

*Wilmington, Delaware  
Louis L. Redding  
City/County Building  
June 16, 2016*

Council met in regular session on the above date at 6:30 p.m., President Theopalis K. Gregory, Sr. presiding.

Invocation was given by Joe Garcia.

The Pledge of Allegiance was recited by City Council.

### **ROLL CALL**

The following members responded to the Call of the Roll: Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado\*, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

### **MINUTES**

After reading a portion of the minutes of June 2, 2016, upon a motion of Ms. Shabazz, seconded by Mr. Williams, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

The City Clerk read the following committee report:

<b><u>Finance Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado	X		
Hanifa G.N. Shabazz		X	
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

Date: March 7, 2016

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-004**  
entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE CITY  
CODE REGARDING PAID PARENTAL LEAVE

Have given this Ordinance careful study and recommend Council vote on  
it accordingly.

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Samuel Prado  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the  
aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado			X
Hanifa Shabazz	X		
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

Date: 6/6/16

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-022**  
entitled:

AN ORDINANCE ESTABLISHING SALARIES OF CITY  
COUNCIL MEMBERS TO BE EFFECTIVE AS OF THE  
FIRST TUESDAY IN JANUARY 2017

Have given this Ordinance careful study and recommend Council vote on  
it accordingly.

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado			X
Hanifa Shabazz	X		
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

Date: 6/6/16

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-029**  
entitled:

AN ORDINANCE AUTHORIZING CAPITAL PROJECTS  
OF THE CITY OF WILMINGTON RELATING TO  
UPGRADES AND IMPROVEMENTS TO (1) THE CITY'S  
PORTER FILTER WATER TREATMENT PLANT AND (2)  
VARIOUS WATER MAINS THROUGHOUT THE CITY;  
AUTHORIZING THE ISSUANCE OF TWO SERIES OF THE  
CITY'S GENERAL OBLIGATION BOND, SERIES OF 2016-SRF,  
IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR SUCH  
PROJECTS, RESPECTIVELY; PROVIDING FOR THE SALE OF  
EACH SERIES OF THE BONDS TO THE DELAWARE DRINKING  
WATER STATE REVOLVING FUND; AND AUTHORIZING  
OTHER NECESSARY ACTION

Have given this Ordinance careful study and recommend Council vote on  
it accordingly.

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the  
aforementioned Report was received, recorded and filed. Motion prevailed.

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado			X
Hanifa Shabazz	X		
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

Date: 6/6/16

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-030**  
entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT 17002PW –  
HVAC PREVENTIVE MAINTENANCE, GENERAL AND  
EMERGENCY REPAIRS AT THE MUNICIPAL COMPLEX –  
WITH MODERN CONTROLS, INC.

Have given this Ordinance careful study and recommend Council vote on  
it accordingly.

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the  
aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado			X
Hanifa Shabazz	X		
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

Date: 6/6/16

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 16-031**  
entitled:

AN ORDINANCE TO AUTHORIZE A PROFESSIONAL  
SERVICES AGREEMENT WITH EXPRESS SCRIPTS, INC.,  
FOR A PRESCRIPTION DRUG PROGRAM

Have given this Ordinance careful study and recommend Council vote on  
it accordingly.

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the  
aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel	X		
Michael A. Brown, Sr.		X	
Samuel Prado			X
Hanifa Shabazz	X		
Loretta Walsh		X	

President and Members of Council of  
The City of Wilmington

June 6, 2016

Ladies and Gentlemen:

We, your Finance Committee, met on the above date at 5:00 p.m.,  
Councilman Charles Bud" Freel presiding. The following items were discussed:

- Resolution Accepting Grant Funds for Tweet My Jobs
- Resolution Accepting Grant Funds for Edunomics Lab/Georgetown University for Financing Model Pertaining to Education for City of Wilmington Youth as requested by Education Think Tank

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Hanifa Shabazz  
/s/Theopalis K. Gregory, Sr., Ex Officio

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

<u>Education, Youth &amp; Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Nnamdi O. Chukwuocha	X		
Michael A. Brown Sr.		X	
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II	X		
Hanifa Shabazz	X		
Sherry Dorsey Walker	X		

President and Members of Council of  
The City of Wilmington

Date: June 8, 2016

Ladies and Gentlemen:

We, your Education, Youth & Families Committee, met on the above date at 5:00 p.m., Councilman Nnamdi O. Chukwuocha presiding. The following items were discussed:

- Presentation on the "Cease Violence Program" by representatives of the Cease Violence Board
- Discuss a Resolution supporting Delaware General Assembly Senate Bill 239, which would replace out-of-school suspensions for minor infractions with more effective and restorative interventions.

Respectfully submitted, Members of  
Education, Youth & Families Committee  
/s/Nnamdi O. Chukwuocha, Chair  
/s/Maria D. Cabrera  
/s/Ernest "Trippi" Congo, II  
/s/Hanifa Shabazz  
/s/Sherry Dorsey Walker

Upon a motion of Mr. Chukwuocha, seconded by Mr. Williams/Ms. Shabazz, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Community and Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh	X		
Darius J. Brown	X		
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II		X	
Sherry Dorsey Walker		X	
Justen A. Wright	X		

President and Members of Council of  
The City of Wilmington

Date: June 9, 2016

Ladies and Gentlemen:

We, your Community and Economic Development Committee, to who was referred **Ordinance No. 16-038** entitled:

- An Ordinance to amend Chapter 8 of the City code regarding Economic Opportunity Plans

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Community and Economic Development Committee  
/s/Loretta Walsh  
/s/Darius J. Brown  
/s/Maria D. Cabrera  
/s/Justen A. Wright

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

*[the remainder of this space intentionally left blank]*

The City Clerk read the following committee report:

<u>Community and Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Loretta Walsh	X		
Darius J. Brown	X		
Maria D. Cabrera	X		
Ernest "Trippi" Congo, II		X	
Sherry Dorsey Walker		X	
Justen A. Wright	X		

President and Members of Council of  
The City of Wilmington

Date: June 9, 2016

Ladies and Gentlemen:

We, your Community and Economic Development Committee, met on the above date at 5:00 p.m., Councilwoman Loretta Walsh presiding. The following item was discussed:

1. A presentation on the Delaware Community Reinvestment Action Council, Inc.'s Credit Union
2. A presentation on Downtown Wilmington events by Downtown Visions
3. Discuss a Resolution supporting the efforts of the White House in establishing and promoting the Fair Chance Business Pledge, and respectfully encourages businesses that are located in, and serve, the City of Wilmington to consider joining in this important national initiative
4. A Resolution in support of Federal, State and Local Action to remove barriers to Equal Pay for Equal Work

Respectfully submitted, Members of  
Community and Economic Development Committee  
/s/Loretta Walsh  
/s/Darius J. Brown  
/s/Maria D. Cabrera  
/s/Justen A. Wright

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.



The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Michael A. Brown, Sr.	X		
Ernest "Trippi" Congo, II	X		
Charles M. "Bud" Freel		X	
Loretta Walsh		X	
Robert A. Williams	X		

President and Members of Council of  
The City of Wilmington

June 13, 2016

Ladies and Gentlemen:

We, your Public Safety Committee, to who was referred **Ordinance No. 16-035** entitled:

- AN ORDINANCE TO AUTHORIZE CITY CONTRACT 17001PD POLICE CLOTHING WITH GRAVES UNIFORMS, LLC

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Public Safety Committee  
/s/Michael A. Brown, Sr., Chair  
/s/Ernest "Trippi" Congo, II  
/s/Robert A. Williams

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams, the aforementioned Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Public Safety Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Michael A. Brown, Sr., Chair	X		
Ernest "Trippi" Congo, II	X		
Charles M. "Bud" Freel		X	
Loretta Walsh		X	
Robert A. Williams	X		

Ladies and Gentlemen:

We, your Public Safety Committee, met on the above date at 5:00 p.m., Councilman Michael A. Brown, Sr., presiding. The following items were discussed:

- Discuss a Resolution encouraging the Administration to ensure that Ridesharing Services operating in the City of Wilmington adhere to the appropriate City ordinances and regulations.
- Discuss a Resolution to support Senate Bill 242, Felon Voting Bill
- Discuss a Resolution authorizing a grant application of the Wilmington Police Department to the State of Delaware, Criminal Justice Council in the amount of \$25,000.00. The funds will be used to conduct a Citizen Satisfaction Survey of the Wilmington Police Department.

Respectfully submitted, Members of  
/s/Michael A. Brown, Sr., Chair  
/s/Ernest “Trippi” Congo, II  
/s/Robert A. Williams

Upon a motion of Mr. Michael Brown, the aforementioned Report was received, recorded and filed. Motion prevailed.

#### **TREASURER’S REPORT**

The following Treasurer’s Report dated June 16, 2016 was read into the record by the City Clerk, and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

*[the remainder of this space intentionally left blank]*

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON JUNE 16, 2016

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 715.81
105	Police Pension Account	M & T Bank	\$ 2,655.43
106	Fire Pension Account	M & T Bank	\$ 6,509.98
107	Evidence/Found Currency Account	M & T Bank	\$ 527,907.88
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.00
113	Non-Uniform Pension	M & T Bank	\$ 1,252.06
114	Central Deposit	M & T Bank	\$ 27,562.01
117	Cement Workers	Wilmington Savings Fund	\$ 33,486.77
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 5,393.08
120	Grant-In-Aid Account	M & T Bank	\$ 201,369.00
130	Payroll	M & T Bank	\$ 184,731.76
131	Pension Payroll Account	M & T Bank	\$ 25,809.52
139	Pension Healthcare Account	M & T Bank	\$ <u>3,108.32</u>
	Total Cash on Hand		<b>\$ 1,037,644.82</b>

*[the remainder of this space intentionally left blank]*

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	06/16/16	0.01%	\$ 2.07	\$ 7,541,294.00
110	Capital	TD	CD	06/24/16	0.60%	\$ 16,333.34	\$ 10,000,000.00
116	General	TD	CD	06/24/16	0.40%	\$ 2,133.34	\$ 3,200,000.00
116	General	TD	CD	06/28/16	0.40%	\$ 1,033.34	\$ 1,500,000.00
106	Fire Pension	WSFS	CD	06/29/16	0.40%	\$ 88.22	\$ 350,000.00
106	Fire Pension	WSFS	CD	06/29/16	0.45%	\$ 917.44	\$ 2,255,000.00
124	Non-Uniform 1990	WSFS	CD	06/29/16	0.45%	\$ 244.10	\$ 600,000.00
105	Police Pension	WSFS	CD	06/29/16	0.40%	\$ 133.59	\$ 530,000.00
105	Police Pension	WSFS	CD	06/29/16	0.40%	\$ 158.90	\$ 725,000.00
116	General <sup>1</sup>	TD	CD	06/30/16	0.36%	\$ 3,033.94	\$ 15,169,686.00
116	General	TD	CD	07/08/16	0.41%	\$ 837.09	\$ 1,500,000.00
116	General	TD	CD	07/08/16	0.41%	\$ 1,116.12	\$ 2,000,000.00
116	General	WSFS	CD	07/08/16	0.40%	\$ 1,181.37	\$ 2,200,000.00
514	Risk Management	WSFS	CD	07/11/16	0.40%	\$ 461.12	\$ 1,375,000.00
514	Risk Management	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 461.12	\$ 1,375,000.00
515	Worker's Comp	WSFS	CD	07/11/16	0.40%	\$ 22,805.15	\$ 5,670,097.05
116	General	WSFS	CD	07/22/16	0.40%	\$ 1,402.74	\$ 2,000,000.00
116	General	WSFS	CD	07/28/16	0.45%	\$ 1,202.05	\$ 1,500,000.00
110	Capital	WSFS	CD	09/23/16	0.45%	\$ 17,605.47	\$ 12,000,000.00
110	Capital	WSFS	CD	09/30/16	0.40%	\$ 12,243.29	\$ 8,400,000.00
110	Capital	WSFS	CD	11/18/16	0.50%	\$ 99,726.02	\$ 20,000,000.00
104	Escrow Pension	Affinity Wealth					\$ 1,454,408.00
104	Escrow Pension	Vanguard					\$ 41,962,440.00
104	Escrow Pension	Black Rock					\$ 23,601,700.00
104	Escrow Pension	Edgar Lomax					\$ 22,900,501.00
104	Escrow Pension	Wilmington Trust					\$ 43,772,365.00
104	Escrow Pension	Manning & Napier					\$ 10,219,576.00
104	Escrow Pension	Earnest Partners					\$ 18,121,981.00
104	Escrow Pension	GMO					\$ 11,515,047.00
104	Escrow Pension	MFS Management					\$ 22,539,069.00
104	Escrow Pension	American Funds					\$ 10,030,768.00
139	Medical Escrow	Black Rock-OPEB					\$ 14,206,786.00
116	Deferred Comp.	MassMutual					\$ 39,516,260.00
	Total Investments						\$ 365,402,075.10
	Total Cash on Hand						\$ 1,037,644.82
	Grand Total						\$ 366,439,719.92

<sup>1</sup> Budget Reserve

/s/Henry W. Supinski  
City Treasurer

## **NON-LEGISLATIVE BUSINESS**

Upon a motion of Ms. Shabazz, seconded by Mr. Michael Brown, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council	Salutes Shelia O'Callaghan
Gregory	Celebrate Lydia C. Watson 90 <sup>th</sup> Birthday
Gregory	Commend Leroy Coleman
Williams	Retirement Eric W. "Ric" Lindell
M. Brown	Sympathy Sherman Crisden

## **LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Yes, Mr. President, I have a Resolution to present on your behalf.

On behalf of President Gregory, Mr. Chukwuocha presented Resolution No. 16-051 (Agenda #4234) as follows:

**WHEREAS**, Section 2-363 of the City Code requires all grant funds to be approved by resolution of Council; and

**WHEREAS**, the City of Wilmington has been awarded grant funds from various entities to support services provided to the City by the Edunomics Lab at Georgetown University; and

**WHEREAS**, the funds to be granted are as follows: \$8,000 from New Castle County; \$5,000 from the United Way of Delaware; \$3,000 from the American Liberties Foundation; and \$2,500 from the Christina Cultural Arts Center; and

**WHEREAS**, the Council deems it necessary and appropriate to authorize the City to accept the funds and proceed with contracting for services from the Edunomics Lab at Georgetown University, in order to benefit from the organization's research related to education financing mechanisms that could support Wilmington youth.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City is hereby authorized to accept the grant funds as follows to support services from the Edunomics Lab at Georgetown University: \$8,000 from New Castle County; \$5,000 from the United Way of Delaware; \$3,000 from the American Liberties Foundation; and \$2,500 from the Christina Cultural Arts Center.

**BE IT FURTHER RESOLVED** that the City shall be authorized to take all necessary actions to accept the grant funds and move forward with contracting for services from the Edunomics Lab at Georgetown University.

On the question:

Mr. Chukwuocha: Yes Mr. President, this a Resolution allowing the City to accept grant funds that are being delivered to the WEST Group, the WEST is the Wilmington Education Strategy Think Tank, which is made up of members of the City Council and also members of the Administration and various other stakeholders. Many of these stakeholders have been working with the City in order to develop a plan or agenda for city action and leadership and one of those areas deals with economics and funding for our schools. So, this – these funds were used to engage the services of the Edunomic Lab, which is out of Georgetown University to assist us with the developing the state's specific model for rated funding or student based-funding (inaudible) that would provide equity for the funding statewide for high need students and schools.

President Gregory: Actually the mechanics are that the City Council advance the monies for the Edunomics Study on behalf of the WEST Group and as a part of the agreement, these entities that are set forth in the Resolution agreed to reimburse the Council for a portion of the money and that money that's coming is in fact a grant money because it's being received from an external source. Otherwise the substance of it as Mr. Chukwuocha said, those are the mechanics of it. The Clerk will call the roll.

Upon a motion of Mr. Chukwuocha, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, nine. Nays, none. Absent, Council Members Prado, Dorsey Walker, Freel and Walsh. Total, four.

President Gregory: Declare it adopted. Mark Mr. Prado present please.

Mrs. Seijo (City Clerk): So noted.

\*Note: At this time, Mr. Prado was marked present and reflected in the minutes herein (Roll Call).

President Gregory: Mr. Congo.

Mr. Congo: Nothing tonight Mr. President.

President Gregory: Thank you. Mr. Darius Brown.

Mr. Darius Brown: Yes Mr. President, I have an Ordinance and a Resolution.

Mr. Darius Brown presented and called for the third and final reading Ordinance No. 16-004 (Agenda #4149) entitled:

AN ORDINANCE TO AMEND CHAPTER 40 OF THE  
CITY CODE REGARDING PAID PARENTAL LEAVE

On the question:

Mr. Darius Brown: Yes Mr. President, this Ordinance speaks to paid parental leave and making a few amendments to the City's Personnel Code in Chapter 40 adding Section 40-341 to require that all current regular employees who have been employed by the City for at least one year are eligible to take up to twenty (20) days of paid parental leave without the first four calendar weeks after birth or adoption of a child six (6) years of age or younger.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. Sir, this is one of those ordinances where you vote with your heart and not with your wallet. I looked at the fiscal impact once all the negotiations takes place with all union, sworn, non-sworn, you know, it's a significant impact and we're going to have to adjust our budget accordingly but I think this is the right thing to do.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, seconded by Ms. Shabazz/Mr. Michael Brown, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted.

Mr. Darius Brown presented Resolution No. 16-052 (Agenda #4235) as follows:

**WHEREAS**, Section 2-363 of the City Code requires all grant funds to be approved by resolution of Council; and

**WHEREAS**, the City of Wilmington has been awarded grant funds from various entities to support the City's partnership with Career Arc Social Recruiting/Tweet My Jobs; and

**WHEREAS**, the funds received are as follows: \$25,000 from the Delaware Department of Labor; \$5,000 from Capital One; \$5,000 from New Castle County; and \$5,000 from Richards, Layton & Finger; and

**WHEREAS**, the Council deems it necessary and appropriate to authorize the City to accept the funds and proceed with continuing its partnership with Career Arc Social Recruiting/Tweet My Jobs, in order to help provide City residents with

information and access to employment opportunities both in Wilmington and throughout the region.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the City is hereby authorized to accept the grant funds as follows to continue its partnership with Career Arc Social Recruiting/Tweet My Jobs: \$25,000 from the Delaware Department of Labor; \$5,000 from Capital One; \$5,000 from New Castle County; and \$5,000 from Richards, Layton & Finger.

**BE IT FURTHER RESOLVED** that the City shall be authorized to take all necessary actions to accept the grant funds and move forward with continuing its partnership with Career Arc Social Recruiting/Tweet My Jobs.

On the question:

Mr. Darius Brown: Yes Mr. President, this Resolution approves the receipt to the City of Wilmington in support of Wilmington.TweetMyJobs from various entities that have committed funds and contributed funds towards that initiative.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Darius Brown, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President, I have an Ordinance to present for the third and final reading.

Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-029 (Agenda #4213) entitled:

AN ORDINANCE AUTHORIZING CAPITAL PROJECTS OF THE CITY OF WILMINGTON RELATING TO UPGRADES AND IMPROVEMENTS TO (1) THE CITY'S PORTER FILTER WATER TREATMENT PLANT AND (2) VARIOUS WATER MAINS THROUGHOUT THE CITY; AUTHORIZING THE ISSUANCE OF TWO SERIES OF 2016-SRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR SUCH PROJECTS, RESPECTIVELY; PROVIDING FOR THE SALE OF EACH SERIES OF THE BONDS TO THE DELAWARE DRINKING WATER STATE REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION



On the question:

Ms. Shabazz: Yes Mr. President, this Ordinance authorizes the issuance of the two series of bonds designated as per stated in the title and each series of bonds will be (inaudible) to the Delaware Drinking Water State Revolving Fund in order to finance capital projects of the City. Specifically, upgrades and improvements to the City's Porter Water Filter Treatment Plant and certain upgrades and improvements to various other water mains throughout the City. In the case of 2016 Bond, to pay also administrative cost related to such capital projects and pay the cost of issuance such series of bonds.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted.

Ms. Shabazz: Mr. President, I have another Ordinance to present and call for the third and final reading.

Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-030 (Agenda #4214) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT  
17002PW – HVAC PREVENTATIVE MAINTENANCE,  
GENERAL AND EMERGENCY REPAIRS AT THE  
MUNICIPAL COMPLEX WITH MODERN CONTROLS, INC.

On the question:

Ms. Shabazz: This Ordinance authorizes the City to enter into a contract with the HVAC preventative maintenance general and emergency repairs at the Municipal Complex with Modern Controls for a period of one-year beginning on or about July 1, 2016 at a cost of \$29,900 and the contract has two possible extensions periods of one-year each with the City's sole option at the same annual price as stated.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and

Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted.

Ms. Shabazz: Mr. President, I have an Ordinance to present and call for the first and second reading.

Ms. Shabazz presented and called for the first and second reading Ordinance No. 16-039 (Agenda #4236) entitled:

AN ORDINANCE TO AUTHORIZE AN AGREEMENT  
FOR WATER AND SEWER SERVICE LINE PROTECTION  
PROGRAMS WITH AMERICAN WATER RESOURCES, LLC

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Ms. Shabazz: Mr. President, I have a Resolution to present on your behalf.

On behalf of President Gregory, Ms. Shabazz presented Resolution No. 16-053 (Agenda #4237) as follows:

**WHEREAS**, Uber, Lyft and other ridesharing services have grown in popularity in recent years, particularly in urban communities; and

**WHEREAS**, these services provide additional transportation options for consumers, as well as greater flexibility and increased availability for on-demand transit; and

**WHEREAS**, ridesharing services also pose critical questions for governments across America, particularly around regulation and registration; and

**WHEREAS**, in Delaware and across the country, traditional taxi drivers have protested the relatively minimal level of regulation that rideshare employees are frequently subject to in many jurisdictions; and

**WHEREAS**, earlier this year, the Council in Dewey Beach unanimously approved a measure calling for the application of existing taxi and limousine service regulations to these ridesharing service operators; and

**WHEREAS**, presently, both Uber and Lyft operate in and around the City of Wilmington; and

**WHEREAS**, while City Council embraces the concept of ridesharing services and the services they offer to residents, businesses and visitors, it is critical that appropriate regulations be extended to operators of these services; and

**WHEREAS**, this is important not only to ensure the safety of the public at large, but also to guarantee equal treatment with similar business enterprises, like taxi and limousine operators.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council respectfully encourages the Administration to take proactive steps to ensure that ridesharing services operating in the City of Wilmington adhere to the appropriate City ordinances and regulations, and that operators obtain business licenses, pay applicable wage tax, and meet all other requirements already set forth in the City Code.

President Gregory: The synopsis here says that Uber and Lyft are...

Several Members: Lyft.

President Gregory: Lyft? Oh, it's got an "f" in it.

Ms. Cabrera: You get a lift – like getting a lift.

Ms. Shabazz: Everybody is tired today.

President Gregory: Did I do something wrong? That Uber and Lyft are new industries and they're not regulated and don't have – they're not licensed. You have an umbrella organization, a lot of small companies on the need – and folk around the country trying to figure out how do they get their arms around it in terms of public safety in terms of revenue. And, we're asking that our General Assembly be aggressive in addressing this issue and that the City of Wilmington plays a pivotal role and to ensure that we exercise our fiduciary duty relating to the public safety and ensuring that we get our wage taxes and other taxes and fees that may be associated with this new industry. I do believe that the industry is discriminatory as it relates to taxi drivers. The, the, the super taxi drivers – we regulate taxi drivers for income and for public safety, we should do likewise for these companies. But it's a big thing now and I wanted to raise this issue about a year and a half ago but kind of delayed to see how it was going all shake out but it's just shaking out very, very, very slow. So, we have an obligation to our constituents to ensure that this is done appropriately. Ms. Cabrera.

Ms. Cabrera: So, will this apply the companies themselves like Uber and Lyft or is this going to be something that every driver that works for Uber and Lyft ...

President Gregory: That's part of the argument. I think it should apply to the umbrella. You get your taxes there because they have subsidy areas here and each of the little subsidy areas, which would be each driver, that would be my legal analysis but that's in litigation around this country.

Ms. Cabrera: Alright, so again, just to be clear. So, each driver would have to be applying for a business license?

President Gregory: That's my opinion. They have to work it out. The problem is it hasn't been worked out.

Ms. Cabrera: But this regulation would be asking them to (1) either work it out or at least to make sure that Uber and Lyft themselves are paying – because they're going to have record of the income that's coming in from the drivers.

President Gregory: I think each driver should pay and then Uber should pay and Lyft should pay also. That's what I think but it's not what I think, it's what legally where we end up at the state and city levels. Anybody else? You look puzzle?

Mr. Michael Brown: Who me?

President Gregory: Yeah.

Mr. Michael Brown: Not at all because I, you know, this came at my committee on Public Safety...

President Gregory: Ok.

Mr. Michael Brown: ... and you said just about everything I would ...

President Gregory: Ok.

Mr. Michael Brown: ... and you added some; I'm good.

President Gregory: Anybody else have anything? Ms. Shabazz.

Ms. Shabazz: Well, thank you Mr. President. I agree that we do need to have some certain type of regulations. I mean there was while that we were trying to put more regulations in place for our taxi - current taxi drivers that we have here in the City of Wilmington. We just got them authorized and got them organized and properly labeled and licensed and they're just starting now to be able to be an economic, you know, have economic prosperity for that and now these other entities come in and take away from them. There should be something that's put in place and make sure that there's equality in operation of business.

President Gregory: Last time I was associated with a taxi driver in medallion, to operate one taxi cost \$10,000. That's how much that driver paid to the State of Delaware and Uber there is no medallion. That's just discriminatory and it should be a level playing field. And, you regulate for public safety because you have drivers and you have to have rules and regulations and protocols to protect folks who are riding in these vehicles. And, as consequence we do expend some man hours and other resources so there should be a fee attached to it where we receive some, some income and as we do any business. Mr. Williams.

Mr. Williams: Thank you Mr. President. As was discussed in the committee meeting, Uber has at least a MOU or some kind of a background check. We're not sure what that is and there's some kind of a liability insurance factored built in. However, Lyft has zero MOU and are operating here completely under radar.

President Gregory: So that's Uber and Light?

Mr. Williams: Lyft.

President Gregory: Oh Lyft. Okay, the Clerk will – Ms. Cabrera.

Ms. Cabrera: Ok, so, I'm looking at this as these two corporate companies are huge; they're making money all over the nation; they're the umbrella company and I do agree they should pay something. They just can't be here under the radar but I guess where I have a problem with this is that if you have a part-time Uber or Lyft driver, the City of Wilmington business license alone might be the salary that they make in a month or two months because they're not even doing it often enough. It's a part-time way to do, driving to Philadelphia, you're a driver somebody hops in and you're going the same way. Some people do this very limited-hours; some people do it full-time. So, I'm looking at – that it would be cost prohibited but I do feel that there should be something in place. Of course as a taxi driver they should be protected too because they have to – they have to pay – they have to pay their insurance, they have to go through all that. So, there's got to be some kind of, I guess, middle ground. I know that this is just a Resolution encouraging them to do something about it but those are my thoughts in terms of hitting the little person or that part-time entrepreneur to have to go through our tedious process of getting a business license and then to pay taxes on whatever little bit of money they're making. It is an income, so, I think it's something that at some point even the federal government might be looking into. So, I just have mixed feelings about this. I do agree with the spirit of it. I think we should do it. People should be protected but I'm also looking at the fact that some people do this for part-time income and how that would play out. So, I don't know. We'll see.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Williams, Michael Brown and Wright, and Council President Gregory. Total, eight. Nays, Council Member Prado. Total, one. Present, Council Member Cabrera. Total, one. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted. Mr. Prado.

Mr. Prado: Nothing tonight Mr. President.

President Gregory: Mr. Williams.

Mr. Williams: No legislation this evening.

President Gregory: Mr. Freel.

Ms. Shabazz: Mr. President, I have two Ordinances to present on behalf of Councilman Freel.

On behalf of Mr. Freel, Ms. Shabazz presented and called for the third and final reading Ordinance No. 16-031 (Agenda #4216) entitled:

AN ORDINANCE TO AUTHORIZE A PROFESSIONAL  
SERVICES AGREEMENT WITH EXPRESS SCRIPTS,  
INC., FOR A PRESCRIPTION DRUG PROGRAM

On the question:

Ms. Shabazz: This Ordinance is being presented by the Administration for our review and to authorize through the Human Resources Department to enter into a three-year contract with Express Scripts to administer and provide a prescription drug program for City employees beginning July 1, 2016. The cost of the agreement is \$5.6 million in the first year, \$6.3 million for the second-year and \$7 million in the third-year and the agreement also allows for successive one year renewals of the contract until terminated by either party with the 90 days. Express Script was selected as vendor through a public bidding session and there is – this program will be a great cost savings to the City of Wilmington and to the employees of the City of Wilmington. It was thoroughly vetted at the Finance Committee meeting and there's a lot of information attached for other Councilmembers to review. But there will be an annual savings of \$890,419 that the City will experience with going into this contract.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted.

Ms. Shabazz: Mr. President, I have an Ordinance to present and call for the first and second on behalf of Councilman Freel.

On behalf of Mr. Freel, Ms. Shabazz presented and called for the first and second reading Ordinance No. 16-040 (Agenda #4238) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES OF 2016, IN ORDER TO PROVIDE THE FUNDS NECESSARY TO REFUND CERTAIN OUTSTANDING PRIOR GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE SALE OF THE BONDS; AND AUTHORIZING OTHER NECESSARY ACTION

The aforementioned Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Mr. Williams, the Ordinance was received, recorded and referred to the Finance Committee. Motion prevailed.

Ms. Shabazz: That's all I have for Mr. Freel.

President Gregory: Ok Mr. Brown.

Mr. Michael Brown: Yes Mr. President, on behalf of Mr. – on behalf of yourself, Mr. Freel and Ms. Shabazz, I have a third and final to present.

On behalf of Mr. Freel, Mr. Michael Brown presented and called for the third and final reading Ordinance No. 16-022 (Agenda #4194) entitled:

AN ORDINANCE ESTABLISHING SALARIES OF CITY COUNCIL MEMBERS TO BE EFFECTIVE AS OF THE FIRST TUESDAY IN JANUARY, 2017

On the question:

Mr. Michael Brown: Yes Mr. President, this Ordinance is being presented by Council for Council's review and approval and if approved, Council would be authorizing implementation of a new salary structure for City Council Members who will take office in January 2017, after the November 2016 general election. The new salary structure is based on methodology from a 1987 Council Compensation Commission report that recommend salary increases every four years for those citizens who are elected to the 13 part-time position of City Council. This Ordinance is also in compliance with Rule 25 of City Council dealing with the establishment of Council salaries.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. I know I was listed as a sponsor but having a chance to process this and realizing that we still have unions that have not settled their contract, I cannot vote for this in any positive light until that's resolved. So, I'm going to withhold. So, I don't want to be a cosponsor. Thank you.

Mr. Michael Brown: Oh, it wasn't on it anyway. I'm sorry.

Ms. Shabazz: Yes it is.

Mr. Williams: Please remove my name Mr. President.

Mrs. Seijo (City Clerk): Thank you.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Darius Brown, Shabazz, Prado, Michael Brown, Cabrera and Council President Gregory. Total, seven. Nays, Council Members Congo, Williams and Wright. Total, three. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted. Mr. Brown.

Mr. Michael Brown: I was looking at something wrong. Ok, let me get myself together here...ok...

President Gregory: You know, there's a thing called senior – senioritis... (inaudible) graduate and ride off into the sunset.

Mr. Michael Brown: Mr. President, I'm ready to ride off. You right. Mr. President, I have an Ordinance to present and call for a third and final reading.

Mr. Michael Brown presented and called for the third and final reading Ordinance No. 16-035 (Agenda #4229) entitled:

AN ORDINANCE TO AUTHORIZE CITY CONTRACT  
17001PD – POLICE CLOTHING – WITH GRAVES  
UNIFORMS, LLC

On the question:

Mr. Michael Brown: Yes Mr. President, let me get it together here. I don't know what's wrong with me – give me a minute – this Resolution is presented – oh, this is an Ordinance, right?



Mr. Williams: Yes sir.

Mr. Michael Brown: This Ordinance is being presented by the Administration for City Council to review and approve. If approved, Council would be authorizing the Administration, through the Department of Police, to enter into a one-year agreement with Graves Uniforms LLC for the purpose of providing police clothing for department personnel. The cost to the City is \$108,770. The agreement contains a one-year extension option at the same terms. The vendor was selected through the City's competitive bidding process.

President Gregory: Somebody got something?

Ms. Shabazz: I was going to ask a question.

President Gregory: Go ahead.

Ms. Shabazz: Ok thank you. I was trying to see if I could see where the other – other organizations that may have bided for this because I notice (inaudible) to see if there was a company that was located in the City of Wilmington that had bided for this.

President Gregory: Is that usually shown in the Ordinance ...

Mr. Michael Brown: No.

President Gregory: ... the other competitive bids?

Ms. Shabazz: I remember seeing it – yes it is...

Mr. Michael Brown: It's not normally shown.

Ms. Shabazz: Yes it is.

Mr. Wright: It is.

Mr. Michael Brown: To some – not all of them. Let me put it that way – not all of them. But, at the committee meeting Mr. President, if I may, it was asked of the Chief, how many companies had applied for this bid. The Chief, if I remember right said at least three (3) and to the fact we had been using this company previously. So, this, what was said at the committee meeting because I asked him to make sure that if this question came up, even though he's here, you don't really like for people to come up and so I asked for that information.

President Gregory: Ms. Shabazz.

Ms. Shabazz: Well, I appreciate it. It's was three – does it say where they are, any local? I just was, you know, we're always looking at local hire. I was just trying to see if there a local company that might have been competing for it as well - - because it's still in the State of Delaware, it's just in Lewis where (inaudible) ...

President Gregory: Do you have another answer now Mr. Brown?

Ms. Shabazz: What page is that Mr. Brown?

Mr. Michael Brown: The Company is not in the City of Wilmington but there are here in the State of Delaware.

President Gregory: Can Mr. Williams.

Mr. Williams: Yes sir, in looking through the packet there, the other company that bid was out of Philadelphia.

Mr. Michael Brown: McDonald Uniforms.

Ms. Shabazz: That's all I wanted to know Mr. President.

President Gregory: Thank you. The Clerk will call the roll.

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted.

Mr. Michael Brown: Mr. President, I have a Resolution to present.

Mr. Michael Brown presented Resolution No. 16-054 (Agenda #4239) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals, including authorization for expedited grant applications when necessary, prior to Council's approval by resolution; and

**WHEREAS**, the City, through the Wilmington Police Department, has submitted a grant application to the State of Delaware, Criminal Justice Council for funds in the amount of \$25,000.00; and

**WHEREAS**, the said grant will provide funding for the City to conduct a citizen satisfaction survey of the Wilmington Police Department; and

**WHEREAS**, the said grant does not require a local match; and

**WHEREAS**, for timing purposes, the application for said grant had to be submitted in advance of City Council approval by resolution; and

**WHEREAS**, the Council deems it necessary and proper to authorize the grant application, for the aforesaid purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department's grant application to the State of Delaware, Criminal Justice Council in the amount of \$25,000, a copy of which is attached hereto, is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police of the Wilmington Police Department, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application.

On the question:

Mr. Michael Brown: Yes Mr. President, this Resolution is being presented by the Administration for City Council's review and approval and if approved, Council would be authorizing the Administration, through the Department of Police, to apply for a \$25,000 grant from the State of Delaware's Criminal Justice Council in order to conduct a citizen satisfaction survey of the Wilmington Police Department.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. As has been discussed in our quarterly meetings that we're having in regards to the Governor's Commission that came for public safety, this was one of the requirements that have been asked of the department and we keep asking when they're going to get it done; this would satisfy that.

President Gregory: Thank you. The Clerk will call the roll.

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted.

Mr. Michael Brown: Nothing else.

President Gregory: Mr. Wright.

Ms. Cabrera: I have nothing this evening...

President Gregory: Oh, Ms. Cabrera.

Ms. Cabrera: Thank you sir.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Thank you for skipping over me ...

President Gregory: I didn't skip you.

Mrs. Seijo (City Clerk): It might have been me.

Ms. Cabrera: ... forgetting me, tossing me to the side.

Mr. Williams: Senioritis.

Mr. Wright: Mr. President, I have an Ordinance to present and three Resolutions.

Mr. Wright presented and called for the third and final reading Ordinance No. 16-038 (Agenda #4232) entitled:

AN ORDINANCE TO AMEND CHAPTER 8 OF THE  
CITY CODE REGARDING ECONOMIC OPPORTUNITY  
PLANS

On the question:

Mr. Wright: Yes Mr. President, the legislation before us tonight created a healthy dialogue during the committee meeting in which this was presented. I will attempt to clarify or expand on some of the points' birth out of the discussion of this economic development Plan. The Economic Development Plan states when the City makes a contribution be it in-kind, cash or via strategic fund dollars, it requires any developer to state in writing how they will inform the community on job opportunities for DBE's and local residents to participate in construction projects. This legislation codifies some of the current policies the Office of Economic Development and Real Estate and Housing Department employees will enter into agreements with developers to ensure DBE's and local hiring opportunities exist. There is a guideline as to the information that must be included in this Economic Opportunity Plan. This legislation is an act of assurance to maintain positive employment avenues for small businesses and qualified residents. This legislation precludes federal projects which have different requirements. Also, contractually, the City has legal protection if and when entities do not follow through with this Plan to maintain the integrity of the penalty listed. Finally, this Ordinance is in no way compromise a community benefits agreement. It states a community benefits agreement can be referenced as a good faith action taken to engage our community as an employable measure including training, scholarships and/or other community benefits.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes, first I would like to be added as a cosponsor and I think this is a good start to deal with some of the situations that have been discussed in terms of a lot of major development that has taken place in the City where the City has been a participant and it seems like our City residents and local minority contractors and DBE's were not included in the equation. Now, I do have a question. What happens if, for example, there is no participation or they could not get participation, that's one and two, or if you get participation but they do not qualify to do the work or not able to do the work?

Mr. Wright: That has nothing to do with the legislation. It's about them instituting an economic development plan.

Ms. Cabrera: Ok.

President Gregory: It's a notice provision.

Mr. Wright: Come again.

President Gregory: Notice. That's what it is.

Mr. Wright: Thank you sir.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Wright, seconded by Mr. Williams, the aforementioned Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Prado, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, ten. Nays, none. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted. Mr. Wright.

Mr. Wright presented Resolution No. 16-055 (Agenda #424) as follows:

**WHEREAS**, Wilmington City Council endorses and supports legislative action to make sure women receive equal pay for equal work; and

**WHEREAS**, the wage gap is a harsh reality for women. The pay gap occurs in nearly every occupation for which there is sufficient earnings data for both men and women to calculate an earnings ratio, and it affects women of all ages, races and educational levels; and

**WHEREAS**, U.S. Census Bureau statistics show that women earn only 82 percent of what men earn, and the figures are even worse for minority women: black women earn 70 cents and Hispanic women earn about 64 cents of what white men earn; and

**WHEREAS**, equal pay is by far a family issue. Women make up nearly half of the labor force and are a growing number of breadwinners in their families. When women are not paid fairly, not only do they suffer, but so do their families. Women need equal pay for families to be more productive and to deal with the issue of poverty and the overall well-being of their families; and

**WHEREAS**, Council applauds and encourages legislation to address the disparity in pay between men and women including requiring companies that accept State contracts to commit to paying women at the same rate as men, to provide paid maternity leave, to show that pay disparity is not based on gender and to refrain from entering into contracts with workers that prohibit them from discussing their salaries, known as “wage secrecy provisions.”

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that this Council believes in fairness and that there should be a level playing field for all American workers, and is therefore in support of federal, state and local action to remove barriers to equal pay for equal work.

On the question:

Mr. Wright: Yes Mr. President, President Obama urged Congress to adopt equal pay legislation as well as State Representative Longhurst is taking the initiative on a state level to improve opportunities for women. Unfortunately, in Delaware’s Medicaid system women outnumbered men two to one when it comes to receiving assistance. So, this is a Resolution pledging our support and belief that women should have the same rights and wages for the same job or job tasks completed by their male counterparts.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. When Council began, there was Resolution supporting President Obama and the Lilly Ledbetter Act and paycheck fairness that I sponsored. So, this legislation is in that same spirit, so, I’d like be added as a cosponsor.

President Gregory: So noted. Ms. Cabrera.

Ms. Cabrera: I too would like to be added as a cosponsor considering that Hispanic women make sixty-four cents to the dollar.

President Gregory: So noted. Ms. Shabazz.

Ms. Shabazz: Thank you. I too would like to be a sponsor.

President Gregory: So noted. Mr. Williams.

Mr. Williams: Cosponsor please.

President Gregory: All right. I'm a cosponsor if you don't mind. So noted. Mr. Williams ....

Mrs. Seijo (City Clerk): Williams.

President Gregory: ... I mean Mr. Brown.

Mr. Michael Brown: Ok. I'd like to be a cosponsor as well.

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Sir, thank you sir.

Mrs. Seijo (City Clerk): Mr. Chukwuocha.

President Gregory: Mr. Prado.

Mr. Prado: No.

President Gregory: No.

Ms. Cabrera: What?

Mrs. Seijo (City Clerk): Michael Brown, Chukwuocha ...

Mr. Michael Brown: Prado no, right?

Mrs. Seijo (City Clerk): Darius. Thank you.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Wright, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, nine. Nays, Council Member Prado. Total, one. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted. Mr. Wright.

Mr. Wright presented Resolution No. 16-056 (Agenda #4241) as follows:

**WHEREAS**, an act to amend Title 15 of the Delaware Code relating to elections was proposed by the 148<sup>th</sup> General Assembly; and

**WHEREAS**, sponsored by Senator Margaret Rose Henry, Senate Bill No. 242 eliminates the financial bar to voter registration and allows a person convicted of a non-disqualifying felony to vote before they have paid all the fines and fees levied by the courts; and

**WHEREAS**, it is important to give ex-offenders who are honestly working to pay back their debts the same rights afforded to all citizens, including the right to vote; and

**WHEREAS**, as we encourage ex-offenders to become productive citizens in our community it is essential to adopt principals of inclusion, fairness and respect.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council fully supports Senate Bill No. 242, Felon Voting Bill and further encourages the members of the Delaware General Assembly to vote to approve proposed legislation.

On the question:

Mr. Wright: Yes Mr. President, I've kind of been seeing this endeavor through since my inception into the elected office back in 2008. I was perusing through the 1<sup>st</sup> District and some individuals that work for the City of Wilmington said, you know I can't participate in the process and so then that there was legislation to advance the cause so that they would have a right to vote and here we are again forwarding that cause. So, we're champion the cause for ex-offenders to have the right to vote on another level. So, we're here to support.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. While I appreciate the spirit of the Ordinance, I just feel like this is – it circumvents the court's ruling and therefore, I can't sponsor ...

President Gregory: But, but does this say the offender has to have had everything paid or a pay plan or it says it don't ...

Mr. Wright: Yes.

President Gregory: ... they don't have to have everything pay?

Mr. Wright: No.

Mr. Williams: Do not.

President Gregory: I'm sorry; can you explain it Mr. Wright.



Mr. Wright: No, they do not have to have everything paid.

President Gregory: They do not but they're on a pay plan and they're current in that pay plan.

Mr. Wright: Yes, that's correct.

President Gregory: Ok. Ms. Shabazz. Ms. Shabazz.

Ms. Shabazz: I'm good. Oh, well – I'd like to be added as a cosponsor.

President Gregory: Ok.

Ms. Cabrera: I would like to be added as a cosponsor.

President Gregory: So noted and so noted.

Ms. Cabrera: I do believe ...

President Gregory: Mr. Brown, so noted.

Ms. Cabrera: ... that as it is now we're taking away people's rights and this is one important right that we have and that's to vote and if people are on the path to restorative justice, this is exactly what that means – restorative justice, give them back their rights. They paid their time; they're paying their fines; there's no reason why they shouldn't have a right to vote.

President Gregory: Yeah, but they have a plan in place and they're paying on it and they're current. As opposed to, they have no obligations but their obligations are being met ...

Ms. Shabazz: Right.

President Gregory: ... ok; and I agree with that.

Ms. Shabazz: I agree with it too.

President Gregory: ...I'd like to be added as a cosponsor also. The Clerk will call the roll.

Upon a motion of Mr. Wright, seconded by Mr. Michael Brown/Ms. Shabazz, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, eight. Nays, Council Members Prado and

Williams. Total, two. Absent, Council Members Dorsey Walker, Freel and Walsh.  
Total, three.

President Gregory: Declare it adopted. Mr. Wright.

Mr. Wright presented Resolution No. 16-057 (Agenda #4242) as follows:

**WHEREAS**, according to Delaware Department of Education data, thousands of children throughout the state receive out-of-school suspensions each year for minor infractions such as being late to class or violating dress codes; and

**WHEREAS**, in 2013, only 2 percent of out-of-school suspensions were for serious offenses – such as those involving weapons, narcotics or serious violence; and

**WHEREAS**, state data also reveal disparities related to which students receive out-of-school suspensions: in 2013, African-American students made up 32 percent of the student population but accounted for 62 percent of such suspensions, while students with disabilities made up 13 percent of the student body but accounted for 24 percent of out-of-school suspensions; and

**WHEREAS**, many have argued that out-of-school suspensions fail to address the root causes of misbehavior, and can result in students falling behind in their studies; and

**WHEREAS**, federal education and justice officials have issued new educational discipline guidance, instructing schools to regularly review policies; and

**WHEREAS**, the Delaware General Assembly has introduced Senate Bill 239, which follows this mandate through replacing out-of-school suspensions with more effective and restorative interventions, and working towards addressing and correcting disparities in school discipline across various groups of students.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Council supports Senate Bill 239, and respectfully encourages members of the Delaware General Assembly to support the measure as a means to enhance the educational experience for students in Wilmington and throughout the state by instituting restorative justice practices and reforming disciplinary policies to emphasize learning.

President Gregory: Go ahead Mr. Wright.

Mr. Wright: Yes sir, Mr. President. For me, I just see this as an injustice at the end of the day and also, I kind of see it as a discriminatory tool as well. At the end of the day, having been a victim of our school suspension for a number of occasions, I just think that we could be disciplining in a different manner with more direct results to augment the lives of our children and not so much in a punitive measure that this also teaching them rather than just putting down the rules of the law sort of speak.

President Gregory: Mr. Darius Brown.

Mr. Darius Brown: Thank you Mr. President. I'd like to be added.

President Gregory: So noted. Ms. Shabazz.

Ms. Shabazz: Yes Mr. President and I'm glad that I'm already a sponsor on this but I want to just emphasize that this type of action from the Department of Education with this type of suspensions was indicated through the CDC Report. When you look at the grid of the centennial events that the individuals that they investigated and it showed their interaction in the schools that dealt with the school system, it was so – it was so many interactions and suspensions expulsions was considered that and that they're - the grid was solid, solid red and that was – that many indications of engagements that the person had. As I'm quite sure these types of feverous infractions that really lead and added to that person's path to end up being one of the victims who – individuals who committed a crime by gun.

President Gregory: Ms. Cabrera.

Ms. Cabrera: I would like to be added to the list ...

President Gregory: So noted.

Ms. Cabrera: ... because this is something that definitely starts that pattern where these young people are now on the street involved in things that they don't have any business being involved with in the middle of the day and it just starts that pattern where they, you know, many cases just begin getting caught up in the street and violence and crime and they need to be in structured atmosphere. And I tell you, I feel very strongly about this because I tell the story of my grandson in kindergarten who got expelled for three days I believe or maybe it was one day, because they were playing tag, the boy – he hit boy, you know, he tagged him, the boy hit him back thinking he hit him too hard, he retaliated – it wasn't even his teacher, he gets expelled; we can't get in to talk to the principal until after the fact and the shame of it all is that he comes in to school the following day to receive the award for the "Best Behave" kid in his classroom from his teacher. So, you just expelled this kid who's well behaved in school. These are children and you're expelling them in kindergarten – in kindergarten. Teach them conflict resolution skills. I mean they're children, this is what children do. And, I do agree that children shouldn't be disruptive in school but there's got to be a better way to deal with it. You just can't keep throwing our kids out on the street and then just giving them a path into – into incarceration.

President Gregory: Mr. Williams.

Mr. Williams: Thank you Mr. President. I would like to be added as a cosponsor if possible.

President Gregory: So noted.

Mr. Williams: I just think this is an antiquated way of putting out punishment, that the school should be a learning environment and the longer they're in that seat learning, the more options they have to grasp the information and this is just starts them off on the wrong path.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Wright, seconded by Mr. Williams, the aforementioned Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, Darius Brown, Shabazz, Williams, Michael Brown, Cabrera and Wright, and Council President Gregory. Total, nine. Nays, Council Member Prado. Total, one. Absent, Council Members Dorsey Walker, Freel and Walsh. Total, three.

President Gregory: Declare it adopted. Entertain a motion to adjourn.

### **ADJOURNMENT**

Upon a motion of Mr. Wright, seconded by Mr. Michael Brown/Ms. Shabazz, Council adjourned at 7:23 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk