

*Louis L. Redding  
City/County Building  
March 7, 2013*

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

A moment of silence was done for the late The Honorable Leonard L. Williams, former Judge of the Municipal Court of the City of Wilmington.

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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright and Council President Gregory. Total, thirteen.

### **MINUTES**

After reading a portion of the minutes of February 21, 2013, upon a motion of Ms. Walsh, seconded by Ms. Cabrera, it was moved they be accepted as written. Motion prevailed.

### **REPORT OF COMMITTEES**

Ms. Walsh presented the following committee report:

<b><u>Public Works &amp; Transportation Committee Member</u></b>	<b><u>Present</u></b>	<b><u>Absent with Leave</u></b>	<b><u>Absent w/out Leave</u></b>
Hanifa G.N. Shabazz, Chair	X		
Michael A. Brown, Sr.		X	
Nnamdi O. Chukwuocha	X		
Samuel Prado			X
Robert A. Williams	X		

February 28, 2012

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Public Works & Transportation Committee, to who was referred  
**Substitute No. 1 to Ordinance No. 13-002** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE  
BY AMENDING SECTION 37-226, AS AMENDED, TO ENACT  
CERTAIN TRAFFIC AND PARKING REGULATIONS CONCERNING  
SPECIAL RESIDENTIAL PARKING DISTRICTS IN AND AROUND  
JUSTISON LANDING

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

Respectfully submitted, Members of  
Public Works & Transportation Committee  
/s/Hanifa Shabazz, Chair  
/s/Nnamdi O. Chukwuocha  
/s/Robert A. Williams  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

\*Note: The above referenced Substitute Ordinance was originally scheduled to be addressed at the February 20, 2013 Public Works & Transportation Committee meeting. However, due to a lack of a quorum the meeting was rescheduled as a Joint meeting with Community & Economic Development Committee meeting on Feb. 28, 2013.

Upon a motion of Ms. Walsh, seconded by Mr. Williams/Mr. M. Brown, the  
above aforementioned Report was received, recorded, and filed. Motion prevailed.

Mr. Freel presented the following three-committee reports:

<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 G.N. Shabazz	X		
Loretta Walsh	X		

March 4, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Substitute No. 1 to Ordinance No. 13-003** entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE CITY CODE  
PERTAINING TO THE PENSION COMMISSION

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

Respectfully submitted, Members of  
Finance Committee  
/s/Charles M. Freel, Chair  
/s/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Hanifa Shabazz  
/s/Loretta Walsh  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above  
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 G.N. Shabazz		X	
Loretta Walsh	X		

March 4, 2013

President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-004**  
entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE BY  
AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 09-031, AS  
AMENDED BY ORDINANCE NO. 10-003, IN ORDER TO AUTHORIZE  
THE CITY TREASURER ACCESS TO THE BUDGET RESERVE  
ACCOUNT FUNDS AT THE END OF A FISCAL YEAR AND  
REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS  
IN THE ENSUING FISCAL YEAR FOR FISCAL YEAR 2013 ONLY

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/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Loretta Walsh  
/s/ Theopalis K. Gregory, Sr., Ex Officio Member

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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 G.N. Shabazz	X		
Loretta Walsh	X		

March 4, 2013  
President and Members of Council of  
The City of Wilmington

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 13-005**  
entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL RECONCILIATION  
OF ACCOUNTS BY TRANSFERRING FUNDS TO VARIOUS OFFICES  
AND DEPARTMENTS IN THE CITY OF WILMINGTON TO FULFILL  
OBLIGATIONS FOR THE REMAINDER OF THE 2012 FISCAL YEAR

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/Michael A. Brown, Sr.  
/s/Samuel Prado  
/s/Hanifa Shabazz  
/s/Loretta Walsh  
/s/Theopalis K. Gregory, Sr., Ex Officio Member

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

### **TREASURER'S REPORT**

The following Treasurer's Report dated March 7, 2013 was read into the  
record by the City Clerk, and upon a motion of Ms. Walsh, seconded by Mr. Freel/Mr. M.  
Brown, the Report was received, recorded and filed. Motion prevailed.

**TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON March 7, 2013**

102	Community Development Block Grant	M & T Bank	\$ 1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$ 1,072.22
105	Police Pension Account	M & T Bank	\$ 1,945.02
106	Fire Pension Account	M & T Bank	\$ 876.97
107	Evidence/Found Currency Account	M & T Bank	\$ 43,436.24
108	Rent Withholding Escrow	M & T Bank	\$ 4,137.97
110	Capital Projects Account	M & T Bank	\$ 1.89
113	Non-Uniform Pension	M & T Bank	\$ 1,291.70
114	Central Deposit	M & T Bank	\$ 76,064.27
117	Cement Workers	Wilmington Savings Fund	\$ 33,332.08
118	Worker's Comp. 3 <sup>rd</sup> Party Account	M & T Bank	\$ 13,003.21
124	Non-Uniform Pension Act of 1990	M & T Bank	\$ 2,153.00
130	Payroll	M & T Bank	\$ 228,542.74
131	Pension Payroll Account	M & T Bank	\$ 33,333.30
139	Pension Healthcare Account	M & T Bank	\$ <u>30,445.30</u>
	Total Cash on Hand		\$ <b>469,636.91</b>

FUND CODE	FUND	INSTITUTION	INVEST. TYPE	MATURITY DATE	INTEREST RATE	INTEREST RECEIVABLE	INVESTMENT AMOUNT
116	General	M&T Bank	RP	03/07/13	0.25%	\$ 59.69	\$ 8,714,431.00
116	General	WSFS	CD	03/08/13	0.30%	\$ 690.41	\$ 2,000,000.00
116	General	WSFS	CD	03/22/13	0.30%	\$ 871.23	\$ 2,000,000.00
124	Non-Uniform 1990	WSFS	CD	03/27/13	0.30%	\$ 985.32	\$ 4,440,000.00
105	Police Pension	WSFS	CD	03/27/13	0.30%	\$ 67.02	\$ 302,000.00
110	Capital <sup>2</sup>	TD	CD	03/28/13	0.25%	\$ 188.06	\$ 807,552.69
110	Capital	WSFS	CD	04/04/13	0.30%	\$ 1,134.24	\$ 2,000,000.00
116	General	WSFS	CD	04/05/13	0.30%	\$ 920.54	\$ 2,000,000.00
110	Capital	WSFS	CD	04/17/13	0.30%	\$ 6,164.38	\$ 10,000,000.00
116	General <sup>1</sup>	TD	CD	04/18/13	0.25%	\$ 6,852.72	\$ 14,292,802.00
116	General	WSFS	CD	04/19/13	0.30%	\$ 902.54	\$ 2,000,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 1,280.54	\$ 1,900,000.00
110	Capital	WSFS	CD	05/01/13	0.30%	\$ 18,105.53	\$ 24,464,000.00
116	General	WSFS	CD	05/03/13	0.30%	\$ 1,052.05	\$ 2,000,000.00
110	Capital <sup>3</sup>	TD	CD	05/06/13	0.25%	\$ 738.45	\$ 1,540,195.00
116	General	WSFS	CD	05/17/13	0.30%	\$ 1,282.19	\$ 2,000,000.00
116	General	WSFS	CD	06/03/13	0.30%	\$ 5,301.36	\$ 5,000,000.00
514	Risk Management	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
515	Worker's Comp.	WSFS	CD	07/11/13	0.50%	\$ 7,564.25	\$ 1,512,851.52
104	Escrow Pension	Affinity Wealth					\$ 1,000,735.00
104	Escrow Pension	Vanguard					\$ 17,478,514.00
104	Escrow Pension	Merrill Lynch					\$ 52,102,844.00
104	Escrow Pension	Edgar Lomax					\$ 25,252,580.00
104	Escrow Pension	Wilmington Trust					\$ 30,818,669.00
104	Escrow Pension	Manning & Napier					\$ 23,881,270.00
104	Escrow Pension	Earnest Partners					\$ 11,620,856.00
104	Escrow Pension	GMO					\$ 10,591,744.00
139	Medical Escrow	Merrill Lynch					\$ 9,614,622.00
116	The Hartford	Deferred Comp.					\$ 32,741,379.00
	Total Investments						\$ 303,589,896.73
	Total Cash on Hand						\$ 469,636.91
	Grand Total						\$ 304,059,533.64

<sup>1</sup> Budget Reserve <sup>2</sup> Lincoln Towers BAN <sup>3</sup> SEU

/s/Henry W. Supinski, City Treasurer

### NON-LEGISLATIVE BUSINESS

Upon a motion of Mr. M. Brown, seconded by Ms. Walsh, the following non-legislative resolutions were accepted into the record:

All Council	Retirement Kash Srinivasan
All Council	Sympathy Harmon Roland Carey
Brown M.	Recognize Bell Funeral Home
Brown M.	Appreciation Delaware Pet Cremations*
Brown M.	Sympathy Louvinia Williams Dozier
Dorsey Walker	Sympathy Jane Harrington-Smith
Gregory	Recognize Police Athletic League Wilmington of Wilmington's Black History Event
Gregory/Council	Sympathy Former Judge Leonard L. Williams
Shabazz	Recognize Harriet Tubman Day
Shabazz	Congratulate Union Lodge #21, Prince Hall Affiliate -- 130 <sup>th</sup> Anniversary
Walsh/Cabrera	Retirement Former Chief of Police Michael Szczerba
Walsh/Cabrera	Retirement Former Fire Chief Willie Patrick
Wright	Interdenominational Church Ushers Association 50 <sup>th</sup> Annual Memorial Service

Upon a motion of Ms. Walsh, seconded by Mr. D. Brown, Council returned to regular order of business. Motion prevailed.

President Gregory: Actually I want to take the privilege of the floor at this time to read a Resolution.\*

**\*Note: At this time President Gregory read the Sympathy Resolution sponsored by all members of Council for the late Honorable Leonard L. Williams.**

### LEGISLATIVE BUSINESS

President Gregory: Councilman Chukwuocha.

Mr. Chukwuocha: None tonight Mr. President. Thank you Sir.

President Gregory: Councilman Congo.

Mr. Congo: Nothing tonight Mr. President, thank you.

President Gregory: Councilman Darius Brown.

Mr. D. Brown: Yes Mr. President. I have a Resolution to present.

Mr. D. Brown presented Resolution No. 13-014 as follows:

**WHEREAS**, According to a 2012 report of the American Association of University Women, in the year 2011, women in the workforce of the United States earned 77 percent of what their male counterparts earned; and

**WHEREAS**, Approximately one-third of all employed mothers are the sole providers for their households, or are the only adult member in the workforce; and

**WHEREAS**, More and more women are entering the workforce to supplement their household incomes; and

**WHEREAS**, From the years 2007 through 2011, an average of 50.6 percent of Wilmington's year-round, full-time workforce is comprised of women while an average of 49.4 percent of Wilmington's workforce is comprised of men; and

**WHEREAS**, The median income of women in the Wilmington workforce is \$37,458.00, and the median income of men in the Wilmington workforce is \$46,033; and

**WHEREAS**, According to the Library of Congress summary, "The Paycheck Fairness Act," a bill to amend the Fair Labor Standards Act of 1938, will create incentives for employers to follow legal standards, empower women to negotiate for equal pay and strengthen federal outreach and enforcement efforts. The bill will also deter discrimination by strengthening penalties for equal pay violations and by prohibiting retaliation against workers who inquire about employers' wage practices or disclose their own wages; and

**WHEREAS**, The Paycheck Fairness Act will go a long way to strengthen the American middle class and to become a vehicle for ALL workers to have a "voice" in earning fair wages for jobs they perform daily.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, That Wilmington City Council respectfully urges our Delaware United States Congressional delegation, United States Senators Thomas R. Carper and Christopher Coons, and United States Representative John Carney, Jr. to support the passage of **THE PAYCHECK FAIRNESS ACT**. We further respectfully urge all other United States Congress Members to fully support this bill.

Mr. D. Brown: Yes, Mr. President. As we recognize and observe this month of March being Women's History Month, and also the Centennial of Women's Suffrage, which occurred on March 3rd, I'm sponsoring this Resolution to support the Paycheck Fairness Act, the Council Members have an info-graphic, which provides some information not only understanding the impact nationally through a Resolution, but also the impact here in the city of Wilmington. Here in the City of Wilmington, male's make up 49 percent of our workforce, women make up 51 percent of our workforce. However, the gender gap for males, males' medium income here in the City of Wilmington is \$46,000 and females are \$37,000. So we seen the gender gap and the challenges that many females here in our city face while being working individuals and also heads of households, and so this Resolution supports the spirit of the Resolution nationally to support women, women in the workforce. In addition, to that as an omission, I would like to ask that the women's caucus of Council be added, Council Members Walsh,



Cabrera, Shabazz and Dorsey Walker. In previous conversations they had asked to be added and it was omitted.

Mrs. Seijo: So noted.

President Gregory: Thank you. Any other comments? Mr. Brown?

Mr. M. Brown: I'd like to be added as well, Mr. President, please.

Mrs. Seijo: So noted.

President Gregory: Anybody else? Clerk will call the roll.

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freil, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

Mrs. Seijo: Declare it.

President Gregory: Declare it adopted.

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

Mr. D. Brown presented Resolution No. 13-015 as follows:

**WHEREAS**, in 1994, Congress enacted an assault weapons ban that prohibited the sale of certain semi-automatic and automatic weapons to help reduce the levels of gun-related violence in the United States; and

**WHEREAS**, the assault weapons ban expired in 2004, by operation of law, and the ban has not been reenacted by Congress; and

**WHEREAS**, throughout the United States a growing number of mass and random shootings have occurred in schools, colleges, and other public places where innocent people gather; and

**WHEREAS**, in the City of Wilmington, 23 gun homicides were reported in 2010, 22 gun homicides in 2011 and 24 gun homicides in 2012; and

**WHEREAS**, Wilmington City Council supports the proposed federal gun control laws that: (a) close background check loopholes to keep guns out of the hands of criminals and other dangerous individuals; (b) require background check on ALL gun sales; (c) ban military-style assault weapons and high-capacity magazines and takes other common-sense steps to reduce gun violence; (d) make all schools safer; (e) increase access to mental health service; and (f) end the freeze on gun violence research.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Wilmington City Council respectfully urges our Delaware United States Congressional delegation, United States Senators Thomas R. Carper and Christopher Coons, and United States Representative John Carney, Jr. to support the passage of **THE FEDERAL GUN CONTROL LAWS**. We further respectfully urge all other United States Congress Members to fully support this bill.

Mr. D. Brown: Yes, Mr. President. In January of this year, our president, President Barack Obama, publicly announced the support of three new legislative measures, to regulate firearm ownership and sales. There's been some contention nationally and locally around these proposals, but they have been codified by State proposals, also, through our Governor, Lieutenant Governor, and Attorney General. In some of the, these proposals, one is banning certain semiautomatic weapons with military-style features, commonly referred to as assault weapons, in addition to high-capacity ammunition magazines that hold more than ten rounds. The second recommendation is requiring background checks on all firearm sales, not just those purchased from federally-licensed firearm dealers and then thirdly, is enhancing penalties for trafficking firearms.

President Gregory: Anyone else? Mr. Wright.

Mr. Wright: Thank you Mr. President. I want to thank the (inaudible) of Delta Sigma Theta Sorority who came to our public comment portion to speak out against the gun violence that our communities are facing. Also, I think it's important to note that on our previous Resolution, with the Women's Suffrage Act, March, excused me, that the Sigma Theta Sorority, Inc., they, as one of the, I believe, the first public advocacy issues of march many, many years ago that they just re-enacted on Sunday. So, I want thank them, as well as everyone else for their contributions and commitments to the shrine that we'll have a safer city, community and world. Thank you.

President Gregory: Thank you. Ms. Dorsey Walker.

Ms. Dorsey Walker: Mr. President, I'd like to be added as co-sponsor, please.

Mrs. Seijo: So noted.

President Gregory: Ms. Cabrera.

Ms. Cabrera: I would also like to be added as a co-sponsor.

Mrs. Seijo: So noted.

Ms. Walsh: Yes.

President Gregory: Ms. Walsh.

Mrs. Seijo: So noted.

Ms. Walsh: Just very quickly, one thing, I thought this was a bright light in our State today, but Representative Hocker, I might be mispronouncing his name, was a downstate guy, who I, happens to also own a gun shop, introduced legislation today for full background checks in the State of Delaware. So, aces to him that he didn't listen to the NRA.

President Gregory: Councilwoman Shabazz was instrumental at the national legal cities level and I've been a part of a group to get a Resolution passed, this NLC Resolution No. 2013-26. She's being modest in not bringing it to yall's attention, but I will. I'm not going to read all the Whereas clauses; I'm going to read the first and then I'm going to go down to therefore and be it resolved. Whereas young men generally and African American males specifically, are dying at, are dying at an alarming rate due to homicides, which is the #2 cause of death for all males; and the #1 cause of death for 15-24-year-old African-American males. There are three other, or four other Whereas clauses, then you go down in those Whereas clauses document the horrific statistics and the plight of, of, of African-American males.

Now, therefore, be it resolved that the National Legal Cities calls upon the United States Congress to direct the Centers for Disease Control, whose primary responsibilities are to monitor public health, detect and investigate health problems, foster safe and healthy environments, and implement prevention strategies, to monitor, detect and prevent violence among young males, generally, and young African-American males specifically – Specifically - and be it further resolved that the Centers for Disease Control develop a holistic intervention designed to address the health-related aspects and implications of violence among young males generally, and young African-American males specifically, and it goes on from there. I want to commend Councilman Darius for taking leadership with respect to this Resolution. Thank the ladies of Delta Sigma Theta Sorority, and you, Councilwoman Shabazz for your work at the National League of Cities level. In addition, to assault, assault weapons, the weapon of choice in urban America is handguns. So, we really need to do something about that, also. Any other comments? Clerk will call the roll.

Upon a motion of Mr. D. Brown, seconded by Ms. Walsh, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented and called for the third and final reading Ordinance No. 13-002 entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE BY AMENDING SECTION 37-226, AS AMENDED, TO ENACT CERTAIN TRAFFIC AND PARKING REGULATIONS CONCERNING SPECIAL RESIDENTIAL PARKING DISTRICTS IN AND AROUND JUSTISON LANDING

Mr. President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE BY AMENDING SECTION 37-226, AS AMENDED, TO ENACT CERTAIN TRAFFIC AND PARKING REGULATIONS CONCERNING SPECIAL RESIDENTIAL PARKING DISTRICTS IN AND AROUND JUSTISON LANDING

Ms. Shabazz: Yes Mr. President. This Substitute Ordinance amends the City Code by adding a special residential parking district in and around the Justison Landing. This new residential parking district is proposed by Public Works and due to the increase of the residents that are growing, that are um that are living in that new area down in Justison Landing.

President Gregory: Anyone else?

Ms. Shabazz: It's been vetted by the Public Works as well as meeting with the residents down there and they're all in agreement.

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

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

President Gregory: Declare it adopted.

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

Ms. Shabazz presented Resolution No. 13-016 as follows:

**WHEREAS**, by its Ordinance No. 97-051, amending 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 a requirement for Council approval by resolution, and including authorization for expedited grant applications in any situation in which a City office or department is required to file an application or proposal for grant funds prior to the next regular meeting of Council, in which case the application may be submitted to Council for its approval and ratification subsequent to its submission to the issuing agency; and

**WHEREAS**, the City, through the Department of Public Works, has sought to obtain four (4) grants from various sources for tree related project throughout the City totaling \$379,136 and requiring local matching of \$312,550 plus a suggested local matching of \$29,250; and

**WHEREAS**, Grant #1, entitled "Vandever Ave Tree Trench Demonstration Project", is a Surface Water Planting Grant from DNREC in the amount of \$43,350 to provide funding for the design of five tree trenches along Vandever Ave and to hold two public education meetings; and

**WHEREAS**, Grant #1 requires a local match of \$43,350; and

**WHEREAS**, Grant #2, entitled "Vandever Ave Stormwater Tree Trenches, Urban Forest Management Plan and Tree Planting Budget", is a U.S. Forest Service Redesign Grant from the U.S. Forest Service in the amount of \$265,786 to provide funding to construct the five tree trenches designed in Grant #1 along Vandever Ave and to complete the Management Plan; and

**WHEREAS**, Grant #2 requires a local match of \$269,200; and

**WHEREAS**, Grant #3, entitled "Creating a Statewide Model for Quantifying Water Quality Benefits of Trees", is a Community Water Quality Improvement Grant from DNREC in the amount of \$50,000 to provide funding to plant trees and to define new statewide policies relating to trees and stormwater best management practices; and

**WHEREAS**, Grant #3 does not require a local match, however, the application identifies \$29,250 in supporting funds for tree planting and printing materials; and

**WHEREAS**, Grant #4, entitled "Tree Planting in Economically Disadvantaged Areas", is a TD Green Streets Grant from TD Bank and Arbor Day Foundation in the amount of \$20,000 to provide funding for tree planting in economically disadvantaged neighborhoods; and

**WHEREAS**, Grant #4 does not require a local match; and

**WHEREAS**, the Council deems it necessary and proper to authorize the Department of Public Works to accept the awarded grants in the amount of \$379,136.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Department of Public Works is hereby authorized to accept grant funding from DNREC, U.S. Forest Service, and TD Bank and Arbor Day Foundation in the amount of three hundred, seventy-nine thousand, one hundred and thirty-six dollars (\$379,136); and

**BE IT FURTHER RESOLVED** that the Department of Public Works shall be authorized to take all necessary actions to comply with the Project Agreement for Vandever Avenue Tree Trench Demonstration Project (for Grant #1), the Community Water Quality Improvement Grant Program Memorandum of Agreement (for Grant #3), a copy of which is attached hereto and made a part hereof, and any other actions required to comply with grant requirements and to administer the grants and the grant programs for the City of Wilmington.

Ms. Shabazz: This Resolution approves the Wilmington Department of the Public Works to accept four grants funded by DNREC, U.S. Forest Service, TD Bank and Arbor Day Foundation in the amount of \$379,000, \$379,136. There is a total match required for in the amount of \$312,550, plus a suggested match of \$29,250, and these matching funds have been already allocated in the 2012 budget. These are projects that would help us with our tree services throughout various parts of the City of Wilmington.

President Gregory: Anyone else? Clerk will call the roll.

Upon a motion of Ms. Shabazz, seconded by Mr. Congo, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

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. 13-006 entitled:

AN ORDINANCE TO AMEND CHAPTER 36 OF THE  
CITY CODE REGARDING WEAPONS AND RELATED  
OFFENSES

This Ordinance was given two separate readings by title only and upon a motion of Ms. Shabazz, seconded by Ms. Walsh, was received, recorded, and referred to the Public Safety Committee. Motion prevailed.

Ms. Shabazz: That's all for tonight. Thank you.

President Gregory: Mr. Prado.

Mr. Prado: Nothing tonight Mr. President, thank you.

President Gregory: Ms. Dorsey Walker.

Ms. Dorsey Walker: Nothing tonight Mr. President, thank you.

President Gregory: Mr. Robert Williams.

Mr. Williams: Nothing tonight Mr. President.

President Gregory: Mr. Freel.

Mr. Freel: Yes Mr. President. I have three for third and final, one for first and second and then one Resolution.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-003 entitled:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE  
CITY CODE PERTAINING TO THE PENSION  
COMMISSION

Mr. President, I have a **Substitute** to present in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 39 OF THE  
CITY CODE PERTAINING TO THE PENSION  
COMMISSION

Mr. Freel: Yes Mr. President, once a year in January the Pension Commission comes together to make recommendations on cost of living increases for pensioners. If they make a recommendation increasing the pensioners uh, uh, monthly amount, that has to then go to Council for a vote. Basically, what this Ordinance does is that if there is an increase, anything above zero dollars, the Commission will come together uh within twenty or thirty days after that meeting just to review what the financial impacts are of that recommendation, whether it's on the long term financial impact to our budget what the impact's unfunded liabilities, etc., because you can have this commission meeting and someone can just, one of the members just show up and make a recommendation, or make a motion to increase it, and it can pass without any supporting documentation on, on what the impact is. So, it's just for the Commission to do its due diligence, come back one time and, and look at what, what those impacts are.

President Gregory: Clerk will call the roll. Mr. Williams.

Mr. Williams: Yes Mr. President. I just wanted to reveal that I am a beneficiary of a City pension and I did review with the Law Department; they said that there would be no problem with the way that I would respond to this Ordinance. I did have a question to raise prior to the vote. And my question is if the members of this committee are appointed and elected by their respective bodies they have a fiduciary

responsibility to make sound decisions based on the information that's presented before them. And it says right in the Ordinance that it's a recommendation, and it's strictly a recommendation that is to be reviewed and then voted on by this body. I just see this as an overkill in my position, that this is one additional step that ultimately comes down to this body.

President Gregory: Mr. Brown.

Mr. D. Brown: Yes Mr. President, just for a point of clarity for this Resolution, what, what's presented in front of us that we'll be, I'm sorry, this Ordinance, for what is, is presented in front of us. This has no binding effect or impact on January's vote?

President Gregory: No.

Mr. D. Brown: Correct?

Mr. Freel: No, no impact on the vote that was taken in January 2013.

Mr. D. Brown: Okay. Thank you.

President Gregory: Ms. Walsh.

Ms. Walsh: Mr. President, having served on the Pension Board before, too, it wasn't the same scenario but, there was an individual who was trying to get an increase in a, in, in a pension going out and was voted down twice before, and then when certain members were missing, including myself from a meeting, they took a vote and gave him a pension, which would have been higher than his normal pension. But, I think when it comes to being safe, you know, we're, we're doing taxpayers money here, that a lot of our pensioners, too, if you think, not a lot anymore, but still some of our pensioners never paid a dime into the pension system...ever. And so before we continue to spend current taxpayers' money, if two people have to check it or you have to check it two times, I don't see what the big deal is at all. I don't think there is a big deal. So, I'll be supporting it.

President: Clerk will call the roll.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above aforementioned **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring by the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Chukwuocha, Congo, D. Brown, Shabazz, Prado, Dorsey Walker, Freel, M. Brown, Walsh, Wright, and Council President Gregory. Total, eleven. Nays, Council Member Cabrera. Total, one. Present, Council Member Williams. Total, one.



Mr. Wright: Excuse, pardon that's wrong.

President Gregory: Did you vote "no"?

Ms. Cabrera: I voted "no".

Mrs. Seijo: Oh I'm sorry. I apologize. Eleven Yeas, One Present and One Nay. Thank you.

President Gregory: Declare it adopted please.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-004 entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE BY AMENDING SUBSTITUTE NO. 1 TO ORDINANCE NO. 09-031, AS AMENDED BY ORDINANCE NO. 10-003, IN ORDER TO AUTHORIZE THE CITY TREASURER ACCESS TO THE BUDGET RESERVE ACCOUNT FUNDS AT THE END OF A FISCAL YEAR AND REPLENISHMENT OF THE BUDGET RESERVE ACCOUNT FUNDS N THE ENSUING FISCAL YEAR FOR FISCAL YEAR 2013 ONLY

Mr. Freel: Yes Mr. President. We have done this several times over the last four or five years, and basically what we do is we allow the City Treasurer, as we come, come to the end of a fiscal year, if we find ourselves in a cash flow situation, where we do not have enough cash to, to pay our bills, basically our payroll and things like that every two weeks, we give him the ok to take funds from our budget reserve account and it's clear that those funds need to be replenished by October 1st. As you know, our taxes, our property taxes, come due on August 30<sup>th</sup>. So, we start seeing those funds coming in - in August and September, and that gives him the ability then to go ahead and repay it by October 1st. Those funds that he usually takes somewhere in the area of late May, June, July.

President Gregory: Clerk will call the roll, please.

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

President Gregory: Declare it adopted.

Mr. Freel presented and called for the third and final reading Ordinance No. 13-005 entitled:

AN ORDINANCE TO AUTHORIZE THE ANNUAL  
RECONCILIATION OF ACCOUNTS BY TRANSFERRING  
FUNDS TO VARIOUS OFFICES AND DEPARTMENTS  
IN THE CITY OF WILMINGTON TO FULFILL  
OBLIGATIONS FOR THE REMAINDER OF THE 2012  
FISCAL YEAR

Mr. Freel: Yes, Mr. President. This is something else that we have to do once a year, to close out a fiscal year, which we are doing for Fiscal Year 2012. Normally we wait to do the reconciliation until after, after the audit is completed and we have finished the comprehensive annual financial report. Those are both done and now we are just doing a reconciliation of accounts. I know this is a little later than maybe in the last couple of years, but I believe some of that is due just because we were going through a transition in the late, you know, late 2012, early 2013.

President Gregory: Ms. Walsh.

Ms. Walsh: Mr. President, this, my vote tonight will have nothing to do with this Administration. I vote no on this every year. I, I don't like the way the City does this; I haven't liked it, the way the City has done this under four mayors. I don't have a real hard on for it. So I, I haven't solicited any other no votes, but in case members wonder why I'm voting no, it simply is I think they should be doing business differently, and I am going to consistently vote "no" this evening.

President Gregory: Clerk will call the roll.

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

President Gregory: Declare it adopted.

Mr. Freel presented and called for the first and second reading Ordinance No. 13-007 entitled:

A REFUNDING PROJECT ORDINANCE APPROVING  
AND AUTHORIZING THE FINANCING OF A  
REFUNDING PROJECT FOR THE DELAWARE ART

MUSEUM, INC.; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING THE ISSUANCE OF CITY OF WILMINGTON REVENUE REFUNDING BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000; AND AUTHORIZING OTHER NECESSARY ACTION

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

Mr. Freel presented Resolution No. 13-017 as follows:

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that the Memorandum of Agreement between the **CITY OF WILMINGTON**, a municipal corporation of the State of Delaware, and the **AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES AFL-CIO, (AFSCME) LOCAL 1102**, is hereby approved and is effective as of the date of execution of the said Memorandum of Agreement, a copy of which is attached hereto and made a part hereof, and the Mayor and City Clerk are hereby authorized to execute as many copies of said Memorandum of Agreement as may be necessary.

Mr. Freel: Yes, Mr., President. A few years back the previous Administration in, in effort to kind of tighten the City's belt, had come to the Unions and Council and suggested eliminating three holidays and creating floating days. They met with the Unions and had received MOUs from all the Unions, Unions supporting it. When it came for a vote that night at Council, Council amended that Ordinance and put the Good Friday back in as, as a holiday, just deleted one of the floating days. All the MOUs they went back and revisited with the Unions all the MOUs, the only one that had not voted to, to go along with the change was Local 1102. I, I guess the new Administration had approached them again about making this change so, you know, there'd be no confusion for our residents really on who was working and who wasn't on Good Friday. It is my understanding that that local met last night and approved that MOU and now it is before you tonight so we can get this hopefully rectified before Good Friday of this year, which is, I believe, March 29<sup>th</sup>.

Mr. D. Brown: Mr. President.

President Gregory: Mr. Brown.

Mr. D. Brown: Mr. President is there a process or procedure when there's a, a vote by a Union within twenty-four hours of Council commencing to provide some type of documentation on their vote? And if so, was that provided?

President Gregory: There's, there's no procedure, certainly you could make the point that you need more details. I know that there had been discussion behind the scenes and it's - - it, this was conditioned on the Union agreeing, and we wouldn't be here today if the Union didn't agree and they were going to do this before today. This may have come up at the last minute; there is no process, but I can tell you that there was discussion. Yes, Mr. Freel?

Mr. Freel: Yeah, I just wanted to say that we did discuss this briefly at the Finance Committee meeting on Monday. The president of the Union was there and she did leave a message on my machine last night that it had passed. That's about all I have.

President Gregory: Okay. Anything else? Ms. Cabrera.

Ms. Cabrera: I would like to be added.

Mrs. Seijo: So noted.

President Gregory: Clerk will call the roll, please.

Upon a motion of Mr. Freel, seconded by Ms. Walsh, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

Mr. Freel: That's all I have sir, thank you.

President Gregory: Mr. Michael Brown, please.

Mr. M. Brown: Yes Mr. President, thank you. I do have a Resolution to present.

Mr. M. Brown presented Resolution No. 13-018 as follows:

**WHEREAS**, Wilmington residents are regularly subjected to dangerous criminals who commit violent crimes while out on bail; and

**WHEREAS**, statutory changes are needed to strengthen our bail system in order to keep repeat offenders off of our streets; and

**WHEREAS**, under the legislation proposed by Attorney General Joseph R. Biden, Senate Majority Whip Margaret Rose Henry, Senator Robert Marshall, Representative Helene Keeley and Representative Larry Mitchell, violent criminals will face stricter bail conditions, and in certain instances be denied bail; and

**WHEREAS**, the legislation as proposed by the Delaware General Assembly would:

Require that defendants arrested on violent felony charges while out on bail for a previous offense have their bail for the first offense revoked if a Superior Court judge decides there is sufficient evidence that the person committed the second offense. The repeat offender would forfeit the bail if it was cash, and a hearing will be held to set a new bail amount, which must be at least twice as much as the initial bail amount.

Amend Delaware's constitution to allow for judges to have the discretion to order dangerous defendants held without bail if holding them in pre-trial detention is the only way to "reasonably assure the safety" of the public. The constitutional amendment would make Delaware law similar to the federal system, where judges can hold hearings to determine whether a defendant is too dangerous to release; and

**WHEREAS**, while the bill retains the express right to have bail set in a criminal case, Council hopes the proposed legislation will give our judges the opportunity to decide whether an individual is too violent or too dangerous to be released back into the community; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that Council supports Attorney General Joseph R. Biden and the General Assembly on their Criminal Justice Proposal to Protect Public Safety by Focusing on Violent Repeat Offenders and encourages all General Assembly members to vote approve the legislation.

President Gregory: Mr. Williams.

Mr. Williams: You want to go first?

President Gregory: Oh, I'm sorry. Mr. Brown, do you . . .

Mr. M. Brown: I was just getting ready to say it speaks for itself.

President Gregory: Okay. Mr., Mr. Williams wants to be co-sponsor.

Mrs. Seijo: So noted.

President Gregory: Ms. Dorsey Walker.

Ms. Cabrera: Mr. President I'd like to be added as a co-sponsor, please.

Mrs. Seijo: So noted.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Yes, although I'm in a hundred percent support of this because I keep seeing how, you know, our policemen are doing, our Police Department is doing their job, locking up folks and they're back out again and thirty days later they're committing the same offense they were locked up for. I'm in total support; however, there is a line here that I have to question and, and maybe this is something we have to take up with the legislatures but it says a repeat offender would forfeit the bail if it was cash. Now, how would that affect the bail bondsmen that put up the money most of the time? How would that affect their businesses, because I do believe that there was a Bail Bondsmen Association meeting, I was not able to attend, how this legislation would literally put them out of business. So I, I just don't know how much research has been done on this particular line but, again, I want to go on the record stating that I support this a hundred percent. I don't think people should be let out on bail just to be out there committing the same offenses while they're out but I think that as a small business person that is something that we should, I don't know, look further into.

President Gregory: Mr. Mr., anyone else? I, I have a question. I know that there was a piece that we went over to the press conference on. Is this the one we went over on the press conference?

Mr. M. Brown: That is correct.

President Gregory: Mr. Brown.

Mr. D. Brown: Thank you Mr. President. For me, as I've watched previous Council Members express their, their issues and concerns around crime and violence and for me, also, with the constituents that I represent and their feelings around crime and violence and the issues that they face within the neighborhood, I think this piece of legislation at the State level is a good tool to allow the courts and the power of the, the State Department of Justice to utilize as it has been expressed by the sponsors of this legislation at the State level and also by the Department of Justice; this tool is not a tool that will be used unilaterally or be used in every instance but it's a tool that's being able to use for repeat offenders, which in many cases come back to our neighborhoods commit the same offenses, which impact the quality of life of residents in the City of Wilmington.

President Gregory: Mr. Brown, I, I want to, you were going to say something?

Mr. M. Brown: No, go ahead.

President Gregory: I, I'm conflicted by the - - by this legislation. I went over to the press conference. I thought I, it was a constitution amendment to increase bail for violent offenders and repeat violent offenders, and for the instant offense you would have committed a violent offense, like Ms. Cabrera, I am concerned about the feature, and I don't know if that's in the constitution amendment or not; I think that's a clause that's being put in with respect to the execution of the constitution amendment. I'm

conflicted because I was a prosecutor, I've been a defense attorney, and I've been a small businessman and there, there're a lot of different values in that but I, I think on balance, I'm going to vote for it, but, but I think that there are some competing values in, in this legislation that really should be considered, but also, I'll, I'll vote for it because there are some due process stages in it; it's not the, the prosecutor making the decision, it's the judge, and they have to have a hearing in federal court, at that hearing, in terms of bail is a real hearing, it's not a perfunctory hearing, and my understanding this will be a real hearing not something where you go through the motions.

So, I think due process being protected, we have the speedy trial where folk can get out, it'll be, it will be moved through the system appropriately, and the third piece is that it's limited to serious violent felons, it's not misdemeanors and it's not just felonies; they have to be serious, violent felonies. So, with those safeguards I'm in favor of this. But again, I'm conflict, convicted, I've been a prosecutor at the federal level here in the district and having been a defense attorney and being a small businessman in terms of folk's money being in jeopardy. Yes, Ms. Shabazz.

Ms. Shabazz: So, Mr. President, will the question regarding the statement that Councilwoman Cabrera brought up regarding the forfeiting the bail would, would we have staff or our Law Department ready to give us a, an answer, clear answer to that, cause I also feel the same way.

President Gregory: What is in there it's in the proposed legislation at the State level. We're not trying to amend that legislation. We're just sending a Resolution in support of it.

Ms. Shabazz: I mean this is for our clarification so that we would know because some of those bail bondsmen are our constituency so we would know.

President Gregory: It is in the State legislation, as it has been read. I, I just noted that I think that there are sufficient safeguards and I think that it's limited to serious, violent felonies and not just felonies, not misdemeanors, and with the safeguards that are built in, I'm in support of it, but, we have an answer. The answer is very clear that you will forfeit. So, the bail bondsman has to assess whether he or she is going to post bail given these criteria. So, it is a chilling effect; there certainly is a chilling effect on one's liberty.

Ms. Shabazz: Thank you Mr. President.

Mr. M. Brown: Yes Sir.

President Gregory: Mr., Mr. Michael Brown.

Mr. M. Brown: And then if you read down a, right above the fifth Whereas, where it says the amended Delaware Constitution to allow for judges to have the discretion, just what you just said, to order dangerous defendants held without bail. If holding them in pre-trial detention is the only way to reasonably assure the safety of the

public. The constitution amendment would take, will make Delaware a, a law similar to the federal system where judges can hold hearings to determine whether the defendant is too dangerous to release them. Then it goes to that Whereas, the fifth Whereas, where, where we said that while the bill retains it, the, the express right to have the bail set in a criminal case, we, Council, hopes the proposed legislation would give our judges the opportunity to decide whether an individual is too violent and too dangerous to be released back into the community. It just goes to what you just said, you know. It has to be that the bail bondsman has to, to look at that very, very seriously. We, if you remember back in the, five, eight years ago, we had a law out where, where they was going and, and setting bail and taking, when somebody would, would jump bail, they would take the, the, they'd go back and take somebody's house. They'd go back and take somebody's house.

So, but this goes back, and it reminded me of that, and this goes back even deeper that now the judge, we, we always say that it's a revolving door, it's a revolving door about these criminals coming back and forth, committing a crime in the morning, and, and in the afternoon they done had lunch and back on the corner. You know, it, it is now more, more teeth in here to have the judges say we have more teeth that we can use our, our bailers' discretion in terms of whether we want to release them and then the, the bail bondsman has to be there or be somewhere near to, to know all those facts before they want to put themselves out on the limb.

President Gregory: In a democracy, in a free country, we have to be careful with respect to what rights and due process - how we impact that in the face of securing our safety, and so there're competing principles. But I think there's sufficient due process, safeguards in this that I'm in favor of it. The Clerk will call the roll please.

Upon a motion of Mr. M. Brown, seconded by Ms. Walsh, the above 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, D. Brown, Shabazz, Prado, Dorsey Walker, Williams, Freel, M. Brown, Cabrera, Walsh, Wright, and Council President Gregory. Total, thirteen. Nays, none.

President Gregory: Declare it adopted.

Mr. M. Brown: Mr. President, I also want to thank the organization for coming and showing their support for this piece of legislation.

President Gregory: Thank you. Declare it adopted. We're going to Ms. Cabrera and I enjoyed the discussion. I think that's why we got elected to talk and to flush out and not take for granted our democracy and how we do things. So, I mean, that's real good. I think it's good for this body. Ms. Cabrera.

Ms. Cabrera: Nothing this evening.



President Gregory: Ms. Walsh.

Ms. Walsh: Yes.

Ms. Walsh presented and called for the first and second reading Ordinance No. 13-008 entitled:

AN ORDINANCE CONSTITUTING BUDGET AMENDMENT  
NO. 6 TO ORDINANCE NO. 12-019 TO AMEND THE  
POSITION ALLOCATION LIST FOR FISCAL YEAR 2013  
BY MAKING CHANGES IN THE MAYOR'S OFFICE;  
AND APPROPRIATE THE USE OF GENERAL FUND  
BALANCE BY AMENDING THE FY2013 OPERATING  
BUDGET ORDINANCE

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

President Gregory: Mr. Wright.

Mr. Wright: Nothing tonight Mr. President. Permission.

President Gregory: You out. Thank you.

### PETITIONS AND COMMUNICATIONS

The Council Members announced committee and civic meetings, and community events in their districts. Summer Youth employment was duly mentioned and those youth who may be interested should contact the Department of Parks & Recreations at 576-3810. Council President Gregory and Council Members expressed their condolences to the family of The Honorable Judge Leonard L. Williams.

### ADJOURNMENT

Upon a motion of Ms. Walsh, seconded by Mr. Freel, Council adjourned at 8:22 p.m. Motion prevailed.

Attest:   
Maribel Seijo, City Clerk