

CHAPTER 59
FORMERLY
HOUSE BILL NO. 102

AN ACT AMENDING THE CHARTER OF THE CITY OF NEWARK, BEING CHAPTER 152 OF VOLUME 48, LAWS OF DELAWARE, RELATING TO THE REQUIRED DATE FOR SUBMISSION AND APPROVAL OF THE FIVE-YEAR CAPITAL PROGRAM.

WHEREAS, the City of Newark determined that implementation of one budget development process combining the Capital Improvements Program and the Operating Budget will result in a more efficient review; and

WHEREAS, the current Charter provision requiring submission of the Capital Improvement Program to Council by July 15 could result in an unreliable Operating Budget forecast; and

WHEREAS, modifying the date for submission of the Capital Improvement Program to the Council to November 15 will allow for ample time to develop and present one combined budget;

NOW, THEREFORE:

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

Section 1: Amend Section 806.1 of the Charter of the City of Newark by making insertions as shown by underlining and deletions as shown by strike through as follows:

806.1 – Submission to Council. ~~The city manager shall prepare and submit to the council a five year capital program at least four (4) months prior to the final date for submission of the budget~~ The City Manager shall prepare and submit to the council a five-year capital program annually, and not later than forty-five (45) days before the beginning of the fiscal year. The capital program shall include the following elements and information:

Section 2: Amend Section 806.2 of the Charter of the City of Newark by making insertions as shown by underlining and deletions as shown by strike through as follows:

806.2 – Council Action on Capital Program. The council shall hold such deliberations and hearings as it deems desirable concerning the proposed capital program. It shall adopt the final program, with or without amendments, deletions or additions, no later than the ~~first meeting in October of the current fiscal year~~ last day of the fiscal year currently ending. The city manager shall incorporate the approved capital program and projects for the current year into the budget.

Approved June 27, 2013