

Introduced by: Mr. Smiley, Mr. Cartier and
Date of introduction: March 31, 2020 all of Council

EMERGENCY ORDINANCE NO. E20- 002

AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$500,000 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE FOR THE PURPOSE OF FUNDING DELAWARE COMMUNITY FOUNDATION IN SUPPORT OF THE NONPROFIT COLLABORATIVE COVID-19 EMERGENCY RESPONSE INITIATIVE

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has determined that a novel coronavirus SARS-CoV-2, which causes a coronavirus disease named COVID-19, is a serious threat to public health, and has advised the public to minimize interactions with others and employ social distancing practices to help mitigate community spread of the COVID-19 virus; and

WHEREAS, on March 12, 2020, Governor John Carney issued a *Declaration of a State of Emergency* (the “Emergency Declaration”) due to the public health threat of COVID-19; and

WHEREAS, on March 22, 2020, the Governor’s Fourth and Fifth Modifications to the Declaration of a State of Emergency, which became effective on March 24, 2020, closed businesses defined as “Non-Essential Businesses” until May 15, 2020, and ordered all Delaware residents to shelter in place except for “Essential Activities” and “Essential Travel;” and

WHEREAS, on March 23, 2020, Governor Carney issued the *Declaration of a Public Health Emergency for the State of Delaware*; and

WHEREAS, the President of the United States issued Declarations (pursuant to two separate federal Acts) of a national emergency as a result of the COVID-19 pandemic, expressing his concern that the “pandemic has the potential to cause severe consequences for our country’s national and economic security . . . ;” and

WHEREAS, the President of the United States also declared a public health emergency; and

WHEREAS, the World Health Organization issued a Declaration that the spread of COVID-19 constituted a public health emergency of international concern; and

WHEREAS, the COVID-19 pandemic has the potential to decimate our national economy on par with the Great Recession of 2008; and

WHEREAS, nationally, a record 3.3 Million Americans filed jobless claims during the week of March 19, 2020, the largest number since the Department of Labor began tracking these numbers in 1967; and

WHEREAS, the weekly claims for unemployment insurance benefits in Delaware, for the week March 15-21, 2020, exceeded the number of claims received in any months over the past thirty years; and

WHEREAS, in response to the COVID-19 pandemic, the U.S. government has enacted legislation that includes housing protections against foreclosures on mortgages and evictions for renters and prohibits fees, penalties or additional interest to be charged as a result of late mortgage payments; and

WHEREAS, the circumstances are such that New Castle County government is compelled to follow the example set by Congress and many other jurisdictions across the nation to protect its citizens as best it can from the potentially devastating health and financial effects of the COVID-19 pandemic; and

WHEREAS, COVID-19, and the extraordinary measures taken to limit its spread, are likely to devastate New Castle County's vulnerable populations such as children in low-income households, the working poor, and seniors; and

WHEREAS, Delaware nonprofits, to address the immediate consequences of the COVID-19 pandemic, are tapping funds earmarked for other purposes, which is compromising their capacity to address the long-term consequences of the pandemic; and

WHEREAS, Delaware Community Foundation ("DCF"), Philanthropy Delaware, United Way of Delaware ("UWDE"), and the Delaware Alliance for Nonprofit Advancement ("DANA") have formed a partnership with the goal of aligning Delaware's nonprofit community in a coordinated effort to alleviate the impact of the COVID-19 crisis in Delaware (the "Nonprofit Collaborative"); and

WHEREAS, the Nonprofit Collaborative seeks to accomplish its goal by supplementing and supporting government, school systems, and social service agencies by generating funds and recruiting volunteers to address both the immediate and long-term consequences of the COVID-19 crisis; and

WHEREAS, the Nonprofit Collaborative Response to the 2020 Coronavirus Pandemic includes four elements: an assessment of nonprofit needs conducted by DANA; volunteer coordination facilitated by UWDE; the Delaware Does More: COVID-19 Rapid Response Fund ("Rapid Response Fund") managed by UWDE, and administered by Philanthropy Delaware and UWDE, to address the near-term impact of COVID-19; and the Delaware COVID-19 Strategic Response Fund ("Strategic Response Fund"), managed by DCF, to target longer-term community needs; and

WHEREAS, the Nonprofit Collaborative intends to coordinate with one another, other nonprofits, businesses, government agencies, and individuals to ensure a comprehensive response throughout the state; and

WHEREAS, based on the foregoing it is just and appropriate that New Castle County government appropriate funds for DCF in support of the Strategic Response Fund and the Rapid Response Fund to supplement and support the short-term and long-term provision of goods and services to New Castle County's neediest residents; and

WHEREAS, County Council finds that this Emergency Ordinance is necessary to meet the public emergency created by the COVID-19 pandemic which has severely affected the life, health, property, and the public peace of New Castle County.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS (10/13ths of all Council members voting in the affirmative):

Section 1. Under the authority of 9 Del. C. § 1157 (“Emergency ordinances”), New Castle County Council declares that an emergency exists in that COVID-19 poses a serious threat to the life, health, property, and public peace of New Castle County and efforts to protect citizens and limit the spread of the disease have mandated the closure of many public and private buildings and the suspension of numerous services, including those that serve New Castle County’s neediest residents.

Section 2. The Annual Operating Budget Ordinance for the fiscal year beginning July 1, 2019 is hereby amended by deleting the material stricken and adding the material underscored on the attached Exhibit “A.”

Section 3. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2019, and shall be effective retroactively as though incorporated initially in the Annual Operating Budget Ordinance.

Section 4. To support and supplement the Nonprofit Collaborative’s short-term and long-term provision of good and services to New Castle County residents, the County Executive is hereby authorized to distribute, through the Office of Finance, the funds appropriated in this Ordinance, in weekly disbursements, to DCF in support of the Strategic Response Fund and Rapid Response Fund.

Section 5. This Ordinance shall become effective immediately upon its adoption by affirmative votes of at least ten members of County Council and approval by the County Executive.

Adopted by County Council of
New Castle County on: 3/31/2020


President of County Council
of New Castle County

Approved on: March 31, 2020


County Executive
New Castle County

SYNOPSIS: This Emergency Ordinance amends the FY2020 Approved Operating Budget by appropriating \$500,000 from General Fund Tax Stabilization Reserves to the Department of

Administration, Office of Finance Grants and Fixed Charges Budget Line Item. Funds will be granted to the Delaware Community Foundation in support of its Strategic Response Fund, with the understanding that \$100,000 will be transferred to the Delaware Does More: COVID-19 Rapid Response Fund managed by United Way of Delaware and that all funds are used to provide goods and services to the neediest residents of New Castle County.

FISCAL NOTE: This Ordinance, if adopted, will increase the FY2020 Approved Operating Budget by \$500,000 to provide funds for Delaware Community Foundation's COVID-19 Strategic Response Fund to benefit residents of New Castle County. This Ordinance, if approved, would reduce the General Fund Tax Stabilizations Reserves by \$500,000, appropriating \$500,000 from the Tax Stabilization Reserve to the Department of Administration, Office of Finance Grants and Fixed Charges Budget Line Item.

The revised FY2020 Approved Operating Budget will be \$301,454,491.

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to be the initials 'JF' followed by a large, sweeping flourish.

EXHIBIT A1

COUNTY COUNCIL

Salaries and Wages		\$	2,062,517
Benefits			1,218,476
Training and Civic Affairs			85,534
Communication and Utilities			25,152
Materials and Supplies			101,648
Contractual Services			314,290
Equipment			4,300
Grants and Fixed Charges			261,450
Intragovernmental Service Charges			138,590
Total		\$	4,211,957
Total Authorized Full-Time Positions	34		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,367,104
Benefits			826,835
Training and Civic Affairs			34,904
Communication and Utilities			17,904
Materials and Supplies			21,129
Contractual Services			125,388
Equipment			1,000
Grants and Fixed Charges			340,000
Contingency			23,714
Intragovernmental Service Charges			86,357
Total		\$	2,844,335
Total Authorized Full-Time Positions	14		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	10,477,253
Benefits			6,340,947
Training and Civic Affairs			109,346
Communication and Utilities			6,695,333
Materials and Supplies			173,719
Contractual Services			6,131,698
Equipment			212,780
Grants and Fixed Charges	5,102,500		5,602,500
Intragovernmental Service Charges			943,593
Intragovernmental Service Credits			(13,107,235)
Total	23,079,934	\$	<u>23,579,934</u>
Total Authorized Full-Time Positions	149		

EXHIBIT A2

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	22,859,462
Benefits			13,662,869
Training and Civic Affairs			45,945
Communication and Utilities			21,470,533
Materials and Supplies			4,185,943
Contractual Services			8,253,830
Equipment			770,822
Grants and Fixed Charges			1,273,757
Land and Structures			20,000
Intragovernmental Service Charges			4,334,590
Intragovernmental Service Credits			(7,040,443)
Total		\$	69,837,308
Total Authorized Full-Time Positions	378		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	7,799,779
Benefits			4,661,639
Training and Civic Affairs			71,615
Communication and Utilities			107,474
Materials and Supplies			97,921
Contractual Services			1,382,699
Equipment			37,360
Grants and Fixed Charges			31,500
Intragovernmental Service Charges			854,588
Intragovernmental Service Credits			(558,467)
Total		\$	14,486,108
Total Authorized Full-Time Positions	115		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	9,902,209
Benefits			4,733,029
Training and Civic Affairs			27,929
Communication and Utilities			931,061
Materials and Supplies			1,280,283
Contractual Services			1,897,596
Equipment			17,900
Grants and Fixed Charges			2,876,328
Intragovernmental Service Charges			1,226,813
Intragovernmental Service Credits			(182,000)
Total		\$	22,711,148
Total Authorized Full-Time Positions	155		

EXHIBIT A3

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	56,773,231
Benefits			33,743,541
Training and Civic Affairs			148,780
Communication and Utilities			706,691
Materials and Supplies			1,271,184
Contractual Services			1,926,676
Equipment			341,106
Grants and Fixed Charges			6,017,109
Intragovernmental Service Charges			7,236,130
Total		\$	108,164,448
Total Authorized Full-Time Positions	685		

PROTHONOTARY

Benefits		\$	22,534
Total		\$	22,534
Total Authorized Full-Time Positions	0		

REGISTER IN CHANCERY

Salaries and Wages		\$	175,288
Benefits			105,272
Total		\$	280,560
Total Authorized Full-Time Positions	3		

REGISTER OF WILLS

Salaries and Wages		\$	1,009,894
Benefits			597,640
Training and Civic Affairs			33,490
Communication and Utilities			11,194
Materials and Supplies			8,800
Contractual Services			20,801
Equipment			2,320
Intragovernmental Service Charges			96,422
Total		\$	1,780,561
Total Authorized Full-Time Positions	18		

EXHIBIT A4

RECORDER OF DEEDS

Salaries and Wages		\$	1,214,520
Benefits			717,083
Training and Civic Affairs			45,190
Communication and Utilities			30,716
Materials and Supplies			12,050
Contractual Services			82,617
Equipment			8,000
Grants and Fixed Charges			15,000
Intragovernmental Service Charges			168,652
Total		\$	2,293,828
Total Authorized Full-Time Positions	25		

SHERIFF

Salaries and Wages		\$	1,149,686
Benefits			686,629
Training and Civic Affairs			29,452
Communication and Utilities			17,834
Materials and Supplies			20,260
Contractual Services			54,145
Equipment			5,000
Intragovernmental Service Charges			160,414
Total		\$	2,123,420
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	438,473
Benefits			263,334
Training and Civic Affairs			14,665
Communication and Utilities			3,677
Materials and Supplies			2,300
Contractual Services			20,518
Intragovernmental Service Charges			32,106
Total		\$	775,073
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	48,360,000
Total		\$	48,360,000