Wilmington, Delaware Louis L. Redding City/County Building September 17, 2015

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\*\*, Darius Brown\*\*, Shabazz, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera\* and Wright and Council President Gregory. Total, ten. Absent, Council Members Congo, Prado and Walsh. Total, three.

### **MINUTES**

After reading a portion of the minutes of September 3, 2015, upon a motion of Mr. Freel, 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:

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

President and Members of Council of The City of Wilmington

September 8, 2015

Ladies and Gentlemen:

We, your Finance Committee, to who was referred **Ordinance No. 15-035** entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE IN ORDER TO APPLY THE CORRECT GOVERNMENT ACCOUNTING STANDARDS TO INTERNAL AND EXTERNAL AUDITS

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/Hanifa Shabazz

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

\*Note: During this time, Ms. Cabrera was marked present and reflected herein in the minutes (Roll Call).

The City Clerk read the following committee report:

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

Date: September 9, 2015

President and Members of Council of The City of Wilmington

#### 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:

- "Prestige Academy Presentation" by Cordie W. Greenlea, III
- Discuss "Delaware State Parks Grant Resolution"

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

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

The City Clerk read the following committee report:

Public Safety Committee Member	Present	Absent with Leave	Absent w/out Leave
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 Date: September 14, 2015

#### 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 approving the acceptance of State of Delaware, Criminal Justice Council Grant
- Update on Operation Disrupt
- Update on Crime Reward Fund
- Discuss the Guardian Angels in the City of Wilmington

Respectfully submitted, Members of Public Safety Committee /s/Michael A. Brown, Sr., Chair /s/Ernest Congo, II /s/Robert A. Williams /s/Theopalis K. Gregory, Sr., Ex Officio Upon a motion of Mr. Michael Brown, seconded by Mr. Williams/Mr. Freel, the aforementioned Report was received, recorded and filed. Motion prevailed.

# TREASURER'S REPORT

The following Treasurer's Report dated September 17, 2015 was read into the record by the City Clerk, and upon a motion of Mr. Freel, seconded by Mr. Williams, the Report was received, recorded and filed. Motion prevailed.

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF WILMINGTON September 17, 2015

102	Community Development Block Grant	M & T Bank	\$	1.00
104	Old Non-Uniform Pension Account	M & T Bank	\$	3,396.81
105	Police Pension Account	M & T Bank	\$	4,161.83
106	Fire Pension Account	M & T Bank	\$	2,885.06
107	Evidence/Found Currency Account	M & T Bank	\$	480,459.53
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	\$	1,431.94
114	Central Deposit	M & T Bank	\$	112,223.94
117	Cement Workers	Wilmington Savings Fund	\$	33,451.60
118	Worker's Comp. 3rd Party Account	M & T Bank	\$	13,003.23
124	Non-Uniform Pension Act of 1990	M & T Bank	\$	5,468.50
130	Payroll	M & T Bank	\$	226,855.88
131	Pension Payroll Account	M & T Bank	\$	43,159.53
139	Pension Healthcare Account	M & T Bank	\$_	44,470.61
1	Total Cash on Hand		\$	975,108.43

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Fund Code	Fund	Institution	INVEST. TYPE	MATURITY DATE	Interest Rate	Interest Receivable	Investment Amount
116	General	M&T Bank	RP	09/17/15	0.01%	\$ 1.93	\$ 7,034,496.00
116	General	WSFS	CD	09/18/15	0.30%	\$ 953.42	\$ 2,000,000.00
110	Capital	WSFS	CD	09/22/15	0.30%	\$ 13,606.52	\$ 19,476,000.00
116	General	TD	CD	09/25/15	0.25%	\$ 402.74	\$ 1,200,000.00
105	Police Pension	WSFS	CD	09/29/15	0.30%	\$ 195.91	\$ 745,000.00
106	Fire Pension	WSFS	CD	09/29/15	0.30%	\$ 256.43	\$ 975,000.00
124	Non-Uniform 1990	WSFS	CD	09/29/15	0.30%	\$ 405.04	\$ 1,540,000.00
116	General	TD	CD	09/30/15	0.25%	\$ 482.88	\$ 1,500,000.00
116	General	WSFS	CD	09/30/15	0.30%	\$ 811.23	\$ 2,100,000.00
116	General	WSFS	CD	10/02/15	0.30%	\$ 739.72	\$ 2,000,000.00
116	General	TD	CD	10/16/15	0.25%	\$ 794.52	\$ 2,000,000.00
116	General	TD	CD	10/27/15	0.25%	\$ 458.91	\$ 1,000,000.00
116	General	TD	CD	10/27/15	0.25%	\$ 458.91	\$ 1,000,000.00
116	General	WSFS	CD	10/30/15	0.30%	\$ 2,071.23	\$ 3,500,000.00
116	General	TD	CD	10/30/15	0.25%	\$ 431.51	\$ 1,000,000.00
116	General	TD	CD	10/30/15	0.25%	\$ 794.52	\$ 2,000,000.00
116	General	TD	CD	11/02/15	0.25%	\$ 719.18	\$ 1,500,000.00
116	General	TD	CD	11/13/15	0.25%	\$ 986.31	\$ 2,000,000.00
116	General	TD	CD	11/25/15	0.25%	\$ 1,150.69	\$ 2,000,000.00
116	General	WSFS	CD	11/30/15	0.30%	\$ 5,486.30	\$ 7,500,000.00
116	General <sup>1</sup>	TD	CD	12/01/15	0.25%	\$ 10,598.01	\$ 15,169,686.00
110	Capital <sup>2</sup>	TD	CD	12/04/15	0.25%	\$ 1,107.68	\$ 1,540,195.00
116	General	WSFS	CD	12/11/15	0.30%	\$ 1,591.23	\$ 2,200,000.00
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%	\$ 22,805.15	\$ 5,670,097.05
104	Escrow Pension	Affinity Wealth					\$ 1,426,322.00
104	Escrow Pension	Vanguard					\$ 40,788,340.00
104	Escrow Pension	Black Rock					\$ 24,435,446.00
104	Escrow Pension	Edgar Lomax					\$ 20,731,562.00
104	Escrow Pension	Wilmington Trust					\$ 44,158,491.00
104	Escrow Pension	Manning & Napier					\$ 9,917,841.00
104	Escrow Pension	Earnest Partners					\$ 17,024,069.00
104	Escrow Pension	GMO				 	\$ 11,379,935.00
104	Escrow Pension	MFS Management					\$ 21,398,647.00
104	Escrow Pension	American Funds					\$ 10,319,976.00
139	Medical Escrow	Black Rock-OPEB					\$ 13,595,345.00
116	Deferred Comp.	MassMutual					\$ 38,804,677.00
	Total Investments						\$ 346,301,222.10
	Total Cash on Hand						\$ 975,108.43
	Grand Total						\$ 347,276,330.53

<sup>1</sup> Budget Reserve <sup>2</sup> SEU

/s/Henry W. Supinski City Treasurer

#### **NON-LEGISLATIVE BUSINESS**

Upon a motion of Mr. Freel/Mr. Williams, seconded by Mr. Wright, the following non-legislative resolutions were accepted into the record and motion prevailed:

All Council Recognize National Hispanic Heritage Month

All Council Sympathy James Gilliam, Sr. D. Brown Sympathy Betty V. Payne

Gregory Welcome Minister Abdul Hafeez Muhammad

Gregory Recognize Mount Salem United Methodist Church 150<sup>th</sup> Anniversary

Gregory/Wright Recognize Reverend Dr. Christopher T. Curry

Shabazz Welcome Dr. Minister Ava Muhammad

Williams Commend Wilmington Police Department Rescuers Master Corporal

Anthony Johnson, Corporal Dennis Leahy, Sergeants David Rosenblum

and James Karschner

\*\*Note: During this time, Mr. Darius Brown and Mr. Chukwuocha were marked present and reflected herein in the minutes (Roll Call).

### **LEGISLATIVE BUSINESS**

President Gregory: Mr. Chukwuocha.

Mr. Chukwuocha: Nothing tonight Mr. President; thank you sir.

President Gregory: Mr. Darius Brown.

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

Mr. Darius Brown presented Resolution No. 15-047 (Agenda #4099) as

follows:

**WHEREAS**, pursuant to <u>Wilm</u>. <u>C</u>. (Charter) §1-101, the City of Wilmington ("City") may acquire, hold, manage, and dispose of property on such terms as it deems proper for any municipal purpose; and

**WHEREAS**, the City owns the parcel of land located at 2700 Northeast Boulevard, Wilmington, Delaware, being Tax Parcel No. 26-030.00-008 (the "Property"); and

**WHEREAS**, the Council of the City of Wilmington ("Council"), upon the recommendation of the Department of Real Estate and Housing of the City, has declared the Property surplus on July 2, 2015 via Resolution 15-037.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council authorizes and approves the disposition of the Property to the Wilmington Housing Authority for its appraised value.

#### On the question:

Mr. Darius Brown: Yes Mr. President, the City of Wilmington owns the property at 2700 Northeast Boulevard or Governor Printz Boulevard and this Resolution, upon the recommendation of the City's Real Estate and Housing Department allows the City to dispose of this property to the Wilmington Housing Authority.

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, Darius Brown, Shabazz, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Council President Gregory. Total, nine. Nays, none. Absent, Council Members Congo, Prado, Walsh and Wright. Total, four.

President Gregory: Declare it adopted. Ms. Shabazz.

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

Ms. Shabazz presented Resolution No. 15-048 (Agenda #4100) as follows:

**WHEREAS**, pursuant to Section 2-363 of the Code of the City of Wilmington ("City"), the City may apply for and receive grant funds to be used for a wide variety of City activities, subject to the approval of City Council; and

WHEREAS, pursuant to House Bill No. 425 (the Fiscal Year 2015 Bond and Capital Improvements Act), the Delaware General Assembly has appropriated \$550,000.00 to the City of Wilmington for the City of Wilmington Paving Projects; and

**WHEREAS**, the Department of Public Works has recommended that City Council approve the City's acceptance of the State appropriated funds; and

**WHEREAS,** Council deems it necessary and appropriate to authorize the Department of Public Works to accept the appropriated State funds and proceed with the Paving Projects.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Public Works is hereby authorized to accept the \$550,000.00 appropriated by the Delaware General Assembly pursuant to House Bill No. 425 (the Fiscal Year 2015 Bond and Capital Improvements Act).

**BE IT FURTHER RESOLVED** that the Department of Public Works shall be authorized to take all necessary actions to accept the appropriated funds and move forward with the Paving Projects.

#### On the question:

Ms. Shabazz: This Resolution approves the City's acceptance and use of \$550,000 appropriated by the Delaware General Assembly and the funds are to be used for the City of Wilmington paving projects and no matching funds are required.

Members of Council should have received an email that they were listing of where those pavement projects would be in your individual districts.

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, Darius Brown, Shabazz, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Council President Gregory. Total, nine. Nays, none. Absent, Council Members Congo, Prado, Walsh and Wright. Total, four.

President Gregory: Declare it adopted. Ms. Dorsey Walker.

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

Ms. Dorsey Walker presented <u>Resolution No. 15-049</u> (Agenda #4101) as

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

follows:

WHEREAS, the City of Wilmington, through its Department of Parks and Recreation (the "Department"), has been awarded grant funds from various entities to assist in the refurbishment of a building in Kosciuszko Park located at South Broom and Sycamore Street; and

WHEREAS, the funds to be received are as follows: a \$40,000 reimbursable grant from Delaware State Parks; \$20,000 from Senator Robert I. Marshall from his allocated Community Transportation Funds ("CTF"); and \$20,000 from Representative Helene M. Keeley from her allocated CTF funding; and

WHEREAS, the Department is now ready to move forward with the refurbishment of a building in Kosciuszko Park to be used for educational, recreational and environmental programming for children; and

WHEREAS, Council deems it necessary and appropriate to authorize the Department to accept the funds and proceed with the refurbishment of the building in Kosciuszko Park; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department is hereby authorized to accept the funds as follows for the park building refurbishment in Kosciuszko Park: \$40,000 from Delaware State Parks; \$20,000 from Senator Marshall from his CTF funding; and \$20,000 from Representative Keeley from her CTF funding.

**BE IT FURTHER RESOLVED** that the Department shall be authorized to take all necessary actions to accept the grant funds and move forward with the refurbishment of the building in Kosciuszko Park.

On the question:

Ms. Dorsey Walker: Mr. President, we received grant funds from the Delaware State Parks as well as from State Representative Helene Keeley and State Senator Bobbie Marshall in the amount of \$40,000 (\$20,000 a piece) to do refurbishing of the building in Kosciuszko Park and this is – I would like to say, a good example of government on all levels working together to make a difference on behalf of our constituents.

President Gregory: Mr. Freel.

Mr. Freel: Yeah, I just want to make the clarification here, a \$40,000 reimbursable grant from Delaware State Parks, my understanding is those grants are not reimbursable; they're non reimbursable grants. This is worded in such a way that we have to reimburse State Parks?

Ms. Dorsey Walker: To my understanding we do not. Maybe that is - is that, may I ask if that's an error? Could the Law Department...

Mr. Michael Brown: It says no matching funds required.

Ms. Dorsey Walker: Right.

Mr. Sanjay Bhatnagar: I – when I have – I did drafted this Resolution, the I – when I received the package it did say reimbursable grant but I did clarify with – I can't recall who I worked with on the Resolution but there were no matching funds required and that was clear. Is there a representative here from the appropriate department to speak on that specifically?

Ms. Dorsey Walker: So, as a point of order can we put non in front of reimbursable or do you have to go back to the Law Department?

Mr. Michael Brown: It says no matching funds required.

Mr. Bhatnagar: You know, it was confirmed to me that there were no matching funds required.

President Gregory: Who want the amendment?

Ms. Dorsey Walker: So, I'd like to make an amendment that we put *non* in front of reimbursable please.

Mr. Williams: Second.

Ms. Dorsey Walker: Thank you.

President Gregory: It's been properly moved and seconded that *non* be placed in front reimbursable. All those in favor so note by saying "Aye", Oppose. Ayes have it.

Ms. Dorsey Walker: Thank you Councilman Freel for catching that.

President Gregory: The Clerk will call the roll.

Upon a motion of Ms. Dorsey Walker, seconded by Mr. Williams, the aforementioned Resolution, **As Amended**, 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, Darius Brown, Shabazz, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Council President Gregory. Total, nine. Nays, none. Absent, Council Members Congo, Prado, Walsh and Wright. Total, four.

President Gregory: Declare it adopted. Mr. Williams.

Mr. Williams: No legislation this evening. Thank you.

President Gregory: Mr. Freel.

Mr. Freel: Yes I have one for third and final and then one for first and second.

Mr. Freel presented and called for the third and final reading <u>Ordinance</u> No. 15-035 (Agenda #4089) entitled:

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CITY CODE, IN ORDER TO APPLY THE CORRECT GOVERNMENT ACCOUNTING STANDARDS TO INTERNAL AND EXTERNAL AUDITS

#### On the question:

Mr. Freel: Yes Mr. President, this just cleans up some of the language in the Code about which standards that we follow when applying internal or external audits. So, we follow what they call a Generally Accepted Government Auditing Standards or I believe it's called GAGAS.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Freel, 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, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Council President

Gregory. Total, nine. Nays, none. Absent, Council Members Congo, Prado, Walsh and Wright. Total, four.

President Gregory: Declare it adopted. Mr. Freel.

Mr. Freel: One more.

Mr. Freel presented and called for the first and second reading <u>Ordinance</u> No. 15-041 (Agenda #4102) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 16029HRPS – CITY PHYSICIAN SERVICES – WITH OLUSEYI SENU-OKE, M.D.

Upon a motion of Mr. Freel, seconded by Mr. Williams, the aforementioned Ordinance was given two separate readings by title only and was referred to the Finance Committee. Motion prevailed.

President Gregory: Mr. Michael Brown.

Mr. Michael Brown: Yes Mr. President, I have two - I have a Resolution and an Ordinance to present.

Mr. Michael Brown presented <u>Resolution No. 15-050</u> (Agenda #4103) as follows:

WHEREAS, pursuant to Section 2-363 of the Code of the City of Wilmington ("City"), the City may apply for and receive grant funds to be used for a wide variety of City activities, subject to the approval of City Council; and

WHEREAS, the City, through the Wilmington Police Department, has applied for a three (3) year grant from the Delaware Criminal Justice Council in the amount of \$177,818.78; and

WHEREAS, the funding will be utilized to expand the Victim Services Unit by subsidizing an additional Victim Services Specialist, including salary and benefits; and

WHEREAS, the Victim Services Specialist will work directly with all victims of violent crimes and provide services to the families of homicide; and

WHEREAS, the funding will also provide a small emergency fund for the Victim Services Unit to use in times of emergency when no other option is available; and

WHEREAS, the grant does not require a local match but does require an "in-kind" match of \$44,454.00, which will be provided by the time a Victim Services Coordinator spends on the grant through supervision, report reviewing for the assignment, monitoring the emergency fund, and other tasks as needed; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Police Department to accept the three (3) year grant from the Delaware Criminal Justice Council in the amount of \$177,818.78, for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington Police Department is hereby authorized to accept the three (3) year grant from the Delaware Criminal Justice Council in the amount of \$177,818.78; and

**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 the grant funds and move forward with the employment of the additional Victim Services Specialist.

#### On the question:

Mr. Michael Brown: Yes Mr. President, this Resolution approves, if approved, the Wilmington Police Department's acceptance of a three (3) year grant from the Delaware Criminal Justice Council in amount of \$177,818.78 to subsidize an additional Victim Services Specialist to work directly with all victims of violent crime and provide services to the families of homicide victims. The grant requires an in-kind match of \$44,454.00 which will be provided by the time a Victim Services Coordinator spends on the grant through supervision, report reviewing for the assignment, monitoring the emergency fund, and other tasks as needed.

President Gregory: The Clerk will call the roll.

Upon a motion of Mr. Michael Brown, seconded by Mr. Freel, 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, Darius Brown, Shabazz, Dorsey Walker, Williams, Freel, Michael Brown, Cabrera and Council President Gregory. Total, nine. Nays, none. Absent, Council Members Congo, Prado, Walsh and Wright. Total, four.

President Gregory: Declare it adopted. Mr. Brown.

Mr. Michael Brown: Yes Mr. President, I now have an Ordinance to present or to introduce.

Mr. Michael Brown presented and called for the first and second reading Ordinance No. 15-042 (Agenda #4104) entitled:

AN ORDINANCE TO AUTHORIZE CONTRACT 16037PDPS – BUILDING MANAGEMENT SERVICES, PUBLIC SAFETY BUILDING – WITH ASSET MANAGEMENT ALLIANCE

Upon a motion of Mr. Michael Brown, seconded by Mr. Williams, the aforementioned Ordinance was given two separate readings by title only and was referred to the Public Safety Committee. Motion prevailed.

President Gregory: Ms. Cabrera.

Ms. Cabrera: Nothing this evening sir.

President Gregory: Petitions and communi...Mr. Freel.

Mr. Freel: Thank you very much.

President Gregory: Petitions and communications; I entertain a motion.

# **PETITIONS AND COMMUNICATIONS**

There were no petitions and communications this evening.

## **ADJOURNMENT**

Upon a motion of Mr. Michael Brown, seconded by Ms. Shabazz, Council adjourned at 6:55 p.m. Motion prevailed.

Attest: Maribel Seijo, City Clerk