



SPONSOR: Rep. Longhurst & Sen. Poore

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 316

AN ACT TO AMEND THE CHARTER OF THE CITY OF DELAWARE CITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1           Section 1. Amend Section 6-07(B) of the Charter of the City of Delaware City by making deletions as shown by  
2       strike through and insertions as shown by underline as follows:

3       Section 6-07. Borrowing for Current Expenses and Capital Expenditures

4           B. The City of Delaware City shall have the full power and authority to borrow, for the exclusive purpose of  
5       financing a capital asset, upon the faith and credit of the City of Delaware City, a sum or sums of money not exceeding one  
6       and a quarter percent (1.25%) of the total assessed property value, exclusive of borrowing against current expenses referred  
7       to in subsection A hereof, when in the opinion of the majority of the Council the needs of the City demand it. The Council  
8       may secure such sum or sums of money by promissory note or notes, or certificates of indebtedness of the City of Delaware  
9       City, duly authorized by resolution of the Council, signed by the City Secretary, and by the Mayor or Acting Mayor, with  
10      or without the corporate seal of the City affixed in accordance with the request of the person or corporation advancing the  
11      money on said notes or certificates, and no officer, Mayor or Council member shall be personally liable for the payment of  
12      such note or notes, because of his signature as an officer of the Council, his membership in Council or his approval of the  
13      authorizing resolution. Provided however, that any sum of money borrowed by the Council on the full faith and credit of  
14      the City as aforesaid, shall be repaid in full, together with all interest and charges thereon, within a period not to exceed the  
15      estimated useful life of the capital asset or ~~ten (10)~~ twenty (20) years whichever is less and shall be repaid in equal annual  
16      installments.

17          Section 2. Amend Section 7-03 of the Charter of the City of Delaware City by making deletions as shown by  
18      strike through as follows:

19      Section 7-03. City Secretary.

20          The Mayor shall appoint with the advice and consent of a majority of all members of Council an officer of the City  
21      who shall have the title City Secretary. The City Secretary shall be appointed at the first regular Council meeting in April or  
22      the organizational meeting for a term of two (2) years. ~~The City Secretary shall give notice of Council meetings to its~~

members and the public, keep minutes of Council meetings and hearings and all official proceedings, file and keep in a safe place the Seal of the City, attest the same when authorized by Council, keep all papers and documents relative to the affairs of the City which shall be deemed appropriate to be kept in his/her office, and perform such other duties as may be designated by the Mayor and Council, City Manager, this Charter or ordinance. The City Secretary shall keep the minutes of Council meetings, hearings, and all official proceedings, and shall record said minutes in typewritten documents. The City Secretary shall attest to said minutes, and shall deliver said minutes to City Staff for appropriate distribution and filing. The City Secretary shall have access to the Seal of the City. The responsibilities and duties of the City Secretary may be assigned to or combined with another office or department of the City government upon approval of the Mayor and Council. The City Secretary may be removed from office by the Mayor and three (3) members of Council or four (4) members of Council.

Section 3. Amend Section 7-04 of the Charter of the City of Delaware City by making deletions as shown by strike through and insertions as shown by underline as follows:

Section 7.04 City Treasurer

The Mayor shall appoint with the advice and consent of a majority of all members of Council an officer of the City who shall have the title City Treasurer. The City Treasurer shall be appointed at the first regular Council meeting in April or organizational meeting for a term of two (2) years. The City Treasurer shall ~~keep a true, accurate and detailed account of all monies received and all monies paid out by the City in all its activities and for all its departments, offices and agencies; shall preserve all vouchers and financial records, but under a records disposal program and schedule approved by the Mayor and Council, may periodically destroy such records and vouchers.~~ monitor the City Manager and other City employees who perform functions related to the finances and accounting of the City, and shall review all expenses submitted City employees who perform such accounting functions. The City Treasurer may also review and sign checks of the City, review supporting information relating to City expenditures, review and approve finance reports submitted to the City Council, and consult with and assist the Auditor as necessary. The City Treasurer shall ~~make such reports at such time~~ maintain a record of all regularly prepared financial reports and such other financial statements as the Mayor and Council and City Manager shall direct and which shall keep the City government and the public informed of the financial condition of the City. ~~The City Treasurer shall have such other duties as may be prescribed by this Charter, by law or by ordinance. The City Treasurer shall be custodian of all funds of the City, and shall deposit them on a regular basis in banking institutions located in the City, as designated by the Mayor and Council.~~ The books, records and accounts of the City Treasurer shall be open at all times to inspection by the members of the Mayor and Council and the public under such

- 52 regulations as the Mayor and Council may prescribe. The City Treasurer may be removed from office by the Mayor and  
53 three (3) members of Council or four (4) members of Council.

#### SYNOPSIS

This bill amends the Charter of the City of Delaware City. Section 1 changes the maximum repayment term from ten (10) to twenty (20) years for the financing of a capital asset. This change allows for a greater range of borrowing term options for the City's consideration. Section 2 changes the responsibilities and duties of the City Secretary. Section 3 changes the responsibilities and duties of the City Treasurer. The changes in Sections 2 and 3 allow for improved transparency and separation of duties within the City's government.