

Wilmington, Delaware
June 16, 2022

#0203

WHEREAS, Section 2-204 of the Wilmington City Charter (“Charter”) requires that

Sponsor:

City Council meet at least twice every month; and

**Council
Member
Harlee**

WHEREAS, Section 2-204 of the Charter also permits additional meetings to be held when requested by the Mayor, President of City Council, or a Majority of the City Council in accordance with the procedural rules of City Council; and

Co-Sponsors:

**Council
President
Congo**

WHEREAS, City Council believes that permitting, but not requiring, City Council meetings in the months of August and December will ensure increased efficiency and productivity of City Council; and

**Council
Member
Gray**

WHEREAS, City employees’ time and City resources involved in preparing and managing City Council meetings will be more efficiently apportioned by permitting, but not requiring, City Council meetings in the months of August and December; and

WHEREAS, moreover, City Councilmembers serve in a part-time capacity but often devote substantial additional time serving the residents of the City of Wilmington; and

WHEREAS, in *The Productivity of Working Hours*, STANFORD INSTITUTE FOR ECONOMIC POLICY RESEARCH (2013), the author states that an employee working more hours does not automatically equate to an increase in quantity of work completed because fatigue and stress result in decreased productivity; and

WHEREAS, as expressed in *An Assessment of Paid Time Off in the U.S.*, OXFORD ECONOMICS (2014), allowing time for one to take vacation and recharge is necessary to prevent burnout and increase employee productivity; and

WHEREAS, in ENVIRONMENT INTERNATIONAL 154 (2021), the World Health Organization and International Labour Organization found that working long hours is a common contributor to increased health concerns; and

WHEREAS, 22 *Del. Code* § 811 permits the City Charter to “be amended by act of the General Assembly, passed with the concurrence of two thirds of all the members elected to each House thereof”; and

WHEREAS, consistent with Part III, Chapter 2, Section 3(B) of the *Delaware Legislative Drafting Manual* (2019 ed.), the Wilmington City Council has attached a draft proposed General Assembly bill as *Attachment A*.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington City Council urges the Delaware General Assembly to amend City Charter § 2-204 to exclude August and December from the twice-a-month meeting requirement except when a meeting is requested by the Mayor, President of City Council, or a Majority of the City Council.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution urges the Delaware General Assembly to enact legislation that will amend City Charter § 2-204 to exclude August and December from the twice-a-month meeting requirement except when a meeting is requested by the Mayor, President of City Council, or a Majority of the City Council.

ATTACHMENT A

(Proposed General Assembly Bill)

SPONSOR(S):

HOUSE OF REPRESENTATIVES

151st GENERAL ASSEMBLY

HOUSE BILL NO. ...

AN ACT TO AMEND SECTION 2 OF THE CITY OF WILMINGTON HOME RULE CHARTER TO EXCLUDE AUGUST AND DECEMBER FROM THE TWICE-A-MONTH MEETING REQUIREMENT EXCEPT WHEN A MEETING IS REQUESTED BY THE MAYOR, PRESIDENT OF CITY COUNCIL, OR A MAJORITY OF THE CITY COUNCIL.

WHEREAS, Section 2-204 of the Wilmington City Charter (“Charter”) requires that City Council meet at least twice every month; and

WHEREAS, Section 2-204 of the Charter also permits additional meetings to be held when requested by the Mayor, President of City Council, or a Majority of the City Council in accordance with the procedural rules of City Council; and

WHEREAS, City Council believes that permitting, but not requiring, City Council meetings in the months of August and December will ensure increased efficiency and productivity of City Council; and

WHEREAS, City employees’ time and City resources involved in preparing and managing City Council meetings will be more efficiently apportioned by permitting, but not requiring, City Council meetings in the months of August and December; and

WHEREAS, moreover, City Councilmembers serve in a part-time capacity but often devote substantial additional time serving the residents of the City of Wilmington; and

WHEREAS, in *The Productivity of Working Hours*, STANFORD INSTITUTE FOR ECONOMIC POLICY RESEARCH (2013), the author states that an employee working more hours does not automatically equate to an increase in quantity of work completed because fatigue and stress result in decreased productivity; and

WHEREAS, as expressed in *An Assessment of Paid Time Off in the U.S.*, OXFORD ECONOMICS (2014), allowing time for one to take vacation and recharge is necessary to prevent burnout and increase employee productivity; and

WHEREAS, in ENVIRONMENT INTERNATIONAL 154 (2021), the World Health Organization and International Labour Organization found that working long hours is a common contributor to increased health concerns; and

WHEREAS, 22 *Del. Code* § 811 permits the City Charter to “be amended by act of the General Assembly, passed with the concurrence of two thirds of all the members elected to each House thereof”; and

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 Article II, Chapter 1, Section 2-204 of the City of Wilmington Home Rule

2 Charter by making deletions as shown by strike though and insertions as shown by underline as
3 follows:

4 **Wilmington City Charter, Sec. 2-204. Council meetings.**

5 The meetings of the council shall be open and at all times accessible to the public. Official city
6 business transacted by the city council shall be in the public meetings. The city council shall meet
7 regularly at least twice in each month-, except in the months of August and December when no
8 meetings shall be held unless a special meeting is called pursuant to this section. The time, place and
9 date of regular and the places of special meetings shall be established by the city council as a part of
10 the rules of procedure adopted for the conduct of its meetings. Special meetings may be held on the
11 call of the mayor, or the president of city council, or of a majority of the members of the city council
12 in accordance with rules adopted as a part of the rules of procedure of the city council. A majority of
13 all members of the council including the president of the council shall constitute a quorum, but a
14 smaller number may adjourn from time to time and may compel the attendance of absent members
15 in the manner and subject to the penalties prescribed by the rules of the city council.

16 Section 2. This enactment shall be effective after signature by the Governor.

SYNOPSIS

An Act to Amend the City of Wilmington Home Rule Charter to exclude August and December from the twice-a-month city council meeting requirement except when a meeting is requested by the Mayor, President of City Council, or a Majority of the City Council.