




Office of the City Manager

TO: Mayor Dana S. Hilliard and City Council Members
FROM: Robert M. Belmore, City Manager 
DATE: Friday, March 20, 2020
SUBJECT: City Manager's Report for Tuesday, March 24, 2020
Emergency City Council Agenda

New Business (Under Section 5 of Agenda)

Ordinances

- A. Ordinance No. 18-20: Emergency Appropriation to Meet the Needs of the City and Safeguard the Life, Safety, Health, and Welfare of the City During the Covid-19 Virus Pandemic Emergency.** Attached is a Memorandum from Finance Director Scott Smith that explains the methodology used to propose a Budget Emergency Appropriation number. The funding revenue as proposed, will come from Fund Balance. Any funds not expended will revert back to the City's General Fund Balance.

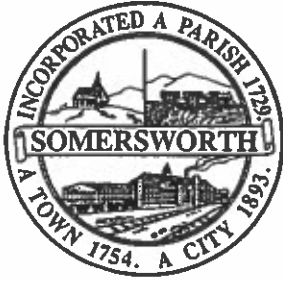
I have also attached a copy of the Emergency Appropriations section of the City Charter as well as a copy of the City Ordinance governing Emergency Buying.

Resolutions

- A. Resolution No. 43-20: To Authorize the City Manager, in Consultation with the Mayor and Chair of the City Council Finance Committee, to Utilize Funding Provided through Ordinance No. 18-20 "Emergency Appropriation" to Provide for the Life, Safety, Health, And Welfare of the City of Somersworth During the Covid-19 Virus Pandemic Emergency.** Obviously this Resolution provides the authorization to spend emergency funds appropriated in order to further any efforts needed to protect the safety of our public during this pandemic.
- B. Resolution No. 44-20: Tri-City Request for Federal and State Financial Assistance Related to the Covid-19 Emergency.** This is for Economic Stimulus Funding Aid.

Attachments

1. City Attorney Certifications Two (2)



MEMORANDUM

To: Bob Belmore, City Manager

From: Scott Smith, Finance Director

Date: March 19, 2020

Re: Emergency Appropriation

In an effort to establish an emergency appropriation in response to the current National Emergency, we utilized a contingency percentage similar to that which we use in developing construction contracts. Typically we apply an increase of somewhere between 5%-15% to the total contract for contingencies.

For this purpose, we used a 10% contingency applied to the budgets most likely affected by public safety and emergency response situations. The calculation is as follows:

| | |
|------------------|--------------------|
| • Police Patrol | \$2,209,183 |
| • Police Support | \$ 457,447 |
| • Fire Fighting | \$1,938,795 |
| • DPW Admin | <u>\$1,287,073</u> |
| • Total | \$5,892,498 |
| | <u>X 10%</u> |

Total Emergency Appropriation \$ 589,250

The funding to support this appropriation is the City's unassigned General Fund fund balance. Any amount not used for this purpose will lapse back to unassigned fund balance when it is determined it is no longer required.

If you have any questions or need any additional information, please let me know.

- (C) ADOPTION. The Council shall adopt the budget on or before the 30th day of the 12th month of the fiscal year currently ending. If it fails to adopt the budget by this date, the City budget as submitted by the Manager shall become the adopted budget of the City for the fiscal year. Adoption of the budget shall constitute appropriations of the amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.

7.7. AMENDMENTS AFTER ADOPTION.

- (A) SUPPLEMENTAL APPROPRIATIONS. No supplemental appropriation shall be made for any purpose not included in the budget as adopted unless voted by a two-thirds majority of the Council after a public hearing held to discuss said supplemental appropriation. The Council shall, by ordinance, designate the source of any money so appropriated.

History: Referendum, 11/3/09.

- (B) EMERGENCY APPROPRIATIONS. To meet a public emergency affecting life, health, property, or the public peace, the Council may make emergency appropriations. Such appropriations may be made by emergency ordinance. To the extent that there are no available unappropriated revenues to meet such appropriations, the Council may by such emergency ordinance authorize the issuance of emergency notes which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.
- (C) REDUCTION OF APPROPRIATIONS. If at any time during the fiscal year it appears probable to the Manager that the revenues available will be insufficient to meet the amount appropriated, he/she shall report to the Council without delay, indicating the estimated amount of the deficit, any remedial action taken by him/her and his/her recommendation as to any other steps to be taken. The Council shall then take such further action as it deems necessary to prevent or minimize any deficit, and for that purpose it may by ordinance reduce one or more appropriations.
- (D) TRANSFER OF APPROPRIATIONS. At any time during the fiscal year the Manager may transfer part or all of any unencumbered appropriation balance among programs within a department, office or agency and, upon written request by the Manager, the Council may by ordinance transfer part or all of any unencumbered appropriation balance from one department, office or agency to another.
- (E) LIMITATIONS: EFFECTIVE DATE. No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The

29.8.4 Requirements for Competitive Procurement

29.8.4.1 Cost Thresholds

Competitive procurement is required for all purchases whenever practical. The table below contains the minimum requirements for complying with the various complexities of the procurement process:

| <u>Amount Involved</u> | <u>Min. Competition</u> | <u>Approval by</u> |
|------------------------|-------------------------|---------------------------|
| To \$250 | Best knowledge | Department |
| \$250 to \$1,000 | Informal | Department |
| \$1,001 to \$2,500 | Informal | City Manager/Finance Dir. |
| \$2,501 to \$25,000 | Formal | City Manager |
| \$25,001 to \$55,000 | Formal | Finance Committee |
| Over \$55,000 | Formal | City Council |

(Updated 9/17/2018)

29.8.4.2 Emergency Buying

An emergency purchase is a purchase which is essential to prevent delays in work which might affect the safety, health or convenience of the community. Permission for emergency purchasing shall be obtained from the City Manager or his/her designee, if possible, and a written report of such action filed with the City Manager within five (5) days of such action.

29.8.4.3 Absence of Second Bid

No purchase will be made where there is no competition unless a determination can be made that the terms of purchase are fair, reasonable and in the best interests of the City. Approval for such purchase must be obtained from the next higher level of approval found in the table in Section 29.8.4.1.

29.8.4.4 Professional Services

Professional services, including engineering, architectural, auditing, and other services commonly considered professional, may be secured through negotiation. Professional service agreements should be on a fixed price basis for a clearly defined scope of work whenever possible.

29.8.4.5 Petty Cash Purchases

Items not carried in stock by a central stock point may be purchased through petty cash to the limit of the petty cash authorization which shall not exceed \$500 without explicit approval of the City Council. The contents of the petty cash drawer shall consist of the total amount of petty cash

Announcement by Mayor Dana Hilliard

Tuesday, March 24, 2020

It is possible, in light of the COVID-19 pandemic situation and the State of Emergency Declaration in NH, that most or all Councilors will be unable to attend our next City Council meeting in person because they are concerned about getting sick or perhaps are already sick. Therefore, I, Dana S. Hilliard, Mayor, hereby declare an "emergency" and the requirement of a physically present quorum is waived so that the City Council meeting on Tuesday, March 24, 2020 may be conducted with most or all Councilors participating electronically.

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TELEPHONE (603) 524-3885

March 19, 2020

CERTIFICATION

Re: City of Somersworth, New Hampshire

Ordinance No. 18-20

Title: **EMERGENCY APPROPRIATION TO MEET THE NEEDS OF THE CITY AND
SAFEGUARD THE LIFE, SAFETY, HEALTH, AND WELFARE OF THE CITY DURING
THE COVID-19 VIRUS PANDEMIC EMERGENCY**

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 3/19/2020

By: 

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March 19, 2020

CERTIFICATION

Re: City of Somersworth, New Hampshire

Resolution No. 43-20

Title: TO AUTHORIZE THE CITY MANAGER, IN CONSULTATION WITH THE MAYOR AND CHAIR OF THE CITY COUNCIL FINANCE COMMITTEE, TO UTILIZE FUNDING PROVIDED THROUGH ORDINANCE 18-20 "EMERGENCY APPROPRIATION" TO PROVIDE FOR THE LIFE, SAFETY, HEALTH AND WELFARE OF THE CITY OF SOMERSWORTH DURING THE COVID-19 VIRUS PANDEMIC EMERGENCY

This is to confirm that in accordance with Somersworth City Council Rules and Regulations #17 (D)1, we have reviewed the above referenced ordinance. To our examination it is in correct technical form, and to our understanding is not repugnant to the laws and constitution of the State of New Hampshire nor the Charter and Ordinances of the City of Somersworth.

MITCHELL MUNICIPAL GROUP, P.A.
City Attorney

Date: 3/19/2020

By: 