZARDS: *Unavoidable hazards refers to unusual conditions in the work environment that may cause illness or injury.*

The position is exposed to no unusual environmental hazards.

SENSORY (ADA) REQUIREMENTS: *Sensory requirements refers to hearing, sight, touch, taste, and smell necessary to perform the tasks required by the position efficiently.*

The position requires normal visual acuity and field of vision, hearing, speaking and depth perception.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

The City of Dover is an Equal Opportunity Employer. ADA requires the City to provide adequate accommodations to qualified persons with disabilities. Prospective and current employees are encouraged to discuss ADA accommodations with management.

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

That Appendix C – Downtown Redevelopment, Article IV – Development Incentives, Section 2 – Multiple story new construction projects be amended by inserting the text indicated in bold, red and deleting the text indicated in red strikeout, as follows:

Section 2. [~~Multiple story new construction projects~~ Waiver of impact fee.]

Eligible **projects that have received conditional approval from the Planning Commission after January 31, 2008,** that **involve multiple story new construction or renovation of an existing building** ~~are multiple story new construction on one lot~~, and have a combination of residential, office, retail, or commercial service uses so that at least two of these uses are established shall qualify for ~~[an]~~ **City** impact fee waiver of ~~one-half of~~ the cost of such fees. **Eligible projects that have received conditional approval from the Planning Commission on or before January 31, 2008 and that are multiple story new construction on one lot, and have a combination of residential, office, retail, or commercial service uses so that at least two of these uses are established shall qualify for City impact fee waiver of one half the cost of such fees.**

DRAFT