

Wilmington, Delaware  
March 7, 2024

**#0397**

**Sponsor:**

**Council  
Member  
Harlee**

**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**, legislators, including the members of the Wilmington City Council, have a wide array of responsibilities. Council meetings are significant, but not exclusive, components of Council Member's obligations of transparency and public accountability. As public servants, they function as a bridge between the institutional apparatuses and their constituents; and

**WHEREAS**, permitting, but not requiring, City Council meetings in the months of August and December will facilitate increased efficiency and productivity of City Council, as well as the functioning of City departments more generally in accordance with the Wilmington City Council 2022-2025 Strategic Plan Goals of "Transparent and Well-Represented Wilmington;" "Connected, Informed and Engaged Wilmington;" and maintenance of a "Prosperous and Sustainable Wilmington"; and

**WHEREAS**, like many other public institutions, the City of Wilmington has faced staffing shortages that have impacted the character of public service provision. City employees have been called upon to manage a greater breadth of responsibilities within the same time constraints as when multiple individuals participated in completing these tasks. The months of

August and December are critical junctures in the City's legislative and administrative cycles for Council Members and staff citywide; and

**WHEREAS**, the City of Wilmington's fiscal year begins in July. The implications of the new fiscal year impact all aspects of City government. July and August are the periods when City departments must adapt their policies and procedures to absorb the operational implications of the new fiscal year. Permitting, but not requiring, City Council meetings in the month of August would allow Council Members the flexibility to devote time to helping constituents better understand the implications of the impending fiscal year budget and various legislative matters; and

**WHEREAS**, within the same period, Wilmington's City Clerk, Council staff, and other relevant personnel must devote additional resources to processing the documentation of the budgetary process and legislative matters, as well as upholding the values of transparency by making the information available to the public in a timely manner. Permitting, but not requiring, City Council meetings in the month of August would support staff's efforts by allowing them to undertake the process more efficiently, provided that there are no pressing matters requiring the Council's attention in the month of August; and

**WHEREAS**, December is the prelude to the new legislative year. During this period, Council Members familiarize themselves with their agendas for the year, as well as those of the incoming legislators of the Delaware General Assembly. The conclusion of the calendar year is also a time when the City's staff must prepare essential annual reports on key public service indicators that bolster transparency and provide City leaders with essential data on constituents' needs for future planning; and

**WHEREAS**, permitting, but not requiring, City Council meetings in the month of December would provide Council Members with more opportunities to solicit feedback from constituents as they develop their priorities and to prepare for the impacts of legislative actions that take effect at the beginning of the calendar year. An amendment to Section 2 of the City of Wilmington Home Rule Charter would increase efficiency and productivity by allowing staff to allocate more time to finalizing administrative reports and other activities in accordance with their respective mandates; 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. An amendment to Section 2 of the City of Wilmington permitting, but not requiring, City Council meetings in the months of August and December is more appropriate to the unprecedented contexts in which legislators and their institutions now operate. It would contribute positively to mitigating employee health risks due to the pressures of managing the demands of these meetings alongside their many other responsibilities; 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. A typical Council meeting can cost approximately \$2,500 to \$3,000. Each requires the presence of multiple staff, including, but not limited to, the City Clerk and Deputy Clerk, an Assistant City Solicitor, WITN22 technology staff, security staff, and a quorum of Council Members; and

**WHEREAS**, since 2018, the number of items on City Council meeting agendas has decreased for the months of August and December. From 2018 to 2023, Council Members

voted on an average of two to three agenda items in the month of August and an average of five to six items in December; and

**WHEREAS**, an act to amend Section 2 of the City of Wilmington Home Rule Charter to permit, but not require, City Council meetings in the months of August and December would serve the interests of efficiency, productivity, and accountability, as well as facilitate transparency by supporting the timely creation and release of pertinent information to the Council Members and constituents.

**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.

**BE IT FURTHER RESOLVED** that an amendment to Section 2 of the City of Wilmington Home Rule Charter that authorizes, but does not mandate, City Council meetings in the months of August and December would expand the capacity of the Wilmington City Council, in particular, and the City of Wilmington, more broadly to uphold its duties to effectively serve its constituents.

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.

Like many other public institutions, the City of Wilmington is experiencing staffing shortages and ongoing financial concerns. It is the sense of this Council that the amendment to Section 2 of the City of Wilmington Home Rule Charter bolsters efficiency, productivity, accountability, and transparency in a manner that is cognizant of the present realities and resource constraints experienced by this municipality in accordance with the 2022-2025 Strategic Plan Goals of “Transparent and Well-Represented Wilmington;” “Connected, Informed and Engaged Wilmington;” and maintenance of a “Prosperous and Sustainable Wilmington.”

**ATTACHMENT A**

(Proposed General Assembly Bill)

SPONSOR(S):

HOUSE OF REPRESENTATIVES

152nd 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, legislators, including the members of the Wilmington City Council, have a wide array of responsibilities. Council meetings are significant, but not exclusive, components of Council Member’s obligations of transparency and public accountability. As public servants, they function as a bridge between the institutional apparatuses and their constituents; and

WHEREAS, permitting, but not requiring, City Council meetings in the months of August and December will facilitate increased efficiency and productivity of City Council, as well as the functioning of City departments more generally in accordance with the Wilmington City Council 2022-2025 Strategic Plan Goals of “Transparent and Well-Represented Wilmington;” “Connected, Informed and Engaged Wilmington;” and maintenance of a “Prosperous and Sustainable Wilmington”; and

WHEREAS, like many other public institutions, the City of Wilmington has faced staffing shortages that have impacted the character of public service provision. City employees have been called upon to manage a greater breadth of responsibilities within the same time constraints as when multiple individuals participated in completing these tasks. The months of August and December are critical junctures in the City’s legislative and administrative cycles for Council Members and staff citywide; and

WHEREAS, the City of Wilmington’s fiscal year begins in July. The implications of the new fiscal year impact all aspects of City government. July and August are the periods when City departments must adapt their policies and procedures to absorb the operational implications of the new fiscal year. Permitting, but not requiring, City Council meetings in the month of August would allow Council Members the flexibility to devote time to helping constituents better understand the implications of the impending fiscal year budget and various legislative matters; and

WHEREAS, within the same period, Wilmington’s City Clerk, Council staff, and other relevant personnel must devote additional resources to processing the documentation of the budgetary process and legislative matters, as well as upholding the values of transparency by making the information available to the public in a timely manner. Permitting, but not requiring, City Council meetings in the month of August would support staff’s efforts by allowing them to undertake the process more efficiently, provided that there are no pressing matters requiring the Council’s attention in the month of August; and

WHEREAS, December is the prelude to the new legislative year. During this period, Council Members familiarize themselves with their agendas for the year, as well as those of the incoming legislators of the Delaware General Assembly. The conclusion of the calendar year is also a time when the City’s staff must

prepare essential annual reports on key public service indicators that bolster transparency and provide City leaders with essential data on constituents' needs for future planning; and

WHEREAS, permitting, but not requiring, City Council meetings in the month of December would provide Council Members with more opportunities to solicit feedback from constituents as they develop their priorities and to prepare for the impacts of legislative actions that take effect at the beginning of the calendar year. An amendment to Section 2 of the City of Wilmington Home Rule Charter would increase efficiency and productivity by allowing staff to allocate more time to finalizing administrative reports and other activities in accordance with their respective mandates; 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. An amendment to Section 2 of the City of Wilmington permitting, but not requiring, City Council meetings in the months of August and December is more appropriate to the unprecedented contexts in which legislators and their institutions now operate. It would contribute positively to mitigating employee health risks due to the pressures of managing the demands of these meetings alongside their many other responsibilities; 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. A typical Council meeting can cost approximately \$2,500 to \$3,000. Each requires the presence of multiple staff, including, but not limited to, the City Clerk and Deputy Clerk, an Assistant City Solicitor, WITN22 technology staff, security staff, and a quorum of Council Members; and

WHEREAS, since 2018, the number of items on City Council meeting agendas has decreased for the months of August and December. From 2018 to 2023, Council Members voted on an average of two to three agenda items in the month of August and an average of five to six items in December; and

WHEREAS, an act to amend Section 2 of the City of Wilmington Home Rule Charter to permit, but not require, City Council meetings in the months of August and December would serve the interests of efficiency, productivity, and accountability, as well as facilitate transparency by supporting the timely creation and release of pertinent information to the Council Members and constituents.

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.