SPONSOR: Rep. Longhurst & Sen. Poore

HOUSE OF REPRESENTATIVES
149th GENERAL ASSEMBLY

HOUSE BILL NO. 316
AS AMENDED BY
SENATE AMENDMENT NO. 1

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):

Section 1. Amend Section 6-07(B) 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 6-07. Borrowing for Current Expenses and Capital Expenditures

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

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

Section 7-03. City Secretary.

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 Secretary. The City Secretary shall be appointed at the first regular Council meeting in April or

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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 by 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

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