



City of Wilmington

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City Council Member, 4th District

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Education, Youth & Families Committee

Michelle Harlee, Chair
Linda M. Gray, Vice Chair
Ernest "Trippi" Congo, II
Charles M. "Bud" Freel
Yolanda McCoy
Va'Shun "Vash" Turner
Dr. Hanifa Shabazz, Ex-Officio Member

➤ **REVISED NOTICE**

Education, Youth & Families Committee Meeting

October 9, 2019

5:00 p.m.

1st Floor Council Committee Room

Agenda

- A Resolution Approving the Department of Parks and Recreation's Grant Application to the Delaware Outdoor Recreation, Parks & Trails Program to assist in funding Eastlake Park Playground Improvements.
- A Resolution Approving the Department of Parks and Recreation's Grant Application to the Delaware Outdoor Recreation, Parks & Trails Program to assist in funding Helen Chambers Park Improvements.
- A Resolution Approving the Department of Parks and Recreation's Grant Application to the Delaware Outdoor Recreation, Parks & Trails Program to assist in funding Kirkwood Park Improvements.
- Resolution Encouraging DNREC to Incorporate Cumulative Impact Studies as Part of Their Decision Making in Reviewing Proposed New Industrial Applications and In Opposition to the SLAG Grinding Provisions in Southbridge
- Resolution Encouraging the Delaware General Assembly to Adopt Legislation Allowing College Athletes to Profit from Endorsements
- Resolution Approving the Department of Parks and Recreation's Grant Application to the Delaware Division of Public Health to conduct tobacco prevention programs, and physical activity, nutrition promotion and obesity prevention (PANO) programs

Rev. 2 (October 3, 2019)

If public comment is permitted during this committee meeting, any member of the public who wishes to speak during the committee meeting will be limited to three minutes per agenda item. If the public's permission to comment is abused, the Chair may exercise greater discretion in limiting public comment.

Wilmington, Delaware
October 17, 2019

#_____

**Sponsor:
Council
Member**

WHEREAS, pursuant to Section 2-363 of the City Code, the City may apply for grant funds, subject to the approval of City Council; and

Co-Sponsors:

WHEREAS, the City, through the Department of Parks and Recreation has sought to obtain grant funding from the Division of Parks and Recreation, Delaware Department of Natural Resources and Environmental Control in the amount of \$100,000 for improvements to the Eastlake Park Playground; and

**Council
Members**

WHEREAS, the Outdoor Recreation, Parks and Trails (ORPT) Program offers matching funds for the purpose of for the development of playgrounds, ballfields, trails, picnic pavilions, and other active outdoor recreation facilities, and

WHEREAS, the Department of Parks and Recreation intends to use the grant money for the replace outdated playground equipment, accessible play features, a new basketball court and picnic tables in Eastlake Park, and

WHEREAS, the Department of Parks and Recreation recommends that City Council approve the City's use of the grant funds for the Program in accordance with the terms of the grant; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Department of Parks and Recreation, to submit the aforesaid application for funding for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation, is hereby authorized to apply for grant funding from the Division of Parks and Recreation, Delaware Department of Natural

Resources and Environmental Control in the amount of \$100,000 for improvements to the Eastlake Park Playground.

BE IT FURTHER RESOLVED that the Director Department of Parks and Recreation, or their designee, shall be authorized to take all necessary actions to complete the filing of the grant application, including all undertakings and assurances taken heretofore, to accept any and all funds associated with the grant application and, if and when the grant is forthcoming, to execute the grant program for the City of Wilmington.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Parks and Recreation application for a grant from DNREC in the amount of \$100,000, for the purpose of making improvements to Eastlake Park.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. The Resolution approves a grant application to and the acceptance of grant funds from DNREC for \$100,000.00. The matching funds required by the grant will be sourced from previously budgeted funds.

Wilmington, Delaware
October 17, 2019

#_____

**Sponsor:
Council
Member**

WHEREAS, pursuant to Section 2-363 of the City Code, the City may apply for grant funds, subject to the approval of City Council; and

Co-Sponsors:

WHEREAS, the City, through the Department of Parks and Recreation has sought to obtain grant funding from the Division of Parks and Recreation, Delaware Department of Natural Resources and Environmental Control in the amount of \$100,000 for improvements to Helen Chambers Park; and

**Council
Members**

WHEREAS, the Outdoor Recreation, Parks and Trails (ORPT) Program offers matching funds for the purpose of for the development of playgrounds, ballfields, trails, picnic pavilions, and other active outdoor recreation facilities, and

WHEREAS, the Department of Parks and Recreation intends to use the grant money for the replace outdated playground equipment, accessible play features, a new basketball court and picnic tables in Helen Chambers Park, and

WHEREAS, the Department of Parks and Recreation recommends that City Council approve the City's use of the grant funds for the Program in accordance with the terms of the grant; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Department of Parks and Recreation, to submit the aforesaid application for funding for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation, is hereby authorized to apply for grant funding from the Division of Parks and Recreation, Delaware Department of Natural

Resources and Environmental Control in the amount of \$100,000 for improvements to the Helen Chambers Park.

BE IT FURTHER RESOLVED that the Director Department of Parks and Recreation, or their designee, shall be authorized to take all necessary actions to complete the filing of the grant application, including all undertakings and assurances taken heretofore, to accept any and all funds associated with the grant application and, if and when the grant is forthcoming, to execute the grant program for the City of Wilmington.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Parks and Recreation application for a grant from DNREC in the amount of \$100,000, for the purpose of making improvements to Helen Chambers Park.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. The Resolution approves a grant application to and the acceptance of grant funds from DNREC for \$100,000.00. The matching funds required by the grant will be sourced from previously budgeted funds.

Wilmington, Delaware
October 17, 2019

#_____

**Sponsor:
Council
Member**

WHEREAS, pursuant to Section 2-363 of the City Code, the City may apply for grant funds, subject to the approval of City Council; and

Co-Sponsors:

WHEREAS, the City, through the Department of Parks and Recreation has sought to obtain grant funding from the Division of Parks and Recreation, Delaware Department of Natural Resources and Environmental Control in the amount of \$100,000 for improvements to Kirkwood Park; and

**Council
Members**

WHEREAS, the Outdoor Recreation, Parks and Trails (ORPT) Program offers matching funds for the purpose of for the development of playgrounds, ballfields, trails, picnic pavilions, and other active outdoor recreation facilities, and

WHEREAS, the Department of Parks and Recreation intends to use the grant money for the construction of a new playground, to be used by children attending Stubbs Early Education Center as well as children throughout the surrounding neighborhood, and

WHEREAS, the Department of Parks and Recreation recommends that City Council approve the City's use of the grant funds for the Program in accordance with the terms of the grant; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Department of Parks and Recreation, to submit the aforesaid application for funding for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation, is hereby authorized to apply for grant funding from the Division of Parks and Recreation, Delaware Department of Natural

Resources and Environmental Control in the amount of \$100,000 for a new playground to be built in Kirkwood Park.

BE IT FURTHER RESOLVED that the Director Department of Parks and Recreation, or their designee, shall be authorized to take all necessary actions to complete the filing of the grant application, including all undertakings and assurances taken heretofore, to accept any and all funds associated with the grant application and, if and when the grant is forthcoming, to execute the grant program for the City of Wilmington.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Parks and Recreation application for a grant from DNREC in the amount of \$100,000, for the purpose of making improvements to Kirkwood Park.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. The Resolution approves a grant application to and the acceptance of grant funds from DNREC for \$100,000.00. The matching funds required by the grant will be sourced from previously budgeted funds.

Wilmington, Delaware
October 17, 2019

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Sponsor:

**Council
Member
Shabazz**

Co-Sponsors:

**Council
Members
Harlee**

**Council
Member
Dixon**

WHEREAS, the City of Wilmington is home to over one-thousand individuals who live in the neighborhood known as Southbridge, in South Wilmington, where 65 percent of residents are African American and have been historically and unduly exposed to the effects and impacts of industrial manufacturing; and

WHEREAS, Southbridge has the highest proportion of contaminated property in the state, with 76 percent of the land identified as contaminated; and

WHEREAS, according to the 2017 report '*Environmental Justice for Delaware: Mitigating Toxic Pollution in New Castle County Communities*,' produced by a partnership between UCS, the Environmental Justice Health Alliance, Delaware Concerned Residents for Environmental Justice, Community Housing and Empowerment Connections Inc., and Coming Clean, Inc., Southbridge has been designated among seven communities in New Castle County, Delaware, as a community where residents face a substantial cumulative health risk from toxic air pollution due to their proximity to polluting industrial facilities, hazardous chemical facilities, and contaminated waste sites; risks which are further amplified by other negative socioeconomic and health factors related to lack of access to healthy foods, poor housing conditions, and stressors related to poverty including, but not limited to, unemployment and crime; and

WHEREAS, Environmental Justice, as defined by the U.S. Environmental Protection Agency, is "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies, and Environmental Justice

Areas face substantial cumulative health risks from exposure to toxic air and other forms of pollution;” and

WHEREAS, cumulative impacts are considered by the National Environmental Justice Advisory Council to be risks and impacts caused by multiple pollutants, usually emitted by multiple sources, exacerbated by their interaction with each other and with any social vulnerabilities that exist in a community; and

WHEREAS, these and other potential unplanned toxic emissions directly affect the health of residents of the surrounding residential neighborhood where such emissions have been shown to damage lungs, cause and/or exacerbate respiratory illnesses, and in some cases contain small amounts of materials that are considered carcinogens, thereby increasing the risk of certain cancers; and

WHEREAS, the Delaware Department of Natural Resources and Environmental Control Secretary granted an air quality construction permit to Walan Specialty Construction Products, LLC’s slag- grinding, drying, and processing application facility in Southbridge, on Christiana Road; and

WHEREAS, according to industry experts and scientists, the cumulative effect of prolonged exposure to these toxic hazards, merely by virtue of proximity to industrial pollutants, causes higher risks of cancer and greater potential for respiratory illnesses, resulting in a cancer risks in Southbridge which is 19 to 23 percent higher than residents in more affluent communities across New Castle County, and 14 to 18 percent higher in that neighborhood than for Delaware overall; and

WHEREAS, in addition to the local ramifications on air quality by Walan Specialty Construction Products, LLC to the residents of Southbridge, the existence of this slag-grinding

facility in South Wilmington will bring New Castle County even closer to failing its current non-attainment of the 2018 8-Hour Ozone Standard and will bring the County closer to failing federal standards for PM2.5 or fine particulate matter; and

WHEREAS, each of these concerns is directly applicable to remediations and requirements related to the proposed Environmental Justice Act of 2019 – S. 2236 of the 116th Congress, sponsored by Senator Cory Booker (D-NJ), which is currently in the Senate Environment and Public Works Committee. The Environmental Justice Act of 2019 strengthens 2 previous federal Acts 1) the National Environmental Policy Act of 1970 42 U.S. C. 4321-4347 and 2) the Presidential Executive Order 12898 in 1994 that created the Interagency Working Group on Environmental Justice; and additionally requires the inclusion of cumulative impacts and persistent violations in federal-or state-permitting decision-making under the Clean Water Act and the Clean Air Act; and

WHEREAS, the Booker Environmental Justice Act of 2019 strengthens protections for communities vulnerable to environmental injustices, such as the historic and still-ongoing abuse being sustained by residents in Southbridge, Wilmington, and provides communities such as Southbridge the ability to hold corporations and government accountable.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Delaware Department of Natural Resources and Environmental Control should incorporate into its air quality construction permitting process Cumulative Impact risks and impact when determining whether a permit should be granted to a corporation/business that will add toxins in the air and/or other forms of pollution into a neighborhood, and that lacks a widely used operational Dust Control Plan as a component in

the corporation/business application, particularly when the location cited for the placement is located within a known Environmental Justice neighborhood or community; and

BE IT FURTHER RESOLVED that this legislative body strongly disagrees with the lack of weight that was given to the concerns of Southbridge's citizens and community groups, given Southbridge's history and current status as an Environmental Justice Area, due to ongoing conditions of contamination to its environment, especially considering that individuals, resident groups, and elected officials representing Southbridge have also soundly opposed this project. Wilmington City Council values all principles of our Democracy and acknowledges the resounding and collective voice of the 1,200 residents of Southbridge who are not satisfied with the responses by Walan Specialty Construction Products, LLC or DNREC to their concerns regarding the slag- grinding, drying, and processing facility that is to be located in the Southbridge neighborhood.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: The purpose of this Resolution is to strongly oppose the DNREC assertion that Walan Specialty Control Products, LLC has adequately answered the concerns of residents of Southbridge, Wilmington regarding their proposed new industrial production location where, because of its proximity to the residential community, the company will increase cancer risks and respiratory illness risks due to toxic emissions. City Council asserts that such industrial production in low-income communities such as Southbridge is demonstrative of the necessity of the proposed Environmental Justice Act of 2019 – S. 2236 of the 116th Congress, which empowers residents who have been historically ignored on matters affecting their health as related to industrial production in their community, thereby placing increased accountability on federal and local decision-making government agencies to include the study of cumulative impacts and persistent violations in federal or state-permitting decision-making, to be mandated under the Clean Water Act and the Clean Air Act, when companies apply for permits to locate in previously designated EJ neighborhoods.

Wilmington, Delaware
October 17, 2019

#_____

Sponsor:
Council
Member

Co-Sponsors:

Council
Members

WHEREAS, pursuant to Section 2-363 of the City Code, the City may apply for grant funds, subject to the approval of City Council; and

WHEREAS, the City, through the Department of Parks and Recreation has sought to obtain grant funding from the American Lung Association in Delaware, through a contract with the Delaware Division of Public Health in the amount of \$15,000 to conduct tobacco prevention programs, physical activity, nutrition promotion and obesity prevention (PANO) programs, and/or implement policy, systems, or environmental (PSE) changes related to tobacco and PANO; and

WHEREAS, Grants are awarded to communities that exhibit a strong commitment to tobacco prevention and control programs in Delaware and enhancing or expanding access to physical activity and healthy eating opportunities for children, families and communities, and

WHEREAS, the Department of Parks and Recreation recommends that City Council approve the City's use of the grant funds for the Program in accordance with the terms of the grant; and

WHEREAS, the Council deems it necessary and proper to authorize the Wilmington Department of Parks and Recreation, to submit the aforesaid application for funding for the aforesaid purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation, is hereby authorized to apply for grant funding from the American Lung Association in Delaware, through a contract with the Delaware Division of Public Health in the amount of \$15,000 to conduct tobacco

prevention programs, physical activity, nutrition promotion and obesity prevention (PANO) programs, and/or implement policy, systems, or environmental (PSE) changes related to tobacco and PANO.

BE IT FURTHER RESOLVED that the Director Department of Parks and Recreation, or their designee, shall be authorized to take all necessary actions to complete the filing of the grant application, including all undertakings and assurances taken heretofore, to accept any and all funds associated with the grant application and, if and when the grant is forthcoming, to execute the grant program for the City of Wilmington.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Parks and Recreation application for a grant from American Lung Association in the amount of \$15,000, for tobacco prevention programs, and/or physical activity, nutrition promotion and obesity prevention programs.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. The Resolution approves a grant application to and the acceptance of grant funds from the American Lung Association. There is no matching funds requirement for the grant.