

AGENDA
REGULAR MEETING OF THE MAYOR AND COUNCIL
May 28, 2019
SEAFORD CITY HALL - 414 HIGH STREET

- 7:00 P.M.** – Mayor David Genshaw calls the Regular Meeting to order.
- Invocation
 - Pledge of Allegiance to the Flag of the United States of America.
 - Changes to agenda for this meeting.
 - Approval of the Minutes from the Budget Workshop from May 7, 2019.
 - Approval of minutes of the regular meeting on May 14, 2019.

ALL ITEMS ON THIS AGENDA MAY OR MAY NOT BE VOTED ON.

Presentation of the Mayor's Right Choice Award

CORRESPONDENCE:

- 1.

7:05 PUBLIC HEARING

1. CNI Management Inc., located at 23643 Sussex Highway, Tax Map and Parcel #331-5.00-63.00 are requesting a preliminary site plan review for proposed 7-Eleven convenience store and gas station with associated parking and access driveways.
2. Montessori Works Inc., located at 24960 Dairy Lane, Tax Map and Parcel #531-12.00-40.00 are requesting a preliminary site plan review for a proposed Montessori School.

NEW BUSINESS:

1. Present for approval an agreement with the Seaford School District to provide School Resource Officer Service for the High School.
2. Present for approval a proposed funding plan for the installation of handicapped ramps and paving of Market Street from

AGENDA

REGULAR MEETING OF THE MAYOR AND COUNCIL

May 28, 2019

Virginia Avenue to Stein Highway to correspond with the Unified Sewer District Market Street gravity sewer upgrades project.

3. Present for approval a proposal from Smart Utility Management for Net Energy Management (NEM) rules and regulations review.
4. Present for approval a proposal from the Director of Public Works to request authorization for the City to submit the necessary funding request to the State Revolving Fund for financing the Route 13 North Water and Sewer Extension project.
5. Present for approval a request from Chief of Police Craft to repair two police bicycles and purchase additional items required to make them service ready.
6. Present for approval a policy permitting City employees to wear shorts.
7. Present for approval the appointment of Records Officers and Authorized Agents for FY20 to the Delaware Public Archives.

OLD BUSINESS:

- 1.

REMINDER OF MEETINGS & SETTING NEW MEETINGS:

1. City Offices will be closed in observance of the Memorial Day Holiday on May 27, 2019.
2. Summer Hours (7:00 a.m. - 4:00 p.m.) will begin on Tuesday May 28, 2019 for City Office and Utility personnel.
3. Seaford High School Graduation, May 31, 2019, 6:00 p.m., Bob Dowd Stadium.

AGENDA

REGULAR MEETING OF THE MAYOR AND COUNCIL

May 28, 2019

4. Sussex County Association of Towns dinner meeting, Bear Trap Dunes; June 5, 2019 - 6:00 p.m.
5. Sussex County Prayer Breakfast, Crossroads Community Church, June 11, 2019 - 6:45 a.m.

COMMITTEE REPORTS:

1. Police & Fire - Councilman Dan Henderson
2. Administration - Councilman Orlando Holland
3. Code, Parks and Recreation - Councilman James King
4. Public Works & WWTF - Councilwoman MacCoy
5. Electric - Councilman William Mulvaney

Mayor Genshaw solicits a motion to adjourn the regular Council meeting.

NOTE: Agenda shall be subject to change to include or delete additional items (including executive session) which arise at the time of the meeting. (29 Del. C. S1004 (e) (3))

Date Posted: 5/20/19

Posted by: TNT

MEMORANDUM OF AGREEMENT BETWEEN THE SEAFORD SCHOOL DISTRICT
BOARD OF EDUCATION AND
THE SEAFORD POLICE DEPARTMENT

1. The Board of Education of the Seaford School District and the Seaford Police Department hereby agree that the following practices and procedures shall govern their relationship.

2. All law enforcement agency officers performing law enforcement functions under this Agreement will be governed by the provisions contained herein.

3. ARRESTS

a. When possible and appropriate, arrest by police should be made during non-school hours and away from school premises. This excludes on site arrests made by a School Resource Officer pursuant to normally assigned duties.

b. Arrest on school premises during school hours should be undertaken in such a manner as to avoid embarrassment to the student being arrested and to avoid jeopardizing the safety and welfare of other students.

c. In the event a physical arrest must be made during school hours, the principal or designee should summon the student to his/her office before surrendering the student. Unless the safety of the students and school staff will be compromised if an arrest is delayed, the officer should not appear in the classroom to make the physical arrest.

d. If the student is to be surrendered to the custody of the police officer, the principal or designee should record the name and organization of the officer, the time the officer leaves the school, the destination (police station, detention facility, or Family Court) and the offense for which the arrest was made. The principal or designee will immediately contact the parent(s) or guardian(s) of the student concerning any contact by the police. If the student is arrested and removed from the premises before such contact is made, the principal or designee will still have the responsibility for that notification. In addition to the school making notification the Seaford Police Department Officer's will follow SPD/legal guidelines for notifications involving the arrest/interview of juveniles.

4. QUESTIONING OR INTERROGATION BY POLICE ON SCHOOL PROPERTY

- a. Police investigations involving the questioning or interrogation of pupils should not be permitted on school premises unless in connection with a school-related crime or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the student or other persons. Questioning becomes interrogation when it becomes accusatory in nature and is designed to elicit an admission of guilt from the suspected offender. Law enforcement officers must provide Miranda warnings when questioning becomes interrogation.
- b. The principal or designee shall be present throughout questioning or interrogation that occurs on school property, except in cases in which the investigation concerns a student who is the victim of physical or sexual abuse where a member of the student's immediate family or household is suspected of being the perpetrator of or a conspirator in such abuse, and where the police investigator is a representative of a special unit trained to do such interviews.
- c. In any case in which a student is in custody and being questioned regarding involvement in a criminal matter and in which the student's Fifth Amendment protection against self-incrimination may apply, the law enforcement officer should consider the environment in which questioning takes place and the ability of the student to discontinue the questioning. Unless unreasonable to do so, the law enforcement officer should notify the principal or his designee when such questioning becomes custodial in nature. Questioning becomes "custodial in nature" when a law enforcement officer is conducting an interview and the party being interviewed is not free to leave the presence of the officer.
- d. Before the police commence the questioning or interrogation of a minor on school premises, the principal shall make a substantial effort to contact the student's parent(s) or guardian(s) to provide them an opportunity to be present or consult an attorney. Such contact is particularly important in the case of students below the high school level. Questioning or interrogation without such parental contact should only proceed when one or more of the following conditions exist:
 - (1) The contact may endanger the safety of students or other persons.
 - (2) The contact would compromise the success of the investigation because a member of the student's immediate family or household is suspected of being a perpetrator or conspirator or potential conspirator to a crime, or the delay caused by lack of contact would compromise the success of the investigation and a substantial effort has been made to contact the student's parent(s) or guardian(s) without success.

(3) The police should ensure that the student is afforded all constitutional rights due in such a situation.

e. School officials may request the arresting officer remove the student from the premises as soon as possible, after the arrest is made.

5. SEARCH AND SEIZURE

a. Law enforcement officers, in reliance upon probable cause that a crime is, has, or is about to be committed, may search for evidence of that crime. Whenever reasonable, a search warrant issued by a court of competent jurisdiction will be sought before a search is conducted. As a general policy, and when agreed upon to do so, a school official will accompany the law enforcement officer on searches that are conducted on school property. School officials will not participate in the actual search unless specifically requested to do so by the police.

b. Efforts should be made by police and school administrators to conduct searches in a manner that will minimize disruption of the normal school routine and will minimize embarrassment to pupils affected.

c. A frisk (pat-down) may be conducted by the police when the officer has reason to believe that the person being encountered is armed or presents a risk of injury to the officer or an innocent third party.

d. The principal or designee may, at any time, conduct such searches as are essential to the safety, security, discipline, and sound administration of the particular school. The appropriate police agency will respond to a request from a school official conducting an administrative search when the official feels that the search might reveal a violation of the law.

6. REPORTING CRIMES

School officials are charged with the responsibility to provide for the safety of students and for the security of school property. The Delaware Code mandates reporting of the offenses listed in 14 Del.C., § 4112; a substantial fine can be assessed against any superintendent, principal, or school employee who fails to make such a mandatory report.

7. SCHOOL DISTURBANCES

- a. The request for police assistance in a crisis situation requires special care because of the possibility of an escalating situation.
 - (1) It is preferable that the principal or designee call the police. If a law enforcement officer is on the scene, it is desirable that the decision to call for additional police support be reached in collaboration with that officer.
 - (2) No person other than the principal or designee, the superintendent of the district or his designee, or the ranking police officer present may request the tactical deployment of police to a school.
 - (3) The determination of the level of force required is best made by the ranking police officer on the scene, working jointly with the principal or designee. The ranking police officer will make the final decision.
- b. The Board of Education must recognize that any policy governing the use of these different categories of Police Officers must be flexible and that final authority rests with the police.
- c. Tactical coordination between the Principal or designee and police officers on the scene is a necessity. During any crisis situation, it will be the responsibility of the ranking police officer on the scene to ensure that direct, secure, continuing communication with the principal or designee is maintained.

8. SCHOOL RESOURCE OFFICER ROLE AND RESPONSIBILITIES

a. General Description

The School Resource Officer (SRO) assignment is in a school setting with the goal of creating and maintaining a safe, secure, and orderly environment for students, teachers, and staff. An SRO represents a proactive strategy designed to bring crime prevention and intervention into the school.

The SRO will not be used as an enforcer of District or School policy.

b. Examples of Duties

Investigate and enforce offenses listed in 14 Del.C., §4112. Follow all legal and policy requirements regarding juvenile investigation, detention, and arrest. Assist in developing and updating school Emergency Preparedness Plans. Maintain a safe and secure school environment by keeping abreast of elements and incidents that may threaten the safety of the students, teachers,

and staff. Develop crime prevention programs with school staff and provide education on crime prevention to the school community, including current topics such as bullying. Be a positive role model and mentor to the school community and present a positive image to better enhance communication with students, staff, and parents. Receive information from Principal/Designee and conduct an investigation to determine if incident requires mandated reporting. Maintain logs of participation in school activities and of criminal investigations conducted.

c. Awareness and Education

At the beginning of each school year, the School Resource Officer in collaboration with the Principal, shall provide an introduction and awareness program/presentation on the School Resource Officer (SRO) Program. The program attendees shall include students, staff, parents, and school community members. The role and responsibilities of the SRO.

9. SIGNATURES

School District

Law Enforcement Agency

Date

Date

SEAFORD POLICE DEPARTMENT
SRO CONTRACT
School Year 2019-2020

The Seaford School District and Seaford Police Department wish to enter into a collaborative partnership agreement for the purpose of continuation of the School Resource Officer (SRO) program for a period of time commencing on July 01, 2019 and ending on June 30, 2020.

The SRO program will provide one trained, experienced Seaford Police Officer assigned by the District and Seaford Police Department primarily to the Seaford High School. The duties of the SRO will focus on proactive, prevention programs conducted on a regular full-time basis under the direct supervision of the school administration and supervising Sergeant of the Seaford Police Department.

Duties and Assignment:

- A detailed description of performance and responsibilities has been outlined in the attached MOA prepared in May 2019.
- It is further understood and agreed upon that regular police duties will periodically require the SRO(s) to be away from the high school. These absences may be scheduled functions such as Department in-service training or unpredictable events such as assignment to light duty status or leave due to disability. If the period of absence is prolonged, the Seaford Police Department will continue to provide SRO services to the high school through a substitute SRO or other officers. These temporary arrangements will immediately be terminated upon the assigned SRO's return to full duty status.
- The Seaford Police Department SRO will continue to provide traditional police services to the school during the school's summer school program, will provide training for District staff and conduct youth initiatives for students throughout the summer
- Selection/Assignment:
 - SROs will be selected by Seaford Police Department Executive Staff.
 - Placement of SROs will be solely at the direction of the Seaford Police Department Executive Staff.

Evaluation and Termination:

- In order to provide the best service possible, the School District will provide a bi-annual evaluation of all SRO's assigned to their district. This evaluation will be provided by the Seaford Police Department and allow the District to identify strengths and areas needing improvement. The evaluation will be presented to the Sergeant responsible for supervising the SRO. The supervising Sergeant will present the document to the SRO.
- Any issues/problems that are detailed in the performance evaluation will be dealt with by the Seaford Police Department through its internal policies and procedures for performance evaluations or personal improvement plans.

- The Sergeant will be the primary point of contact and will follow up on all complaints/concerns against the Officer.
- The Deputy Chief will be the next point of contact for administrators who feel the SRO and Sergeant are not responding to concerns/complaints in a timely manner.
- Termination of Contract:
 - This contract will remain in effect for the entire School year and will be considered renewed for the following year unless Termination is requested in writing by the School Superintendent to the Seaford Police Department Chief of Police NLT: June 1, 2020.

Police Equipment:

- The SRO will be a Uniformed Seaford Police Officer and will have all individual equipment issued to include: Handgun/Long Gun/Cuffs/Taser/ASP/OC Spray/Police Vehicle/Radio.
- Weapon Safe: In order to facilitate an effective response to an active shooter the Officer's Long Gun will need to be housed inside his office in a secured safe. The weapon will only be in the safe when the Officer is on duty and will be removed at the end of his/her shift.
 - The Seaford Police Department will provide a lockable safe for the Officer's Long Gun. The safe must be secured to a floor or wall and will require the assistance of the school's maintenance personnel for mounting.
 - The safe remains the property of the Seaford Police Department and will be removed upon termination of this contract.

The **Seaford School District** agrees to contribute the salary and Other Employee Cost's (OES's) of an amount equal to the selected SRO salary, a five-year Corporal, with the Seaford Police Department, with an estimated total cost of **\$80,499.65**. This cost figure may increase in FY2020 based on an agreed upon contract with the Officer's union. It is mutually agreed that all other training, employment, and personnel costs required to support this program will be provided by funds secured by the Seaford Police Department.

Seaford Police Department, Chief

Date

School District Official

Date

NB#2
5-28-19

MEMORANDUM

To: Mayor and City Council Members

Fr: Charles Anderson, City Manager *CA*

Cc: June Merritt, Director of Finance & HR
Berley Mears Director of Public Works

Re: Unified Sewer District Market Street Gravity Sewer

Dt: May 8, 2019

Attached is the bid tabulation from the bid opening for the Market Street Gravity Sewer project for your reference.

Items D-1 thru D-4 are related to the repaving of Market Street and installing new handicapped ramps by the school complexes. The total is \$272,120.

Sussex County has agreed to fund 50% of the improvements so they are covering \$136,060 of the costs. Representative Danny Short and Senator Bryant Richardson have agreed to assist us with funding 1/3 of the project each; based on the bid tabulation that would be \$90,706.67. This leaves a funding short fall to complete the project of \$45,353.33.

In discussing this with the Director of Public Works, due to the timing of the project (completion in late summer) this amount could be funded as a priority in the FY20 paving budget.

Should you have any questions please contact me.

Thank you.

Western Sussex Transmission Facilities: Contract 2: Market Street Gravity Sewer

Western Sussex Transmission Facilities: Contract 2: Market Street Gravity Sewer											
Engineer's Estimate					Pact One					JIID	
NO.	ITEM	SIZE OR DEPTH	UNIT	QUANTITY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	
B-4	Abandonment of SW pipe	10"	EA	2	\$ 1,500.00	\$ 3,000.00	\$ 5,000.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00	
Subtotal Schedule B: Sewer Rehabilitation						\$ 55,500.00		\$ 43,000.00		\$ 128,500.00	
Schedule C: Contingent Items											
					Schedule C: Contingent Items					Schedule C: Contingent Items	
C-1	Secure Modified Proctor Tests, AASHTO T-180, Method A	-	EA	6	\$ 200.00	\$ 1,200.00	\$ 1,000.00	\$ 6,000.00	\$ 250.00	\$ 1,500.00	
C-2	Secure Field Density Tests, AASHTO T-191	-	EA	11	\$ 250.00	\$ 2,750.00	\$ 1,000.00	\$ 11,000.00	\$ 150.00	\$ 1,650.00	
C-3	Contingent Unclassified Excavation		CY	75	\$ 45.00	\$ 3,375.00	\$ 50.00	\$ 3,750.00	\$ 50.00	\$ 3,750.00	
C-4	Contingent Borrow Material, Borrow Type "C" (Backfill)		CY	1000	\$ 50.00	\$ 50,000.00	\$ 30.00	\$ 30,000.00	\$ 50.00	\$ 50,000.00	
C-5	Contingent Aggregate Material, Graded Aggregate Type "B" (Crusher Run)		TON	75	\$ 40.00	\$ 3,000.00	\$ 25.00	\$ 1,875.00	\$ 100.00	\$ 7,500.00	
C-6	Contingent Porous Fill Material, Coarse Aggregate No. 57 Stone		TON	75	\$ 55.00	\$ 4,125.00	\$ 40.00	\$ 3,000.00	\$ 100.00	\$ 7,500.00	
C-7	Furnish and Place 4000 PSI concrete		CY	10	\$ 400.00	\$ 4,000.00	\$ 600.00	\$ 6,000.00	\$ 300.00	\$ 3,000.00	
C-8	Contractor Down Time		HR	30	\$ 750.00	\$ 22,500.00	\$ 1,500.00	\$ 45,000.00	\$ 800.00	\$ 24,000.00	
C-9	Replacement of Existing Storm Drain Pipes		LF	75	\$ 120.00	\$ 9,000.00	\$ 150.00	\$ 11,250.00	\$ 200.00	\$ 15,000.00	
Subtotal Schedule C: Contingent Items						\$ 99,950.00		\$ 117,875.00		\$ 113,900.00	
Total: (Schedules A + B + C)						\$ 1,017,576.00		\$ 1,791,135.00		\$ 2,262,000.00	
Schedule D: Alternate Bid Items											
					Schedule D: Alternate Bid Items					Schedule D: Alternate Bid Items	
D-1	ADD - Mill and Overlay Type C Superpave Surface Course (Full Width)	1.5"	SY	10,148	\$ 17.00	\$ 172,516.00	\$ 20.00	\$ 202,960.00	\$ 19.00	\$ 192,812.00	
D-2	ADD - Furnish and Install ADA Curb Ramps	6"	EA	12	\$ 3,000.00	\$ 36,000.00	\$ 5,000.00	\$ 60,000.00	\$ 8,000.00	\$ 96,000.00	
D-3	ADD - Furnish and Install Concrete Sidewalk	4"	SF	275	\$ 16.00	\$ 4,400.00	\$ 20.00	\$ 5,500.00	\$ 75.00	\$ 20,625.00	
D-4	ADD - Furnish and Install Concrete Curb	-	LF	61	\$ 55.00	\$ 3,355.00	\$ 60.00	\$ 3,660.00	\$ 200.00	\$ 12,200.00	
D-5	ADD - Clean and CCTV Interceptor Sewer Main (WWTP to High Street)	-	LF	4035	\$ 20.00	\$ 80,700.00	\$ 150.00	\$ 605,250.00	\$ 26.00	\$ 104,910.00	
Subtotal Schedule D: Alternate Bid Items						\$ 296,971.00		\$ 877,370.00		\$ 426,547.00	

Western Sussex Transmission Facilities: Contract 2: Market Street Gravity Sewer

NO.	ITEM	SIZE OR DEPTH	UNIT	QUANTITY	Engineer's Estimate			Pact One			JJID	
					UNIT PRICE	TOTAL PRICE		UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	
Schedule A: Gravity Sewer Installation												
A-1	Mobilization	-	LS	1	\$ 58,000.00	\$ 58,000.00	\$ 58,000.00	\$ 50,000.00	\$ 50,000.00	\$ 113,000.00	\$ 113,000.00	
A-2	Removal, Relocation and/or Disposal	-	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 70,000.00	\$ 70,000.00	\$ 100,000.00	\$ 100,000.00	
A-3	CCTV Existing Sewer	10"	LS	1	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00	\$ 10,000.00	\$ 10,000.00	\$ 35,000.00	\$ 35,000.00	
A-4	Installation & Abandonment of Temporary Bypass Connection	6"	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 25,000.00	\$ 25,000.00	\$ 35,000.00	\$ 35,000.00	
A-5	Furnish and Install SDR-35 PVC Sanitary Sewer	8"	LF	40	\$ 185.00	\$ 7,400.00	\$ 7,400.00	\$ 200.00	\$ 8,000.00	\$ 450.00	\$ 18,000.00	
A-6	Furnish and Install SDR-35 PVC Sanitary Sewer	15"	LF	2547	\$ 210.00	\$ 534,870.00	\$ 534,870.00	\$ 450.00	\$ 1,146,150.00	\$ 475.00	\$ 1,209,825.00	
A-7	Furnish and Install SDR-35 PVC Sanitary Sewer in De/IDOT ROW	15"	LF	71	\$ 210.00	\$ 14,910.00	\$ 14,910.00	\$ 600.00	\$ 42,600.00	\$ 475.00	\$ 33,725.00	
A-8	Furnish and Install SDR-35 PVC Sanitary Sewer	18"	LF	25	\$ 225.00	\$ 5,625.00	\$ 5,625.00	\$ 500.00	\$ 12,500.00	\$ 480.00	\$ 12,000.00	
A-9	Furnish and Install Precast Concrete Manhole complete in place	4'	VF	87	\$ 800.00	\$ 69,600.00	\$ 69,600.00	\$ 1,000.00	\$ 87,000.00	\$ 1,000.00	\$ 87,000.00	
A-10	Furnish and Install Precast Concrete Manhole complete in place	5'	VF	8	\$ 850.00	\$ 6,800.00	\$ 6,800.00	\$ 1,500.00	\$ 12,000.00	\$ 1,500.00	\$ 12,000.00	
A-11	Furnish and Install C900 PVC Force Main Reconfiguration	-	LS	1	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00	\$ 10,000.00	\$ 10,000.00	\$ 35,000.00	\$ 35,000.00	
A-12	Furnish and Install Manhole Frame and Cover	-	EA	10	\$ 900.00	\$ 9,000.00	\$ 9,000.00	\$ 500.00	\$ 5,000.00	\$ 1,500.00	\$ 15,000.00	
A-13	Furnish and Install House Laterals and Cleanout (Main to Property Line)	6"	EA	13	\$ 1,000.00	\$ 13,000.00	\$ 13,000.00	\$ 2,000.00	\$ 26,000.00	\$ 10,000.00	\$ 130,000.00	
A-14	Post-Installation CCTV of Laterals and Sewer Main	6"/15"	LS	1	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00	
A-15	Removal of Existing Manholes	-	EA	11	\$ 4,500.00	\$ 49,500.00	\$ 49,500.00	\$ 3,000.00	\$ 33,000.00	\$ 5,000.00	\$ 55,000.00	
A-16	Abandonment and Removal of Existing Sanitary Sewer Main	10"	LF	2577	\$ 10.00	\$ 25,770.00	\$ 25,770.00	\$ 20.00	\$ 51,540.00	\$ 10.00	\$ 25,770.00	
A-17	Mill and Overlay Type C Superpave Surface Course (De/IDOT Limits)	1.5"	SY	427	\$ 18.00	\$ 7,686.00	\$ 7,686.00	\$ 50.00	\$ 21,350.00	\$ 60.00	\$ 25,620.00	
A-18	Furnish and Install Concrete Sidewalk	4"	LF	151	\$ 40.00	\$ 6,040.00	\$ 6,040.00	\$ 20.00	\$ 3,020.00	\$ 80.00	\$ 12,080.00	
A-19	Furnish and Install Concrete Curb	-	LF	35	\$ 55.00	\$ 1,925.00	\$ 1,925.00	\$ 60.00	\$ 2,100.00	\$ 200.00	\$ 7,000.00	
A-20	Private Property Restoration	-	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 38,580.00	\$ 38,580.00	
Subtotal Schedule A: Gravity Sewer Installation					\$ 862,126.00	\$ 862,126.00	\$ 1,630,260.00	\$ 1,630,260.00	\$ 2,019,600.00	\$ 2,019,600.00	\$ 2,019,600.00	
Schedule B: Sewer Rehabilitation												
B-1	Locate and Raise Manhole to Grade	-	EA	3	\$ 3,000.00	\$ 9,000.00	\$ 9,000.00	\$ 1,000.00	\$ 3,000.00	\$ 2,000.00	\$ 6,000.00	
B-2	Furnish and Install Watertight Manhole Frame and Cover	-	EA	15	\$ 900.00	\$ 13,500.00	\$ 13,500.00	\$ 500.00	\$ 7,500.00	\$ 500.00	\$ 7,500.00	
B-3	Furnish and Install 10'x10' Concrete Collar around Manhole	-	EA	15	\$ 2,000.00	\$ 30,000.00	\$ 30,000.00	\$ 1,500.00	\$ 22,500.00	\$ 7,000.00	\$ 105,000.00	

City of Seaford

Net Energy Metering (NEM) Rules & Regulations Review

Scope of Services – 2019

Background:

The City of Seaford's Rules and Regulations, Tariff, and Policies related to Renewable Energy have been in place for much over a decade. During this period of time the evolution of technologies, creation of deregulated power markets and consumer awareness have changed the utility landscape dramatically. Introduction of; commercial battery storage, improved efficiencies of solar facilities, dramatic reductions in cost of solar equipment & other related technologies, advancement of electric vehicle charging technologies, availability of sophisticated metering and control systems, and the continued evolution of modern wholesale power markets have all had a role in changing the landscape of utility operations. The City of Seaford has a desire to take a brief overview of the major elements that may deserve attention at this juncture of converging technologies and events.

Scope & Discussion:

Following up on a recent Aggregated Net Energy Metering (ANEM) customer experience the City determined that a review of the NEM and ANEM provisions adopted by the City should be reviewed and assessed. Options and consequences of City policies should be considered. Several of these issues and discussion points include:

General Items:

- Loss of Gross Operating Margin (GOM) for City by solar production offset and long term implications.
- Impact of “intermittent” resource solar production on “demand” billing
- Address the frequency of customer reclassifications under current Tariff provisions prior to installation of NEM
- Issue of customer reclassification after NEM installation
- Analysis of GOM impact for Commercial customers; with no demand reduction; with partial demand reduction, and with full demand reduction, and
- Introduction of commercial energy storage on the control of demand reduction
- Policy issues for consideration:
 - City Codes review for consistency
 - ANEM wording and issues that currently exist (identified in recent past customer dialogue)
 - DE Code Title 26, Chapter 10, Section 1014 implications on demand metering and potential future updates to DE Code
 - Relevancy of Customer Charge to above issues
 - Relevancy of Demand Charge to above issues
 - Relevancy of Demand Ratchet to above issues
 - Implications of 5% limit on NEM/ANEM and potential for future increased limit
 - Requirements of Seaford Interconnection Application and Technical Review
 - Continued review of DE legislation and proposed legislation
 - Review of utility treatment in peers and peer states

Specific Item I:

- Treatment of DPL “Draw” issue in DPSC Docket #18-1194
- Monitoring of DPL Docket and implications to non-DPSC regulated utilities

Specific Item II:

- Review of “Transfer to General Fund” (TGF) policy for electric utility
- Issues of “TGF” and challenges to budget process
- Options for “TGF” policies for consideration
- Peer policies and transitional hurdles

Estimated Timeline and Costs:

Costs will be based on actual time at \$185.00 /hr. and materials at cost. Estimated costs are as follows:

- General Items:
A number of these items have been identified and can be more quickly addressed:
 - Schedule: Fifty days from authorization to proceed
 - Estimated costs: Eleven Thousand Five Hundred dollars (\$11,500)
 - Includes phone communication with Staff and one Staff meeting
- Specific Item I – “Draw” This matter is proceeding at DPSC and will be monitored:
 - Schedule: Hearings in May and Order may be final in summer or early fall. City should be able to react to resulting Order in Fall of 2019
 - Estimated costs: Four Thousand, Two Hundred and Fifty dollars (\$4,250)
 - Includes phone conference calls with DPSC, but no attendance of hearings
- Specific Item II – “Transfer to General Fund” – Options, Ideas and Consequences
 - Peer review and Options identified:
 - Schedule: Data development during the Summer to prepare for the Fall 2019 budget consideration/discussions
 - Estimated costs: Four Thousand dollars (\$4,000)

C. Anderson

From: C. Anderson
Sent: Wednesday, May 8, 2019 1:31 PM
To: Chris Simms
Cc: Seaford Electric; jmerritt; jsapp@seafordde.com
Subject: FW: Net Energy Metering Scope of Services Estimate

Chris,

Good afternoon.

We have reviewed the Net Energy Metering Scope of Services you provided. Would you please clarify a few questions that the group had:

Does the scope include your recommendations to change the wording or just to identify the problems? We are overdue to address these evolving issues in rules and regulations.

In specific item 1 – We are not familiar with what the DP&L draw is, so could you just give us some brief background?

The total for all of these items is \$19,750 and only includes one staff meeting. We believe one staff meeting is doable considering we can have meetings via phone or other means. As long as we have documents in front of us and can follow along during discussions, an actual face-to-face meeting is not required.

We would also like to have you be present for an Electric Committee and Council meeting to present your findings and recommendations. We will need those bodies to approve any changes to the rules and regulations or the tariff that may result for your work. Obviously this may impact your scope so let us know the changes.

June has reviewed the FY'19 budget to determine if there is any remaining funding that can be used to execute this contract before the end of FY'19 the balance that is unexpended as of today is \$6,592.80. Do you believe that if we start this effort in the next few weeks that you progress billings will exceed the \$6,592 before June 30th? If not then after June 30, we can complete the other items with funding provided by the FY20 budget funds.

I would like to put this item on the May 28, agenda for Council approval.

Thanks,

Charles

From: C. Anderson
Sent: Sunday, May 5, 2019 11:32 AM
To: Seaford Electric <seafordelectric@seafordde.com>; jmerritt <jmerritt@seafordde.com>; jsapp@seafordde.com
Subject: FW: Net Energy Metering Scope of Services Estimate

Bill, Jeanne & June,

Please see the attached work scope and email from Chris Sims related to the issues that we are having with our NEM customers and tariff.

Can you all please review the information and let me know your thoughts regarding contracting with SUM to preform these evaluations and give us recommendations? Please also let me know if you believe the scope is sufficient or if other items should be added or deleted.

Thanks

Charles

From: Chris Simms <chris@smartutilitymgmt.com>
Sent: Wednesday, May 1, 2019 12:15 PM
To: C. Anderson <canderson@seafordde.com>
Subject: Net Energy Metering Scope of Services Estimate

Charles,

Per our discussion at the DP&L Wholesale Meeting in April, attached is a Scope of Services estimate for proposed work pertaining to the review and modification of the Net Energy Metering Rules and Regulations for the City of Seaford.

I have included items that Dave identified as important issues to the City based on his discussions/communications with Seaford last year at Downes Associates.

Please let me know if you have any questions or if you would like to discuss/modify any of the items in this scope.

Thank you for your consideration and I hope you have a great day,
-Chris

SUM

SMART UTILITY MANAGEMENT / LLC

Σ

phone: 410-251-0526
email: chris@smartutilitymgmt.com
address: 571st street, ste 301
Ocean City MD 21842

C. Anderson

From: Chris Simms <chris@smartutilitymgmt.com>
Sent: Wednesday, May 8, 2019 3:18 PM
To: C. Anderson
Cc: Seaford Electric; jmerritt; jsapp@seafordde.com
Subject: RE: Net Energy Metering Scope of Services Estimate

Charles,

Good afternoon to you as well.

Thank you for your review and comments on the NEM Scope of Services.

To answer your first question, yes, the Scope does include any wording/language changes to the City's Rules and Regulations and/or Schedule of Fees and Rates necessary to resolve the issues that are identified.

With respect to the DP&L "Draw" issue, that is a formal complaint from a NEM customer claiming that DP&L is not following its current NEM Rules and Regulations. This customer is saying that DP&L would not reclassify them down to the commercial non-demand rate class (thus avoiding demand charges) because DP&L classifies NEM customers based on their "Draw" of energy (i.e. the customer's consumption *before/without* any NEM generation was installed) rather than their actual Net Energy consumption. Since Peninsula Dry Cleaners has a similar concern about continuing to be charged demand, we will want to take into consideration the DE Public Service Commission's ruling in DP&L's case in order to avoid any potential backlash directed at the City from Peninsula Dry Cleaners (or others).

In terms of the number of in-person meetings, I only listed one physical meeting with Staff as more of an indication that these costs assume a largely uncontested process. There is enough room in this estimate to include one in-person Staff Meeting and for me to attend one Electric Committee Meeting and one Council Meeting. In the event there would need to be multiple Staff, Electric Committee or Council Meetings, then depending on how long those meetings are they might cost an additional \$350 to \$500 for each additional in-person meeting.

Finally, the costs by the end of June should definitely be less than \$6,500.00, especially since we would not be starting this effort until after May 28 following Council approval.

If you have any more questions or if you need me to adjust the Scope of Services to incorporate what we are discussing today, then please let me know.

Thanks again for your time and consideration,
-Chris

From: C. Anderson <canderson@seafordde.com>
Sent: Wednesday, May 8, 2019 1:31 PM
To: Chris Simms <chris@smartutilitymgmt.com>
Cc: Seaford Electric <seafordelectric@seafordde.com>; jmerritt <jmerritt@seafordde.com>; jsapp@seafordde.com
Subject: FW: Net Energy Metering Scope of Services Estimate

Chris,

Good afternoon.

MEMORANDUM

copy
5-13-19

TO: Charles Anderson, CM

FR: Berley Mears, DPW

RE: Route 13 North Water and Sewer Extensions

DT: May 14, 2019

The following is the estimates for the water and sewer extension project along the Route 13 north corridor. We are in the process of obtaining the last needed easement now and will be ready to go to final design very soon. GMB has told us that they can produce the final plan within a month of them getting the go ahead from me. We currently have \$500,000 from the Bond Bill to go towards funding this project.

Water extension is estimated at \$1,060,763 and the sewer extension is estimated at \$972,675, for a total of \$2,033,438. \$2,033,438 minus the \$500,000 leaves \$1,503,438 which needs to be funded.

We are recommending a combination of funding alternatives such as SRF loan, and some contribution from reserves. The next SRF funding solicitation is scheduled to be in August 2019.

Should you have any questions, please contact me.

Thank you.

NB#5
5-28-19

INTEROFFICE MEMORANDUM

TO:	City Manager Charles Anderson
CC:	June Merritt
FROM:	Chief Marshall D. Craft
RE:	Equipment Maintenance (Bicycle Initiative)
DATE:	May 21, 2019

The Seaford Police Department is requesting to refresh our current police bicycles to make them service ready for Community Outreach, Patrol Initiatives and School Resource Officer Youth Initiatives for bicycle safety as we enter into the summer months. This will require a vendor to provide an inspection, maintenance, repairs and to install appropriate lighting (red, blue and white lights), lettering, and purchase related gear.

I am requesting additional funds on Council Agenda for consideration on the 05/28/19 agenda for repairs and purchases related to our existing police bicycles as described in this request. I have also provided two options for the council's consideration.

We did contact 'Lifecycles' (Veteran owned business) located at 10 S. Front Street Milford, DE 19963 as our city no longer has a bicycle business and transported four currently owned police bicycles to their shop on May 16, 2019 for inspection and a quote. Based on the information we received, the bicycles are in excellent condition. See the below breakdown for expected cost:

\$800.00 per police bicycle would cover the bike refresh, bike safety equipment and operator equipment. The police bicycles would need to be approved in pairs, so we are proposing two options:

Option #1

Upfit two Police bicycles at a cost of \$1,600.00

Option #2

Upfit four Police bicycles at a cost of \$3,200.00

A review of our current Equipment Maintenance budget for FY2019 **unencumbered funds displays \$2,373.24- deficit in the account.**

Thank you for your consideration.

C. Anderson

From: Craft, Marshall (CJ) <marshall.craft@cj.state.de.us>
Sent: Thursday, May 16, 2019 7:28 PM
To: C. Anderson
Cc: dhenderson@seafordde.com; jmerritt
Subject: Request Additional Funds
Attachments: Craft - Bike porposal FY2019.docx

Good evening Sir,

Please see the attached memorandum regarding my request for additional funds on Council Agenda for consideration on the 05/28/19 agenda for repairs and purchases related to our existing police bicycles as described in the attached request. I have also included two options for the council's consideration.

Please note.

- Bikes are in great condition
- Will take two weeks from Council approval to be up and running
- (4) Police bicycles are currently at the vendor ref. safety inspection and estimate
- We will need to move on getting riders certified
 - *I believe it is a 3 day training course

Great for Events and Initiatives:

- Community Outreach
- City events to get around quickly
- Enforcement / Visibility on Pine St., Arch St., North St., Collins Ave, etc.
- Can be used for future CADET program – hint
- Safety & Security
- School Resource Officer Youth initiatives related to bicycle safety

Thank you for your support,
Marshall



Purpose:

The purpose of this policy is to standardize and provide guidelines for wearing shorts within the Parks Department.

Policy:

All parks personnel are authorized to wear shorts during the warm weather seasons on a limited basis. The requirements for the department are as follows:

- All shorts must be clean, in good shape and worn in a professional manner at all times. Discernable rips, tears, or holes are not allowed.
- The length of the shorts must not exceed 2" above the knee.
- Shorts must be a solid shade of navy or khaki.
- If an employee decides to wear shorts, a pair of pants is required to be carried at all times in the case that the employee needs to perform work that requires pants.
- Department personnel safety is of the utmost importance. Tasks such as weed eating, use of chainsaws, edging, spraying, operating mowers and other similar equipment shall not be permitted in shorts.

Implementation:

Shorts shall be permitted only from May 1st - September 30th.

There will be no clothing allowance given for the purchase of the shorts. All shorts will need to be inspected by the department's supervisor in order to be deemed acceptable.

