

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: November 23, 2021

ORDINANCE NO. 21-136

**AMEND THE FY2022 APPROVED OPERATING BUDGET:
APPROPRIATE UP TO \$2,100,000 FROM THE GENERAL FUND TAX STABILIZATION
RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW
TO FUND ATTORNEY FEES**

WHEREAS, \$167,072 was included in the FY2022 Approved Operating Budget for the Office of Law in Contractual Services for expenses related to retaining outside legal counsel; and

WHEREAS, \$175,000 was included in the FY2022 One-Time Contingency for outside legal counsel which has already been transferred to the Department of Administration, Office of Law; and

WHEREAS, additional funding up to the amount of \$2,100,000 is needed to support previously incurred and anticipated attorney fees for outside legal counsel through the end of the fiscal year; and

WHEREAS, the revenue measures heretofore adopted by the County Council, are, in the opinion of the County Executive, estimated to yield sums at least sufficient to balance the proposed expenditures as set forth in the Approved Annual Operating Budget as hereinafter amended.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2021, is hereby amended by deleting the material stricken and adding the material underscored on the attached "Exhibit A."

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2021, and shall be effective retroactively as though incorporated initially in the Annual Operating Budget.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2022 Approved Operating Budget by appropriating up to \$2,100,000 from the General Fund Tax Stabilization Reserve Account to the Department of Administration, Office of Law Contractual Services Budget Line Item. These funds will support previously incurred and anticipated attorney fees for outside legal counsel.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2022 Approved Operating Budget by appropriating up to \$2,100,000 from the General Fund Tax Stabilization Reserve Account to the Department of Administration, Office of Law Contractual Services Budget Line Item. These funds will support previously incurred and anticipated attorney fees for outside legal counsel.

The revised FY2022 Approved Operating Budget will be \$316,227,530. Fiscal impact for future years will be determined on an as needed basis. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$63,545,176.

COUNTY COUNCIL

Salaries and Wages		\$	2,351,044
Benefits			1,389,280
Training and Civic Affairs			83,888
Communication and Utilities			21,207
Materials and Supplies			64,331
Contractual Services			229,087
Equipment			2,968
Grants and Fixed Charges			309,864
Operating Transfer Charges			131,393
Total		\$	4,583,062
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,555,025
Benefits			918,897
Training and Civic Affairs			31,904
Communication and Utilities			14,414
Materials and Supplies			22,236
Contractual Services			143,990
Equipment			1,000
Grants and Fixed Charges			268,001
Contingency			50,000
Operating Transfer Charges			67,467
Total		\$	3,072,934
Total Authorized Full-Time Positions	14		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	11,613,854
Benefits			6,781,761
Training and Civic Affairs			121,525
Communication and Utilities			6,727,863
Materials and Supplies			154,747
Contractual Services	6,322,002		<u>8,422,002</u>
Equipment			336,169
Grants and Fixed Charges			3,674,000
Operating Transfer Charges			980,302
Operating Transfer Credits			(11,426,715)
Total	<u>25,285,508</u>	\$	<u>27,385,508</u>
Total Authorized Full-Time Positions	150		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	23,159,974
Benefits		13,601,440
Training and Civic Affairs		43,445
Communication and Utilities		24,749,552
Materials and Supplies		4,285,348
Contractual Services		11,402,948
Equipment		832,908
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,310,205
Operating Transfer Credits		(7,210,239)
Total	\$	76,404,338
Total Authorized Full-Time Positions		379

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,317,530
Benefits		4,889,845
Training and Civic Affairs		67,636
Communication and Utilities		115,035
Materials and Supplies		126,752
Contractual Services		1,415,373
Equipment		60,350
Grants and Fixed Charges		31,500
Operating Transfer Charges		1,042,168
Operating Transfer Credits		(584,268)
Total	\$	15,481,921
Total Authorized Full-Time Positions		117

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	10,607,738
Benefits		5,029,231
Training and Civic Affairs		18,560
Communication and Utilities		945,467
Materials and Supplies		1,371,828
Contractual Services		2,259,549
Equipment		17,900
Grants and Fixed Charges		2,950,635
Operating Transfer Charges		1,203,272
Operating Transfer Credits		(182,000)
Total	\$	24,222,180
Total Authorized Full-Time Positions		161

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	61,481,964
Benefits			35,912,892
Training and Civic Affairs			148,179
Communication and Utilities			968,158
Materials and Supplies			1,181,961
Contractual Services			2,084,892
Equipment			1,032,530
Grants and Fixed Charges			6,199,561
Operating Transfer Charges			7,178,245
Total		\$	116,188,382
Total Authorized Full-Time Positions	700		

REGISTER IN CHANCERY

Salaries and Wages		\$	113,172
Benefits			66,876
Total		\$	180,048
Total Authorized Full-Time Positions	2		

REGISTER OF WILLS

Salaries and Wages		\$	1,092,229
Benefits			636,917
Training and Civic Affairs			35,150
Communication and Utilities			13,166
Materials and Supplies			8,544
Contractual Services			12,120
Equipment			5,100
Operating Transfer Charges			73,597
Total		\$	1,876,823
Total Authorized Full-Time Positions	19		

RECORDER OF DEEDS

Salaries and Wages		\$	1,266,779
Benefits			736,756
Training and Civic Affairs			43,170
Communication and Utilities			30,060
Materials and Supplies			12,898
Contractual Services			81,446
Equipment			43,257
Grants and Fixed Charges			15,000
Operating Transfer Charges			143,692
Total		\$	2,373,058
Total Authorized Full-Time Positions	24		

SHERIFF

Salaries and Wages		\$	1,245,732
Benefits			732,450
Training and Civic Affairs			29,452
Communication and Utilities			18,269
Materials and Supplies			20,684
Contractual Services			56,398
Equipment			5,000
Operating Transfer Charges			154,422
Total		\$	2,262,407
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	455,861
Benefits			269,378
Training and Civic Affairs			14,130
Communication and Utilities			3,460
Materials and Supplies			5,424
Contractual Services			23,593
Operating Transfer Charges			29,928
Total		\$	801,774
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	47,558,687
Total		\$	47,558,687
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages		\$	38,000
Benefits			4,503
Training and Civic Affairs			8,800
Communication and Utilities			2,665
Materials and Supplies			2,450
Contractual Services			281,116
Equipment			500
Operating Transfer Charges			6,332
Total		\$	344,366
Total Authorized Full-Time Positions	0		

COUNCIL CONTINGENCY

Contingency		\$	250,000
Total		\$	250,000
Total Authorized Full-Time Positions			

EXECUTIVE CONTINGENCY

Contingency		\$	125,000
Total		\$	125,000
Total Authorized Full-Time Positions			

PERSONNEL CONTINGENCY

Contingency		\$	455,000
Total		\$	455,000
Total Authorized Full-Time Positions			

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages		\$	(4,776,189)
Personal Services - Employee Benefits		\$	(2,822,365)
Total		\$	(7,598,554)
Total Authorized Full-Time Positions			

ONE-TIME CONTINGENCY

Contingency		\$	260,596
Total		\$	260,596

NEW CASTLE COUNTY

Salaries and Wages		\$	118,522,713
Benefits			68,147,861
Training and Civic Affairs			645,839
Communication and Utilities			33,609,316
Materials and Supplies			7,257,203
Contractual Services	24,312,514		<u>26,412,514</u>
Equipment			2,337,682
Grants and Fixed Charges			14,642,318
Debt Service			47,558,687
Land and Structures			35,000
Contingency			1,140,596
Operating Transfer Charges			15,321,023
Operating Transfer Credits			(19,403,222)
<i>Sub-Total New Castle County</i>	<i>314,127,530</i>	\$	<u>316,227,530</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,629</i>		

RESERVE ACCOUNTS AS OF NOVEMBER 12, 2021

Tax Stabilization Reserve Account (Unaudited)	65,645,176		<u>63,545,176</u>
Sewer Rate Stabilization Reserve Account (Unaudited)			17,018,686
General Fund Budget Reserve Account			42,951,901
Sewer Fund Budget Reserve Account			18,319,788
<i>Total Reserves:</i>	<i>143,935,551</i>		<u>141,835,551</u>