

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.

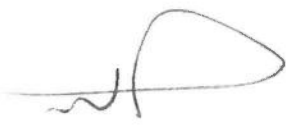
A handwritten signature in black ink, consisting of a stylized, cursive script that appears to be the initials 'JF' followed by a large, sweeping flourish.

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 | | <u>5,602,500</u> |
| 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 |

EXHIBIT A5

ETHICS COMMISSION

| | | |
|---|-----------|----------------|
| Salaries and Wages | \$ | 38,000 |
| Benefits | | 4,091 |
| Training and Civic Affairs | | 9,300 |
| Communication and Utilities | | 3,572 |
| Materials and Supplies | | 2,450 |
| Contractual Services | | 300,000 |
| Equipment | | 500 |
| Intragovernmental Service Charges | | 5,745 |
| Total | \$ | 363,658 |
| Total Authorized Full-Time Positions | 0 | |

COUNCIL CONTINGENCY

| | | |
|--------------|-----------|----------------|
| Contingency | \$ | 200,000 |
| Total | \$ | 200,000 |

EXECUTIVE CONTINGENCY

| | | |
|--------------|-----------|----------------|
| Contingency | \$ | 100,000 |
| Total | \$ | 100,000 |

PERSONNEL CONTINGENCY

| | | |
|--------------|-----------|----------------|
| Contingency | \$ | 726,000 |
| Total | \$ | 726,000 |

ATTRITION CONTINGENCY

| | | |
|--|-----------|--------------------|
| Personal Services - Salaries and Wages | \$ | (1,022,022) |
| Personal Services - Employee Benefits | \$ | (613,796) |
| Total | \$ | (1,635,818) |

ONE-TIME CONTINGENCY

| | | |
|--------------|-----------|----------------|
| Contingency | \$ | 229,437 |
| Total | \$ | 229,437 |

EXHIBIT A6

NEW CASTLE COUNTY

| | | | |
|---|-------------------------------|-----------|---------------------------|
| Salaries and Wages | | \$ | 114,245,394 |
| Benefits | | | 66,970,123 |
| Training and Civic Affairs | | | 656,150 |
| Communication and Utilities | | | 30,021,141 |
| Materials and Supplies | | | 7,177,687 |
| Contractual Services | | | 20,510,258 |
| Equipment | | | 1,401,088 |
| Grants and Fixed Charges | 15,917,644 | | <u>16,417,644</u> |
| Debt Service | | | 48,360,000 |
| Land and Structures | | | 20,000 |
| Contingency | | | 1,279,151 |
| Intragovernmental Service Charges | | | 15,284,000 |
| Intragovernmental Service Credits | | | (20,888,145) |
| Sub-Total New Castle County | 300,954,491 | \$ | <u>301,454,491</u> |
| Total Authorized Full-Time Positions | 1,604 | | |

RESERVE ACCOUNTS AS OF MARCH 31, 2020

| | | |
|--|-------------------------------|---------------------------|
| Tax Stabilization Reserve Account | 34,622,526 | <u>34,122,526</u> |
| Sewer Rate Stabilization Reserve Account | | 16,555,980 |
| General Fund Budget Reserve Account | | 42,086,083 |
| Sewer Fund Budget Reserve Account | | 16,432,618 |
| Total Reserves: | 109,697,207 | <u>109,197,207</u> |