

**VIRTUAL REGULAR MEETING OF WILMINGTON CITY COUNCIL  
JULY 9, 2020 @ 6:30 P.M. – REVISED\***

[www.WilmingtonDe.gov](http://www.WilmingtonDe.gov) or [www.WITN22.org](http://www.WITN22.org)

**AGENDA**

- I. Call to Order**
  - Prayer**
  - Pledge of Allegiance**
  - Roll Call**
- II. Approval of Minutes**
- III. Committee Reports**
- IV. Acceptance of Treasurer’s Report**
- V. Non-Legislative Business**

Shabazz        Sympathy Jean Jenkins  
Shabazz        Recognize Last Stop to Freedom and The Call to Bury Racism

**VI. Legislative Business**

**OLIVER**

#4838        A Resolution Requesting Transparency and Direct Action to Reduce Bias and Improve Community Relations Between Officers and Citizens

**Synopsis:**        *This Resolution is being presented by City Council for Council’s review and approval. Those who serve and protect our communities should be familiar with, and value equally, all members of the community, regardless of gender, race, color, national origin, religion, or sexual orientation. Incorporating implicit bias, sensitivity, and diversity trainings and programs long-term is essential so that the Wilmington Police Department may identify and correct dangerous biases within officers and other employees. The Department needs to also become familiar with racist and gang-related symbology so that they can reject applicants with ties to such organizations. The Wilmington City Council encourages the immediate and permanent introduction and use of such programs and standards.*

**SHABAZZ (Oliver presenting on behalf of Shabazz)**

#4840        A Resolution Confirming the Appointment of Seven Members to the Civil Rights Commission.

**Synopsis:**        *This Resolution is being presented by City Council for Council’s review and approval. This Resolution confirms the appointment of seven members to the Civil Rights Commission.*

**SHABAZZ (Harlee presenting on behalf of Shabazz)**

#4841 A Resolution to Encourage the Establishment of a Department of Education Commission to Review Textbooks and Course Curriculums in K Through 12 Grades to Assess Their Accurate Portrayal of the Histories of African-Americans and Other People of Color Communities in the United States

**Synopsis:** *This Resolution is being presented by City Council for Council's review and approval. Wilmington City Council strongly recommends the Department of Education to establish a Commission in the Department of Education that will review and assess the accuracy of the portrayal in textbooks and curriculums taught on the histories and contributions of African-Americans, Native Indigenous, Hispanic and Latinos and other persons of color in the United States.*

**JOHNSON**

#4833 An Ordinance to Amend Chapter 35 of the City Code to Establish a Citizen Complaint Review Board **(1<sup>st</sup> & 2<sup>nd</sup> Reading)**

**Synopsis:** *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance establishes a Citizen Complaint Review Board to address and participate in the resolution of complaints filed by citizens against the Wilmington Police Department and/or its officers.*

#4842 A Resolution Strongly Recommending the Delaware General Assembly to Repeal the Delaware Law Enforcement Bill of Rights (LEBOR)

**Synopsis:** *This Resolution is being presented by City Council for Council's review and approval. The Wilmington City Council strongly recommends the Delaware General Assembly to repeal the Delaware Law Enforcement Bill of Rights due to the major issues of lack of transparency, accountability and trust many of its provisions have fostered between law enforcement officers, Police Departments and their fellow citizens due to the actions of some police officers involved in questionable, seemingly racially oriented shootings that according to a WHYY study from 2005 to the present have taken the lives of 56 people statewide, with nearly half of those lives lost being Black people, as well as, provisions in the LEBOR that prevent access to lawyers representing accused persons of police internal records relevant to files on the arresting officer(s), and lack of public access to reports filed by police officers use of force incidents.*

#4832\* Ord. 20-032 Authorize the Wilmington Police Department to Publish a Public Version of the Wilmington Police Officer's Manual with Only Those Redactions Required by Law and Public Policy **(3<sup>rd</sup> & Final Reading)**

**Synopsis:** *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance amends Chapter 2 of the City Code with an additional*

*section that authorizes and directs the Wilmington Police Department to provide the residents of Wilmington access to the Wilmington Police Department's Police Officer's Manual in an on-line format, which is only redacted pursuant to the requirements of Delaware law and necessary public policy considerations, through the City of Wilmington's official website.*

**FREEEL**

#4843

An Ordinance Constituting Amendment No. 1 to the Fiscal Year 2021 Operating Budget (Being An Ordinance to Amend Substitute No. 1 to Ordinance No. 20-016) **(1<sup>st</sup> & 2<sup>nd</sup> Reading)**

**Synopsis:**

*This Ordinance is being presented by the Administration for Council's review and approval. This Ordinance is the first amendment to the Fiscal Year 2021 Operating Budget Ordinance. It contains changes to the position allocation list and increased budget appropriations for the Police Department to fund a body camera program.*

**GUY**

#4561

Ord. 18-041 Amend Chapter 8 of the City Code to Require that Developers who Received Financial Assistance from the City of Wilmington on Residential Construction Projects Require their Construction Contractors to Hire Workers from Class A Apprentice Programs **(3<sup>rd</sup> & Final Reading)**

**Synopsis:**

*This Ordinance is being presented by City Council for Council's review and approval. This Ordinance amends Chapter 8 of the City Code to require that developers who receive financial assistance from the City of Wilmington on residential construction projects require their construction contractors to participate in and hire workers from Residential Construction Apprentice Programs.*

**VII. Petitions and Communications****VIII. Adjournment**

**\*Note Revision:** The agenda is being revised to remove agenda item #4837 and #4839 that were not discussed in Public Safety Committee. In addition, item #4832 was added to the agenda, which was voted out of the Public Safety Committee on July 6, 2020.

**Note:** In following Governor Carney's Proclamation #17-3292, due to the outbreak of the COVID-19, public meetings are currently being conducted virtually to maintain social distancing and to keep all constituents safe. Members of the public are invited to join the City Council meeting by accessing the meeting as follows:

<https://zoom.us/j/93614242698> or log on to WITN22 website [www.witn22.org](http://www.witn22.org) or YouTube link <https://www.youtube.com/user/WITNWilmington/> or listen in only by calling one of the following phone numbers (929) 205-6099 or (301) 715-8592. You will be asked for the Webinar ID. Please enter **Webinar ID: 936 1424 2698** and then #.

Wilmington, Delaware  
July 9, 2020

**#4838**

**Sponsor:**

**Council  
Member  
Oliver**

**Co-Sponsor:**

**Council  
Member  
Harlee**

**WHEREAS**, the Delaware Council on Police Training has outlined 801 Rules and Regulations relating to the qualifications and admission into the Police Academy of Police Officers and potential officers in the State of Delaware; and

**WHEREAS**, requirements and regulations include being a citizen of the United States of America, a high school graduate, and declared psychologically sound by a licensed psychologist or psychiatrist, and applicants with felonies or any criminal history are rejected. In addition, applicants are disqualified if they have been dishonorably discharged from military service; and

**WHEREAS**, applicants need only pass competency exams related to general law enforcement knowledge after acceptance and training at 70% to qualify; and

**WHEREAS**, these regulations also require the hiring department to complete a thorough background and character investigation of any applicant; however, there are no details regarding the extent of this character investigation, or the criteria utilized to determine eligibility; and

**WHEREAS**, social media is a strong determinant of character, and should be investigated thoroughly in the case of individuals applying to protect and serve a diverse community in order to identify persons with any affiliations or memberships with hate groups, such as Alt-Right, Neo-Nazis, KKK , or gang affiliations with drug related criminal activities symbolized through various skin tattoos, or hyper visible hate symbols or gang signs posted on social media pages ; and

**WHEREAS**, the Wilmington Police Department is not required to engage in implicit bias or sensitivity trainings to improve the unconscious attitudes or stereotypes of its members in community understanding, interaction, and policing; and

**WHEREAS**, a study by the Harvard Business Review in July 2019 revealed that diversity and sensitivity trainings helped employees “acknowledge their own racial biases, provide informal mentorship to racial minorities, and recognize the excellent work of their peers who were racial minorities;” and

**WHEREAS**, unconscious, or implicit, bias can be defined as “prejudice or unsupported judgments in favor of or against one thing, person, or group as compared to another, in a way that is usually considered unfair” from research conducted by Vanderbilt University; and

**WHEREAS**, given the increasing diversity of our country evident in nearly every City, Town, County, and State, Police officers need ongoing, cutting-edge training in both identifying and managing unconscious and implicit biases they may bring with them to the police force; and

**WHEREAS**, it is necessary to rid public servants of such biases in order to improve their interactions with, and ensure they serve equally, all those in their communities they take an oath to protect; and

**WHEREAS**, training in racial literacy and cultural sensitivity would allow officers to better understand and value the diversity of American lifestyles, situations, and communication styles; and

**WHEREAS**, such diversity in the U.S. is present across all ages, races, genders, abilities, and nations of origin; and

**WHEREAS**, individuals unable to eliminate such biases should not be incorporated into the police force; and

**WHEREAS**, Forbes reports that, for unconscious bias and sensitivity training to be effective, it must be ongoing and long-term; and

**WHEREAS**, the Wilmington City Council is committed to a transparent and well-represented Wilmington, as well as a safe and secure Wilmington.

**BE IT THEREFORE RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that we encourage the Wilmington Police Department to immediately and permanently incorporate Unconscious Bias and Sensitivity trainings into their workplace curriculums and standards, beginning with trainings at the Police Academy. In addition, the Council strongly recommends that the Wilmington Police Department identify racist or gang related tattoos as immediate grounds for disqualification of potential applicants, and thoroughly investigate all applicant's social media channels for hyper visible hate symbols as major disqualifying elements of an applicant's character background checks.

Passed by City Council,

Attest: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** Those who serve and protect our communities should be familiar with, and value equally, all members of the community, regardless of gender, race, color, national origin, religion, or sexual orientation. Incorporating implicit bias, sensitivity, and diversity trainings and programs long-term is essential so that the Wilmington Police Department may identify and correct dangerous biases within officers and other employees. The Department needs to also become familiar with racist and gang-related symbology so that they can reject applicants with ties to such organizations. The Wilmington City Council encourages the immediate and permanent introduction and use of such programs and standards.

Wilmington, Delaware  
July 9, 2020

**#4840**

**Sponsor:**

**Council  
President  
Shabazz**

**WHEREAS**, the Wilmington Civil Rights Commission (the “Commission”) was established pursuant to City Code Section 35-36; and

**WHEREAS**, City Code Section 35-37 provides that the Commission shall be comprised of seven (7) members, five (5) of whom shall be appointed by the Mayor and two (2) of whom shall be appointed by the President of City Council, all subject to confirmation by City Council; and

**WHEREAS**, City Code Section 35-38 provides that members of the Commission shall serve terms of three (3) years; and

**WHEREAS**, Mayor Michael S. Purzycki wishes to appoint the following five (5) members to the Commission: Brionna Denby, Esquire, Nate Durant, Luz D. Maldonado, John Mitchell, and Amy O’Neill; and

**WHEREAS**, City Council President Hanifa Shabazz wishes to appoint the following two members to the Commission: Garrison Davis and Kathleen Patterson; and

**WHEREAS**, City Council approves of said appointments and wishes to confirm the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that City Council hereby approves and confirms the appointments of Brionna Denby, Esquire, Nate Durant, Luz D. Maldonado, John Mitchell, Amy O’Neill, Garrison Davis, and Kathleen Patterson to the Wilmington Civil Rights Commission for terms of three (3) years ending on July 8, 2023.

Passed by City Council,

ATTEST: \_\_\_\_\_

City Clerk

**SYNOPSIS:** This Resolution confirms Mayor Michael S. Purzycki's appointment of Brionna Denby, Esquire, Nate Durant, Luz D. Maldonado, John Mitchell, and Amy O'Neill and City Council President Hanifa Shabazz's appointment of Garrison Davis and Kathleen Patterson to the Wilmington Civil Rights Commission. Each of the appointees shall serve terms of three (3) years expiring on July 8, 2023.

W0111154



Wilmington, Delaware  
July 9, 2020

**#4841**

**Sponsor:**

**Council  
President  
Shabazz**

**WHEREAS**, the teaching of history and social studies in the United States is a fundamental path toward understanding the intricacies of culture, lived experiences, and our path forward as a nation; and

**WHEREAS**, scholars have consistently shown that history helps us understand ourselves, other people, how the society we live in came to be, contributes to moral understanding, and provides identity and self-worth relevant to where each of us fits into the story of the country we live in and have helped to develop; and

**WHEREAS**, the mis-teaching of such important subjects can have far-reaching, deleterious effects on students' understanding of society, themselves, and each other; and

**WHEREAS**, Euro-Centrism and Anglo-American Exceptionalism have seeped into public school curriculums, evident in the oversizing of the United States and Europe in world maps, standards requiring enslaved African and African-American persons be referred to as workers, African nations depicted as primitive, and embargoes on the discussion of Japanese internment and American war crimes; and

**WHEREAS**, in 2018, the Southern Poverty Law Center conducted online surveys of 1,000 American high-school seniors, more than 1,700 social studies teachers, 10 commonly used U.S. History textbooks, and 15 sets of state standards to assess what students know, what educators teach, what publishers include, and what standards exist regarding the teaching of American slavery; and

**WHEREAS**, this study revealed that Among 12th-graders, only 8% could identify slavery as the cause of the Civil War; only 32% correctly named the 13th Amendment as the

constitutional amendment that ended slavery in the United States; and fewer than 50% could identify the “Middle Passage” as the transport of enslaved Africans across the Atlantic Ocean from various unnamed African nations to North America; and

**WHEREAS**, the experiences of Indigenous and other People of Color were found to be severely misrepresented when covered at all; and

**WHEREAS**, history textbook analyses since 1934 (Reddick), notably those conducted in 1969 and 2015, evidence a lack of attention and accuracy given to Black History pre- and- post the enslavement of Africans and the centuries of third-class citizenship of African-Americans in U.S. society legally, educationally, economically and civically; and

**WHEREAS**, numerous educational organizations, including but not limited to the American Association of School Librarians, the Association for Supervision and Curriculum Development, and the National Council for the Social Studies are committed to critically engaging in discourse about curriculums.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**

that the Council strongly recommends the establishment of a Commission dedicated to supporting scholarly and accurate histories of African Americans, Native Indigenous and other Persons of Color in the United States within the textbooks used in Delaware public schools in social studies and history courses, in grades K through 12. The Commission shall:

1. Determine what textbooks are currently being used in grades K through 12 in social studies and history courses in Delaware public schools that present the histories of these people of color in the United States.
2. Determine the accuracy of scholarly representation of the historical narratives representing the cultures, contributions to society, and struggles of African-

Americans, and other people of color such as Native Indigenous, and First Nation peoples, Latino and Hispanic Americans, and Asian Americans in textbooks currently used in grades K through 12 in Delaware public schools.

3. Determine where current textbooks are insufficient in the scholarly and accurate portrayal of the histories, cultures, contributions and struggles of these people of color to be recognized fully as human beings, American U.S. citizens and contributing members of U.S. society in medicine, law, fields of science, the economy, scholarship, arts and culture.
4. Make such determinations by consulting with and/or reviewing the recommendations of curricula professional associations that advise and provide research to public school districts serving grades K through 12 on textbooks that present accurate, scholarly, historic and social narratives about these diverse groups of American people of color.
5. Recommend replacing textbooks currently being used in any or all K through 12 social studies and history courses and classes taught in Delaware public schools found to be insufficient and/or inaccurate regarding American people of color with textbooks recommended from the curricula professional associations that meet the criterion sought of presenting and teaching accurate and scholarly historic and social narratives of African-Americans and all People of Color in U.S. American society.

Passed by City Council,

Attest: \_\_\_\_\_  
City Clerk

**SYNOPSIS:** Numerous organizations have identified disparities between the past experiences and lived realities of African American, Black, Indigenous, and People of Color Communities in the United States and the teaching of their histories and cultures; their scientific, economic, educational contributions; and their political and legal struggles for equal and equitable U.S. citizenship in Delaware public school textbooks and curriculums. For this reason, the Wilmington City Council strongly recommends the creation of a Commission by the Delaware Department of Education that will identify inaccuracies and misrepresentations of African Americans, Blacks, Native Indigenous, Latinos and Hispanics, and Asian U.S. Persons of Color in Delaware public school K through 12 history and social studies courses, especially those contained within textbooks, and make recommendations for both curriculum and teaching material changes.

**AN ORDINANCE TO AMEND CHAPTER 35 OF THE CITY CODE TO  
CREATE A CITIZEN COMPLAINT REVIEWBOARD**

**#4833**

**WHEREAS**, the Administration and City Council concur that a Citizen Complaint

**Sponsor:**

Review Board is necessary for the City of Wilmington; and

**Council  
Member  
Johnson**

**WHEREAS**, pursuant to the powers granted in City Charter §§ 1-103 and 1-104.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON**

**Co-Sponsor:**

**HEREBY ORDAINS:**

**Council  
President  
Shabazz**

**SECTION 1.** Chapter 2 of the City Code is hereby amended by adding a new

Division 18, §§ 150.80 through 150.86, by adding the underlined language to read as follows:

**DIVISION 18. – THE CITIZEN COMPLAINT REVIEW BOARD**

**Sec. 2-150.80. – Establishment, composition, qualifications.**

(a) **Establishment.** Pursuant to Charter Section 8-403, there is established as an independent board in the Office of the Mayor a Citizen Complaint Review Board (the “CCRB”) to address and participate in the resolution of complaints filed by citizens against the Wilmington Police Department and/or its officers and members. Public complaints against members of the Wilmington Police Department (the “WPD”) shall be investigated by a Civilian Complaint Review Board. The legislature intends that the board address the resolution of these complaints to the greatest extent permitted by Title 11, Chapter 92 of the Delaware Code, as it exists or may from time to time be amended, by the collective bargaining agreement then in place, and by the rules and regulations of the WPD.

(b) **Composition.** The CCRB shall be comprised of nine (9) members appointed by the Mayor with advice and consent of Wilmington City Council: One (1) shall be a member of the Mayor’s Office; three (3) shall be members of the Wilmington City Council nominated by the Mayor upon the recommendation of the President of City Council; five (5) shall be nominated by the Mayor upon the recommendation of the following organizations, one member (1) from each: the Delaware Chapter of the American Civil Liberties Union (“ACLU”); the Delaware Chapter of the National Association for the Advancement of Colored People (“NAACP”); the Wilmington HOPE

Commission; the Latin American Community Center (“LACC”); and the Clergy of the City of Wilmington.

(c) **Qualifications.** In the nomination and confirmation of members to serve upon the CCRB, consideration should be given to a candidate’s professional experience in the fields of the law, civil rights and law enforcement. In making a recommendation, the President of Council or the organization shall provide to the Mayor and City Council the resumes and all other submissions that establish the candidate’s qualifications. If, for any reason, an organization declines to recommend a member, or if any of the organizations cease to exist, the Mayor may designate another organization to recommend a candidate to the CCRB. The Mayor shall have the authority to remove an organization and its representative for good cause and, thereafter, may designate another organization to recommend the nomination of a member. Any member of the clergy appointed to the Board shall represent the public interest and may not render decisions based on any personal religious belief.

(d) **Chairperson.** Each year during or before the month of December, the Mayor shall select the Chairperson of the CCRB from the members who are not from the Office of the Mayor. The Chairperson shall serve one (1) year from January 1 until December 31.

(e) **Terms of the Members.** The terms of the members who are not City Councilpersons shall be three (3) years. The Wilmington City Council members shall serve until the end of the current session of Council. In order to achieve staggered terms, during the initial creation of the first CCRB, three (3) of the five (5) members recommended by the organizations as determined by the Mayor shall serve a one-year term.

(f) **Duties of the Mayor's Office Member.** Except the member from the Office of the Mayor, no member of the Board shall have been employed by the WPD. The Mayor's Office member shall serve as the chief administrator of the Board, supervise its civilian employees, supervise intake and communications on behalf of the Board with complainants and victims, and serve as a voting member. The Mayor's Office member shall assist the Board by receiving complaints, performing investigations, and hiring and assigning civilian staff. They shall ensure the training of Board members and staff. They shall review completed investigations, sit in on pending cases and may ask questions and may make policy recommendations to the Board as a whole.

(g) **Vacancy.** In the event of a vacancy on the Board during the term of office of a member for any reason, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term.

(h) **Budget.** Each year, the Board shall be allocated an operating budget which shall be proposed by the Mayor in the City's Annual Budget and adopted by Wilmington City Council. During the first quarter of the year, the Board shall submit a proposed annual operating budget to the Mayor and annual financial statements for consideration at a budget hearing to be conducted by Wilmington

City Council. The appropriation for the CCRB shall be a line item in operating budget of the Wilmington Police Department. Within forty-five (45) days of the first full sitting Board, the Board shall submit to the Mayor a proposed budget to cover initial costs and expenses related to the hiring, and training of employees and Board members, secure necessary infrastructure and equipment, conduct a public awareness campaign, and otherwise implement the requirements of this Ordinance.

**Sec. 2-150.81. – Duties and Powers of the Board.**

(a) **Duty to Receive Complaints.** The Board shall have the duty to receive and investigate complaints from members of the public about uniformed and sworn personnel of the WPD that allege misconduct involving inappropriate behavior or actions, including but not limited to excessive use of force, abuse of authority, unlawful arrest, unlawful stop, unlawful searches, theft, discourtesy or the use of offensive language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, age, sexual orientation, gender identity or expression, and disability, theft, and any other categories protected under law. The term “member of the public” is intended to have the broadest possible meaning and interpretation and includes complaints made by other police officers or personnel.

(b) **Power to Investigate and Report.** In performing its duty, the CCRB may conduct investigations, hold hearings, make findings and issue reports, all or any of which may be either public, private, or confidential as the CCRB determines in its discretion based upon the circumstances of the case and the requirements of the law. A semi-annual report of its investigations shall be submitted to the Mayor, Chief of Police and Wilmington City Council. The Board may use all the powers set forth here as well as those set forth in the Charter and City Code to carry out its investigations. The Board may in its discretion make recommendations to the Chief of Police, Mayor, Wilmington City Council, and to the public regarding policies and procedures of WPD. The Board may also investigate and make recommendations regarding undesirable general practices and patterns of behavior involving the interaction of the Police Department with the public at large, public safety concerns, failures of communication with the public, or any other area regarding police practices and policy or police and community relations. The findings and recommendations of the Board, and the basis therefore, including those that may relate to suggested general policies and procedures not specific to any particular investigation or complaint, may be submitted to the Chief of Police. The findings, recommendations, their bases, and any report or communication of the CCRB containing them may only be used in a manner consistent with Title 11, Chapter 92 of the Delaware Code, as it exists now or may from time to time be amended.

(c) **Rules.** Pursuant to Charter Sections 4-406 and 4-407, the CCRB shall promulgate rules and regulations in the prescribed manner.

(d) **Subpoena authority.** Pursuant to Charter Section 4-409, the Board may issue subpoenas ad testificandum and duces tecum.

(e) **Mediation.** The Board may establish a mediation program where a complainant may voluntarily choose to resolve a complaint by means of informal conciliation.

(f) **Public Education.** The Board shall inform the public about the Board and its duties and shall develop and administer an ongoing program for the education of the public. The Board shall hold public meetings and shall regularly report to the public on its activities and other policing information it determines to be in the public interest.

#### **Sec. 2-150.82. – Cooperation of the Police Department.**

(a) The Wilmington Police Department shall provide such assistance as the Board may reasonably request, cooperate with investigations by the Board, and provide to the Board records and other materials necessary for its investigations, except such records or materials that may not lawfully be provided to the public. To the extent permitted by the Title 11, Chapter 92 of the Delaware Code, as amended, by the collective bargaining agreement in place at the time of an investigation, and by the disciplinary rules and regulations of the WPD, the Chief of Police shall ensure that officers and employees of the WPD appear before and respond to inquiries of the Board and its investigators.

(b) The provisions of this Ordinance shall not be construed to limit or impair the authority of the Chief of Police to discipline members of the WPD nor obviate the responsibility of the WPD to investigate citizen complaints or incidents to which WPD is made known, involving uniformed and sworn members of the WPD, and to promptly inform the CCRB of all such complaints or incidents. Nor shall the provisions of this section be construed to limit the rights of members of the WPD with respect to disciplinary action, including, but not limited to, the right to notice and a hearing, which may be established by any provision of law or otherwise.

(c) The CCRB in its discretion may decide to proceed with the investigation and review of civilian complaints regardless of any pending or parallel disciplinary proceeding or criminal investigation, but in no case may any information, reports, findings, testimony or other evidence obtained by the CCRB be used in any disciplinary proceeding unless such is permitted by Title 11, Chapter 92 of the Delaware Code, as amended, by the collective bargaining agreement in place at the time and by the rules and regulations of the WPD.

(d) The Chief of Police shall ensure that any adverse action by a member of the WPD towards an individual which is due to an action taken to exercise his or her rights to file a misconduct complaint, or which likely would deter an



individual from exercising their rights or making or supporting a complaint, is prohibited.

(e) All City officials and departments shall fully cooperate with the implementation of this Ordinance.

#### **Sec. 2-150.83. – Complainant Confidentiality**

During the investigatory process, neither the identity of, nor personally identifiable information about, complainants or witnesses shall be released beyond the CCRB staff, Board members, and WPD staff engaged in the specific investigation of the complainant's allegation. If the complaint is substantiated and is referred to a CCRB hearing, the complainant's identity may be released in the course of any public hearing about the alleged misconduct.

#### **Sec. 2-150.84. – Meetings of the Board.**

(a) The full Board shall meet at least nine times per year, at which meeting it shall consider cases referred to it and conduct any other business, no less than once every other month.

(b) The Board shall have the authority to conduct public hearings related to issues of public concern with WPD policies, patterns, or practices. The Board may choose to summon the Police Chief or other employees of the WPD to testify at such hearing.

(c) At each monthly public meeting, the Board shall include a public comment period during which members of the public may address the Board on issues germane to the Board's jurisdiction. Public comments will be limited to five minutes per speaker.

#### **Sec. 2-150.85. – Public Reporting.**

(a) The Board shall publish on its public website on a quarterly basis the number of complaints it receives; the race, ethnicity, gender, and age of the complainant; the basic facts of the complaints (with personally identifiable information redacted); the disposition of each complaint (to degree permitted by law); and any other information the Board shall determine is relevant to carry out the Board's duties and responsibilities.

(b) The number of use of force incidents by the WPD, including data disaggregated by the race, gender, ethnicity, and age of the civilian; the type/brief description of force used; the reason for use of force; the civilian injuries that took during incident involving use of force, if any; the officer injuries that took place during incident involving use of force, if any.

(c) Any reporting request of and to be provided by WPD's Office of Professional Standards shall be in accordance with Delaware Attorney General

Guidelines and in conformance with all applicable governing laws, rules and regulations.

(d) The amount of money the City of Wilmington expended in settlements or judgments to resolve tort, civil rights, or other legal claims filed against the WPD, as well as the basic facts associated with those claims to the extent permitted by law or not otherwise restricted from disclosure.

(e) The Board shall publish an annual report, available on its public website, compiling the statistics for each calendar year and identify any significant trends, patterns, areas of concern, or areas of excellence, within the WPD's practices.

#### **Sec. 2-150.86. – Communication Regarding Status of Complaints.**

(a) Within seven business days of the receipt of a complaint, the Board shall notify a complainant by telephone or letter that the Board has received his/her complaint and shall identify the case number.

(b) The Board shall, within seven business days of sending to the Chief of Police its findings and recommendations in a case, write to the Complainant with such findings and recommendations.

#### **Sec. 2-150.87. – Training.**

The Board and its employees shall obtain the training necessary to carry out its duties. Such training shall be predominately obtained from such independent, third-party sources that have experience regarding internal affairs and civilian review investigations and audits. A policy as to training shall be adopted by the Board at the outset of its operation and updated annually. The cost of such training shall be set forth in the Board's budget proposal as required by Section II.

**SECTION 2:** Any prior ordinances or parts thereof inconsistent herewith shall be amended and supplemented to conform to the provisions contained herein.

**SECTION 3:** If any part of this ordinance is declared unconstitutional or illegal, the remaining provisions shall not be affected and shall continue in full force and effect.

**SECTION 4:** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of Delaware.

First Reading..... July 9, 2020  
Second Reading..... July 9, 2020  
Third Reading.....

Passed by City Council,

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President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor

**SYNOPSIS & FISCAL IMPACT:** This Ordinance amends the City Code by creating a Citizens Complaint Review Board authorized to investigate citizen complaints against law enforcement officers employed by the Wilmington Police Department, make reports of those investigations and recommend practice changes to the extent consistent with the current law as it exists now or may be amended in the future. The ordinance will have fiscal impact and the Board will require a budget to carry out its duties, but the amount or nature of the budgetary needs of the Board is not unknown.

Wilmington, Delaware  
July 9, 2020

**#4842**

**Sponsor:**

**Council  
Member  
Johnson**

**Co-Sponsors:**

**Council  
President  
Shabazz**

**Council  
Member  
Harlee**

**WHEREAS**, 53 years ago American police officers successfully gained a special layer of employee due process protections when faced with investigations for official misconduct. This special layer of protection is commonly referred to as the Law Enforcement Officers Bill of Rights; and

**WHEREAS**, these protections exist within sixteen states, including the State of Delaware, each with some different statutes; and

**WHEREAS**, the protections granted to police officers are more specific than those provided to other public employees in federal, state, or local civil service laws; and

**WHEREAS**, the Law Enforcement Bill of Rights is intended to protect American law enforcement personnel from investigation and prosecution arising from conduct during official performance of their duties, and provides them with privileges based on due process additional to those normally provided to other citizens; and

**WHEREAS**, the history of the Law Enforcement Bill of Rights began in the 1960s following the result of rulings by the U. S. Supreme Court in two cases 1) Garrity v. New Jersey (1967), and, 2) Gardner v. Broderick (1968) where police officers were placed under investigation in Garrity et.al. for fixing traffic tickets and for bribery in Gardner et.al.; and

**WHEREAS**, officers in each case during their interrogations by police supervisors were told and warned that if they didn't answer questions regarding the actions brought against them in the Garrity case or sign a waiver of immunity in the Gardner case the officers would be charged with a crime, possibly convicted, and lose their jobs which did happen; and

**WHEREAS**, when each of these cases were appealed to the U. S. Supreme Court the rulings of the Court in each case found that threatening to fire someone for refusing to answer questions or sign a waiver of immunity when that person claimed the 5<sup>th</sup> in fact violated the Fifth Amendment protection in the U.S. Constitution against self-incrimination and thus those statements should not have been admissible in a criminal proceeding causing the Court to overturn the convictions and subsequent actions taken including loss of jobs; and

**WHEREAS**, these cases and rulings by the U.S. Supreme Court spurred a number of states in the U.S. to incorporate Law Enforcement Officers' Bill of Rights into their state Codes or in a number of other states similar provisions have been incorporated into their contracts with police unions; and

**WHEREAS**, the Delaware General Assembly passed legislation entitled Title 11: Crimes and Criminal Procedure, Victims of Crimes, Chapter 92. Law Enforcement Officers' Bill of Rights, in 1974 incorporating the Law into the Delaware State Code; and

**WHEREAS**, due to a number of provisions in the Delaware Law Enforcement Officers Bill of Rights for Police Departments in municipalities and towns throughout the State including the largest City of Wilmington, issues of transparency and accountability between law enforcement Departments, the negative actions of some law enforcement officers with the communities they take an oath to serve and protect have become problematic, untrustworthy, racially suspect and ethically questionable; and

**WHEREAS**, the Delaware LEBOR includes provisions that prevent public access to Officer and Police Department reports on deadly use of force incidents including when guns are fired, prevents access by legal counsel of defendants to receive internal affairs investigation records of law enforcement officers accused of wrongdoing, all records compiled as a result of an investigation or contractual disciplinary grievance procedure remain confidential and "shall not be released to the public", complaints made by other citizens on police actions are all confidential and are not to be released to the public; and, Police Departments cannot publicly acknowledge that an officer is under investigation or that charges are dropped nor publicly acknowledge that the investigation ever took place or reveal the nature of the complaint; and

**WHEREAS**, in Delaware based on a report conducted by WHYY from 2005 to the present, Delaware police have shot 56 people, with officers killing 30 of them, including an innocent robbery victim, with nearly half of those shot being Black people who only comprise 22 percent of the state's population, there are compelling reasons based on police shootings of Black men and women, such as most recently the Atlanta police officer shooting of Rayshard Brooks, as he was running away from the officers who approached him in the drive through at a Wendy's Restaurant, to be concerned that the Law Officers Bill of Rights may be providing protections that are not warranted in a democratic society that is based on the rule of law that provides omissions to the rule of law to those who are charged and take an oath to adhere to the law, serve and protect the citizenry of the State and nation as law enforcement peace officers.

**THEREFORE, BE IT RESOLVED BY THE WILMINGTON CITY COUNCIL** that this Council strongly recommends that the Delaware General Assembly repeal the Delaware Law Enforcement Officers' Bill of Rights in order to establish greater transparency, accountability and trust between Police Officers and Police Departments with All the people in the state of Delaware regardless of race, ethnicity, religion, gender, income and/or prior criminal records in order to have equitable and just police protections for All.

Passed by City Council,

Attest: \_\_\_\_\_  
City Clerk

**Synopsis:** The Wilmington City Council strongly recommends the Delaware General Assembly to repeal the Delaware Law Enforcement Bill of Rights due to the major issues of lack of transparency, accountability and trust many of its provisions have fostered between law enforcement officers, Police Departments and their fellow citizens due to the actions of some police officers involved in questionable, seemingly racially oriented shootings that according to a WHYY study from 2005 to the present have taken the lives of 56 people statewide, with nearly half of those lives lost being Black people, as well as, provisions in the LEBOR that prevent access to lawyers representing accused persons of police internal records relevant to files on the arresting officer(s), and lack of public access to reports filed by police officers use of force incidents.

**AN ORDINANCE TO AUTHORIZE THE WILMINGTON POLICE DEPARTMENT  
TO PUBLISH A PUBLIC VERSION OF THE WILMINGTON POLICE OFFICER'S  
MANUAL WITH ONLY THOSE REDACTIONS REQUIRED BY LAW AND  
PUBLIC POLICY**

**#4832**

**Sponsor:**

**Council  
Member  
Johnson**

**WHEREAS**, on May 25, 2020, George Floyd, an African American man in Minneapolis, Minnesota died after Caucasian police officer Derek Chauvin used his knee to pin down a handcuffed Floyd for nearly nine minutes until Floyd was no longer breathing, despite Floyd pleading that he was in pain and couldn't breathe, pleading from bystanders, as well as the presence of other police officers on the scene who could have provided aid to Floyd; and

**WHEREAS**, peaceful protests and demonstrations are occurring across the United States in response to the unlawful killing of Floyd, the unlawful killing of black men and women at the hands of law enforcement across the United States, and systemic and institutional racism inherent in American life today; and

**WHEREAS**, peaceful protests and demonstrations pursuant to the First Amendment have occurred in the City of Wilmington in response to the aforementioned events over the past weeks; and

**WHEREAS**, because of these peaceful protests and demonstrations a vital conversation is occurring regarding the current role of police departments and what improvements can be instituted to better ensure that City residents feel safe in their own communities; and

**WHEREAS**, it is Standard Police Policy for Law Enforcement Agencies or Departments to have and periodically update their Policies and Procedures Manuals; and

**WHEREAS**, the Policy and Procedures Manuals of U.S. City Police Departments have been developed and updated to provide to Police Officers and Personnel the Ethics, Mission, Goals, and Objectives of their City Police Departments; and

**WHEREAS**, the Policy and Procedures Manuals of U.S. City Police Departments identify the functions of Police Officers and Police Personnel and all the duties and operations of Police Officers in both their department responsibilities and functions and interactions with the public they are sworn to serve; and

**WHEREAS**, the Policy and Procedures Manuals of U.S. City Police Departments are

effective tools that augment and update Police Academy Training and provide police policies with ongoing functional requirements for the safety and professionalism of police officers and their organizations; and

**WHEREAS**, the Policy and Procedures Manuals of U.S. City Police Departments reflect the departments' missions, the principles behind what the organizations do, procedures and instructions for carrying out particular law enforcement and peace keeping tasks, and understanding the moral and legal obligations of policing; and

**WHEREAS**, U.S. City Police Departments often include information and policies and procedures for their Police Officers relevant to specific U.S. Constitutional Amendments to ensure proper understanding and compliance of their Police Officers conduct relevant to the Constitutional Rights of U.S. Citizens in their interactions with members of the public; and

**WHEREAS**, approximately thirty-five (35) U. S. Police Departments have provided the public they serve access to their Policies and Procedures Manuals online beginning in 2007; and

**WHEREAS**, City Police Policies and Procedures Manuals from U.S. Cities in Seattle, Washington; Craig, Colorado; Fair Lawn, New Jersey; Beaverton, Oregon; Garden Grove, California; Bremerton, Washington; Brunswick, Georgia; Newark, New Jersey; and Lower Marion Township, Pennsylvania, to name a few, provide public access to their Policies and Procedures with only limited and necessary redactions; and

**WHEREAS**, Mayor Michael S. Purzycki and City Administration, Chief of Police Robert J. Tracy, and City Council agree that a necessary step to ensure greater transparency is for the Wilmington Police Department's Police Officer's Manual to be published on the City's official website; and

**WHEREAS**, advocacy groups for police reform in Delaware, such as Delaware for Police Oversight, have expressed that providing public access to the Wilmington Police Department's Police Officer's Manual would improve relationships between Wilmington police officers and City residents, as public access to it would permit residents to understand their rights when it comes to police-civilian interactions as well as provide further oversight for such interactions; and

**WHEREAS**, the Wilmington Police Department's Police Officer's Manual is currently not public because certain provisions contain sensitive information regarding police procedure or information that could be used by those intent on harming men and women currently serving in the Wilmington Police Department, or those intent on avoiding or subverting lawful law



enforcement efforts; and

**WHEREAS**, pursuant to §1-102 and §2-200 of the Wilmington City Charter related to City Council authority and procedure, and §1-103 and §5-200 regarding the Wilmington Police Department's authority and functions to preserve the public peace, prevent and detect crime, and supervise and discipline Wilmington police officers:

**THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** Chapter 2 ("Administration") of the City Code is hereby amended by adding the following to Article V ("Departments & Agencies Created by Ordinance"), Division 1 ("Generally"):

**Sec. 2-236. – Online Publication of Police Department's Police Officer's Manual.**

- (a) On behalf of the Wilmington Police Department, the Chief of Police, or his or her designee, is authorized to create a public version of the Wilmington Police Department's Police Officer's Manual (the "Manual").
- (b) The Manual will be published on the City of Wilmington's official website, with an additional hyperlink on the frontpage of the Wilmington Police Department's official webpage for public ease of access.
- (c) The Manual will only be redacted in accordance with the Delaware Freedom of Information Act, 29 Del. C. §10001 *et seq.*, and necessary public policy considerations in order to prevent endangering the life and safety of citizens or law enforcement officers as well as to avoid undermining lawful law enforcement efforts by allowing those intent on subverting such efforts the ability to avoid detection and hinder criminal investigations.
- (d) The Wilmington Police Department will work in conjunction with the Law Department and/or other appropriate departments or entities to ensure that the redactions to the Manual are limited to redactions founded in the aforementioned Delaware law or public policy considerations.
- (e) The Wilmington Police Department will submit the final version of the Manual to the Law Department prior to its publication on the City's official website. The City Solicitor, or his or her Law Department designee, must approve the Manual prior to it being placed on the City's official website.
- (f) The first Manual published under this ordinance must be published on the City of Wilmington's official website no later than January 1, 2021. The

Manual shall be updated as necessary, but not less than every four (4) years.

**SECTION 2.** This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....June 18, 2020

Second Reading.....June 18, 2020

Third Reading.....

Passed by City Council,

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President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020

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Mayor

**SYNOPSIS:** This ordinance amends Chapter 2 of the City Code with an additional section that authorizes and directs the Wilmington Police Department to provide the residents of Wilmington access to the Wilmington Police Department's Police Officer's Manual in an on-line format, which is only redacted pursuant to the requirements of Delaware law and necessary public policy considerations, through the City of Wilmington's official website.

**AN ORDINANCE CONSTITUTING AMENDMENT NO. 1 TO THE FISCAL YEAR 2021 OPERATING BUDGET (BEING AN ORDINANCE TO AMEND SUBSTITUTE NO. 1 TO ORDINANCE NO. 20-016)**

**#4843**

**Sponsor:**

**WHEREAS**, City Council has enacted Substitute No. 1 to Ordinance No. 20-016, the Annual Operating Budget for Fiscal Year 2021; and

**Council  
Member  
Freel**

**WHEREAS**, Council deems it necessary and appropriate to amend the Annual Operating Budget for Fiscal Year 2021 to fund the implementation of a body camera program

**Co-Sponsor:**

for the Police Department; and

**Council  
President  
Shabazz**

**WHEREAS**, Council deems it necessary and appropriate to amend the position allocation list for the Police Department to increase its personnel to operate the body camera program, the provisions of such amendment having been reviewed by the Administrative Board prior to the introduction of this Ordinance; and

**WHEREAS**, Council deems it necessary and appropriate to increase the Police Department General Fund Personal Services account group budget appropriation by \$400,000 to pay for the increased personnel necessary to operate the body camera program; and

**WHEREAS**, Council deems it necessary and appropriate to increase the Police Department Special Funds Materials, Supplies, and Equipment account group budget appropriation by \$542,388 to pay for the purchase of body cameras and related services, which will be covered by a federal grant; and

**WHEREAS**, in consideration of the foregoing, Council deems it necessary and appropriate to amend the Annual Operating Budget for Fiscal Year 2021 as set forth herein.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON  
HEREBY ORDAINS:**

**SECTION 1.** The following financial program is hereby adopted for Fiscal Year 2021,

and appropriations are hereby made from the various operating and special funds to the Council, the Mayor, and all offices, departments, boards, and commissions, as indicated in the following sections.

**SECTION 2.** Appropriations in the sum of \$179,142,896 are hereby made from a general fund, as follows:

<b>TO THE MAYOR:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$3,684,146	\$77,031	\$3,761,177
Materials, Supplies, and Equipment	1,553,725	0	1,553,725
Special Purpose	0	0	0
Debt Service	2,994,340	0	2,994,340
<b>Total</b>	<b>\$8,232,211</b>	<b>\$77,031</b>	<b>\$8,309,242</b>

<b>TO THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET -</b>			
<b>CONTINGENCIES:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Contingent Reserves	\$500,000	\$0	\$500,000
<b>Total</b>	<b>\$500,000</b>	<b>\$0</b>	<b>\$500,000</b>

The Director of the Office of Management and Budget is authorized to transfer to each office, department, board, or commission such portions of the Contingent Reserves that will be sufficient to pay for unanticipated budgetary expenses.

<b>TO THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET -</b>			
<b>SNOW AND WEATHER EMERGENCIES:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Snow and Weather Emergencies	\$172,000	\$0	\$172,000
<b>Total</b>	<b>\$172,000</b>	<b>\$0</b>	<b>\$172,000</b>

The Director of the Office of Management and Budget is authorized to transfer to each office, department, board, or commission such portions of the foregoing sum that, taken with amounts otherwise available to each such office, department, board, or commission, will be sufficient to pay for the contractual cost, overtime cost, materials, supplies, and equipment cost of emergency snow removal and weather emergencies.

<b>TO THE PLANNING DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$1,106,047	\$38,649	\$1,144,696
Materials, Supplies, and Equipment	217,724	0	217,724
Special Purpose	0	0	0
Debt Service	121,082	0	121,082
<b>Total</b>	<b>\$1,444,853</b>	<b>\$38,649</b>	<b>\$1,483,502</b>

<b>TO THE CITY COUNCIL:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$1,361,187	\$773,846	\$2,135,033
Materials, Supplies, and Equipment	379,776	177,352	557,128
Special Purpose	8,000	0	8,000
Debt Service	1,220	35,831	37,051
<b>Total</b>	<b>\$1,750,183</b>	<b>\$987,029</b>	<b>\$2,737,212</b>

<b>TO THE CITY TREASURER:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$354,811	\$508,280	\$863,091
Materials, Supplies, and Equipment	105,646	5,110,952	5,216,598
<b>Total</b>	<b>\$460,457</b>	<b>\$5,619,232</b>	<b>\$6,079,689</b>

<b>TO THE AUDITING DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$628,718	\$0	\$628,718
Materials, Supplies, and Equipment	230,543	0	230,543
<b>Total</b>	<b>\$859,261</b>	<b>\$0</b>	<b>\$859,261</b>

<b>TO THE LAW DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$2,085,756	\$0	\$2,085,756
Materials, Supplies, and Equipment	457,499	0	\$457,499
<b>Total</b>	<b>\$2,543,255</b>	<b>\$0</b>	<b>\$2,543,255</b>

<b>TO THE FINANCE DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$5,337,111	\$0	\$5,337,111
Materials, Supplies, and Equipment	4,233,773	0	4,233,773
Program and Activities	0	0	0
Debt Service	64,419	0	64,419
<b>Total</b>	<b>\$9,635,303</b>	<b>\$0</b>	<b>\$9,635,303</b>

<b>TO THE DEPARTMENT OF COMMERCE</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Debt Service	\$73,269	\$0	\$73,269
<b>Total</b>	<b>\$73,269</b>	<b>\$0</b>	<b>\$73,269</b>

<b>TO THE HUMAN RESOURCES DEPARTMENT</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$1,816,275	\$0	\$1,816,275
Materials, Supplies, and Equipment	332,803	0	332,803
Debt Service	25,791	0	25,791
<b>Total</b>	<b>\$2,174,869</b>	<b>\$0</b>	<b>\$2,174,869</b>

<b>TO THE DEPARTMENT OF LICENSES AND INSPECTIONS (L&amp;I):</b>			
	<u><b>City</b></u>	<u><b>Special</b></u>	<u><b>Total</b></u>
Personal Services	\$4,206,365	\$0	\$4,206,365
Materials, Supplies, and Equipment	997,938	0	997,938
Debt Service	8,558	0	8,558
Programs and Activities	0	0	0
<b>Total</b>	<b>\$5,212,861</b>	<b>\$0</b>	<b>\$5,212,861</b>

<b>TO THE DEPARTMENT OF L&amp;I FOR ANIMAL CONTROL:</b>			
	<u><b>City</b></u>	<u><b>Special</b></u>	<u><b>Total</b></u>
Special Purpose	\$256,385	\$0	\$256,385
<b>Total</b>	<b>\$256,385</b>	<b>\$0</b>	<b>\$256,385</b>
<b>DEPARTMENT OF L&amp;I TOTAL</b>	<b>\$5,469,246</b>	<b>\$0</b>	<b>\$5,469,246</b>

<b>TO THE DEPARTMENT OF PARKS AND RECREATION:</b>			
	<u><b>City</b></u>	<u><b>Special</b></u>	<u><b>Total</b></u>
Personal Services	\$4,436,877	\$609,368	\$5,046,245
Materials, Supplies, and Equipment	2,293,273	814,564	3,107,837
Debt Service	1,530,537	0	1,530,537
Programs and Activities	0	0	0
<b>Total</b>	<b>\$8,260,687</b>	<b>\$1,423,932</b>	<b>\$9,684,619</b>

<b>TO THE FIRE DEPARTMENT:</b>			
	<u><b>City</b></u>	<u><b>Special</b></u>	<u><b>Total</b></u>
Personal Services	\$21,567,709	\$0	\$21,567,709
Materials, Supplies, and Equipment	2,426,211	201,369	2,627,580
Debt Service	1,411,678	0	1,411,678
Programs and Activities	0	0	0
<b>Total</b>	<b>\$25,405,598</b>	<b>\$201,369</b>	<b>\$25,606,967</b>

<b>TO THE POLICE DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$51,582,884	\$1,385,794	\$52,968,678
Materials, Supplies, and Equipment	7,845,553	542,388	8,387,941
Debt Service	251,069	0	251,069
Programs and Activities	0	0	0
<b>Total</b>	<b>\$59,679,506</b>	<b>\$1,928,182</b>	<b>\$61,607,688</b>

<b>TO THE DEPARTMENT OF PUBLIC WORKS:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$9,819,002	\$0	\$9,819,002
Materials, Supplies, and Equipment	11,337,103	1,233,853	12,570,956
Debt Service	4,633,650	0	4,633,650
Programs and Activities	0	0	0
<b>Total</b>	<b>\$25,789,755</b>	<b>\$1,233,853</b>	<b>\$27,023,608</b>

<b>TO THE DEPARTMENT OF PUBLIC WORKS- THE BOARD OF EXAMINING ENGINEERS:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$0	\$0	\$0
Materials, Supplies, and Equipment	0	0	0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>TO THE DEPARTMENT OF REAL ESTATE AND HOUSING:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$285,142	\$827,326	\$1,112,468
Materials, Supplies, and Equipment	2,040,996	143,498	2,184,494
Debt Service	622,815	0	622,815
Programs and Activities	0	2,761,746	2,761,746
Pass-Through	0	0	0
<b>Total</b>	<b>\$2,948,953</b>	<b>\$3,732,570</b>	<b>\$6,681,523</b>



**TO THE DEPARTMENT OF INFORMATION TECHNOLOGIES**

	<u>City</u>	<u>Special</u>	<u>Total</u>
Personal Services	\$2,166,427	\$0	\$2,166,427
Materials, Supplies, and Equipment	5,949,389	0	5,949,389
Debt Service	385,827	0	385,827
Programs and Activities	0	0	0
<b>Total</b>	<b>\$8,501,643</b>	<b>\$0</b>	<b>\$8,501,643</b>

**SECTION 3.** The Director of Finance is authorized upon transfer of any function from one office, department, board, or commission to another office, department, board, or commission to transfer to the successor office, department, board, or commission those portions that pertain to the function transferred.

**SECTION 4.** Whenever, pursuant to the provisions of Section 8-401 of the Charter, employees of any office, department, board, or commission are used by another office, department, board, or commission, the compensation of such employees for the period of such use may, at the discretion of the Director of Finance, be charged against the applicable appropriations to the using office, department, board, or commission.

**SECTION 5.** Appropriations in the sum of \$77,807,833 are made from the Water/Sewer Fund as follows:

<b>TO THE DEPARTMENT OF FINANCE - WATER/SEWER BILLING:</b>			
	<u>City</u>	<u>Special</u>	<u>Total</u>
Personal Services	\$2,496,564	\$0	\$2,496,564
Materials, Supplies, and Equipment	4,338,987	0	4,338,987
Debt Service	79,829	0	79,829
<b>Total</b>	<b>\$6,915,380</b>	<b>\$0</b>	<b>\$6,915,380</b>

<b>TO THE AUDITING DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Materials, Supplies, and Equipment	\$97,080	\$0	\$97,080
<b>Total</b>	<b>\$97,080</b>	<b>\$0</b>	<b>\$97,080</b>

<b>TO THE DEPARTMENT OF PUBLIC WORKS:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$9,258,087	\$0	\$9,258,087
Materials, Supplies, and Equipment	55,015,564	0	55,015,564
Debt Service	6,521,722	0	6,521,722
<b>Total</b>	<b>\$70,795,373</b>	<b>\$0</b>	<b>\$70,795,373</b>

**SECTION 6.** Appropriations in the sum of \$38,090,959 are made from the Intragovernmental Service Fund as follows:

<b>TO THE DEPARTMENT OF PUBLIC WORKS:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$0	\$0	\$0
Materials, Supplies, and Equipment	7,752,524	0	7,752,524
Debt Service	267,062	0	267,062
<b>Total</b>	<b>\$8,019,586</b>	<b>\$0</b>	<b>\$8,019,586</b>

<b>TO THE HUMAN RESOURCES DEPARTMENT:</b>			
	<b><u>City</u></b>	<b><u>Special</u></b>	<b><u>Total</u></b>
Personal Services	\$1,140,169	\$0	\$1,140,169
Materials, Supplies, and Equipment	5,358,218	0	5,358,218
Special Purpose	23,572,986	0	23,572,986
<b>Total</b>	<b>\$30,071,373</b>	<b>\$0</b>	<b>\$30,071,373</b>

The personal services, materials, supplies, and equipment provided for herein shall be allocated among and paid for by the departments receiving intragovernmental services. The Director of Finance is hereby authorized to transfer funds from the accounts of departments using such intragovernmental services and to adjust upwards the appropriations contained herein

for intragovernmental services so long as appropriated funds are available to pay for such services. The appropriations made herein shall be wholly payable from the appropriations for materials, supplies, and equipment made to departments receiving intragovernmental services and the limitations of Wilmington Charter Section 2-300(6) shall not apply.

Appropriations to the Human Resources Department include ongoing funding of the Risk Management Program, pursuant to the provisions of Wilmington City Code, Chapter 2, Article VI, Division 8.

**SECTION 7.** Appropriations in the sum of \$15,241,847 not subject to the limitations of Wilmington Charter Section 2-300(6), are included in the appropriations of Sections 2, 5, and 6, under the heading “Special”. These appropriations of special funds are made contingent upon the receipt of funds and shall be utilized in the manner prescribed by the statutes, ordinances, regulations, resolutions, and/or grants from which they derive. In the event new funds are received or funds are received in greater or lesser amounts than appropriated above, spending shall be adjusted upward or downward in accordance with the funds available. In no event shall spending of the special funds herein provided for exceed the amounts actually received or otherwise made available.

**SECTION 8.** Except as otherwise provided by this Ordinance, special funds, heretofore established pursuant to any ordinances, statutes, resolutions, and/or grants shall continue to be utilized in Fiscal Year 2021 for the purpose and in the manner prescribed by such ordinances, statutes, resolutions, and/or grants to the extent that they are consistent with the provisions of the Wilmington Home Rule Charter.

When, under the Charter, an appropriation is a prerequisite to the payment of money from such special funds, this section shall be construed as an appropriation of the full proceeds

of such funds for the purposes heretofore authorized by such ordinances, statutes, resolutions and/or grants.

**SECTION 9.** The amounts herein appropriated for materials, supplies, and equipment shall be deemed to be available for encumbrance upon the effective date of this Ordinance, to the extent necessary to facilitate the operations of the various offices, departments, boards, and commissions for Fiscal Year 2021, provided that no services shall be rendered prior to July 1, 2020, and no materials, supplies, and equipment acquired shall be used in Fiscal Year 2020, except to the extent required to prepare for Fiscal Year 2021 operations.

**SECTION 10. A. Position Allocation.** Attachment “A” hereto sets forth the positions authorized to be filled between July 1, 2020 and June 30, 2021. Pursuant to Section 40-36 of the City Code, any previously existing classifications and allocation of classifications are hereby abolished. Hereinafter, no additional positions shall be created or allocated without review and approval by the Administrative Board and designation by ordinance of the City Council, except that nothing in this Ordinance shall preclude the hiring and payment of employees filling positions where monies other than those appropriated by this Ordinance are available. Notwithstanding the foregoing, the Director of Human Resources shall have the authority to amend the Fire Department positions on Attachment “A” for Fiscal Year 2021, subject to the review and approval of the Administrative Board, without any further action of City Council.

**B. Executive and Managerial Salary Program and Salary Review Matrix.** Attachment “B” hereto sets forth for Fiscal Year 2021 the positions that are in the executive and management salary program, the salary review matrix, and the declared maximum salary rates for Department Heads, pursuant to the provisions of Wilmington City Code, Chapter 40, Article II, Division 3, as amended by Substitute No. 1 to Ordinance No. 04-010.

C. Non-Union Employee Salaries. Attachment “C” hereto sets forth the Non-Union Salaries and the Grades and Steps for the same for Fiscal Year 2021.

**SECTION 11.** All unencumbered balances on hand as of July 1, 2021, held by any office, department, board, or commission named in Sections 2, 5, and 6 of this Ordinance shall revert to the City of Wilmington Current Account.

**SECTION 12.** In order to balance the Fiscal Year 2021 General Fund Operating Budget, the use of up to \$5.8 million from the Tax Stabilization Reserve portion of General Fund Balance is hereby authorized for Fiscal Year 2021.

**SECTION 13.** A fund balance transfer of \$1.25 million from the Tax Stabilization Reserve portion of General Fund Balance to the Economic Strategic Fund is hereby authorized for Fiscal Year 2021.

**SECTION 14.** Effective Date. This Ordinance shall be deemed effective as of its date of passage by City Council and approval by the Mayor.

First Reading . . . . . July 9, 2020  
Second Reading . . . . . July 9, 2020  
Third Reading . . . . .

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Mayor

**SYNOPSIS & FISCAL IMPACT:** This Ordinance is the first amendment to the Fiscal Year 2021 Operating Budget Ordinance. It contains changes to the position allocation list and increased budget appropriations for the Police Department to fund a body camera program.

First, the amendment amends the Fiscal Year 2021 position allocation list (the “PAL”) by increasing the authorized strength of the Police Department from a total of 315 to 319 sworn officers. Specifically, the PAL is amended by adding (i) one Sergeant position (an increase of total Sergeant positions from 37 to 38) and (ii) three Patrol Officer positions (an increase of total Patrol Officer positions from 257 to 260). Overall, the PAL has an increase of four (4.00) Fulltime Equivalent positions.

Second, the amendment increases the Fiscal Year 2021 budget appropriations for the Police Department both to pay for the salaries and benefits of the four new sworn officers and for the contract with the company that will provide the body cameras and related services to the City. To support the salaries and benefits costs of the four new sworn officers, the Police Department’s FY 2021 General Fund Personal Services budget allocation is increased by \$400,000. In addition to the four new sworn officers, the City will enter into a five-year contract to purchase 319 body cameras and related services. The first year of the contract will cost \$542,388, which will be covered by a federal grant. To fund the cost of the contract, the Police Department’s FY 2021 Special Funds Materials, Supplies, and Equipment budget appropriation is increased by \$542,388.

The total fiscal impact and budget appropriation increase to the FY 2021 budget for the Police Department body camera program is \$942,388, inclusive of all funds. The impact to the General Fund is \$400,000, which will be funded by utilizing the Tax Stabilization Reserve. The impact to the Special Funds is \$542,388, which will be funded with a federal grant.

W0111113

# **ATTACHMENT A**

**Fiscal Year 2021  
DEPARTMENTAL POSITION ALLOCATION LIST**

**Fund: General**

**Department: Mayor's Office**

<u><b>Job Title</b></u>	<u><b>No.</b></u>	<u><b>Grade</b></u>	<u><b>Revenues</b></u>	
			<u><b>City</b></u>	<u><b>Special</b></u>
Mayor	1.00	Ext	1.00	0.00
Mayor's Chief of Staff	1.00	E 11	1.00	0.00
Deputy Chief of Staff for Fiscal and Management Operations	1.00	E 10	1.00	0.00
Deputy Chief of Staff for Policy and Communications	1.00	E 10	1.00	0.00
Director of Economic Development	1.00	E 09	1.00	0.00
Deputy Director of Economic Development	1.00	E 07	1.00	0.00
Emergency Management Director	1.00	E 07	0.50	0.50
Special Assistant to the Mayor	1.00	E 07	1.00	0.00
Director of Cultural Affairs	1.00	E 06	1.00	0.00
Policy Analyst	1.00	E 06	1.00	0.00
Best Practices/Innovation Specialist	1.00	E 05	1.00	0.00
Director of Constituent Services	1.00	E 05	1.00	0.00
Arts & Cultural Outreach Specialist	1.00	E 04	1.00	0.00
Digital and Social Media Manager	1.00	E 04	1.00	0.00
Economic Development Project Manager I	1.00	E 04	1.00	0.00
Office Manager/Administrative Assistant	1.00	E 04	1.00	0.00
Marketing and Special Projects Coordinator	1.00	E 04	1.00	0.00
Special Assistant	1.00	E 04	1.00	0.00
Special Assistant for Community Engagement	1.00	E 04	1.00	0.00
Communications Specialist	1.00	E 03	1.00	0.00
Community Referral Specialist	1.00	E 03	1.00	0.00
Administrative Assistant II	1.00	E 02	1.00	0.00
Constituent Services Officer	2.00	E 02	2.00	0.00
Mayor's Office Receptionist	1.00	E 01	1.00	0.00
Budget Director	1.00	M 08	1.00	0.00
Assistant Budget Director	1.00	M 06	1.00	0.00
Small and Minority Business Development Manager	1.00	M 05	1.00	0.00
Fiscal & Operations Analyst	3.00	S	3.00	0.00
Civil Appeals Administrator	1.00	N	1.00	0.00
Constituent Services Project Specialist	1.00	N	1.00	0.00
Constituent Services Representative	1.00	G	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>34.00</b>		<b>33.50</b>	<b>0.50</b>



**Fund: General**  
**Department: Information Technologies**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Director of Information Technologies	1.00	M 07	1.00	0.00
Application Support Specialist II	2.00	T	2.00	0.00
Senior Information Desktop Engineer	1.00	S	1.00	0.00
Mapping & Graphics Manager	1.00	S	1.00	0.00
Information Systems Administrator	1.00	S	1.00	0.00
Network Technician	1.00	R	1.00	0.00
Information Help Desk Coordinator	1.00	Q	1.00	0.00
Information Desktop Engineer	1.00	P	1.00	0.00
Information Help Desk Engineer	3.00	P	3.00	0.00
Application Support Specialist I	1.00	P	1.00	0.00
Telephony Analyst	1.00	O	1.00	0.00
Webmaster	1.00	O	1.00	0.00
Information Analyst I	1.00	N	1.00	0.00
IT Office Coordinator	1.00	M	1.00	0.00
Mapping Technician II	1.00	L	1.00	0.00
Communications Assistant	1.00	G	1.00	0.00
Document Management Technician	1.00	G	1.00	0.00
IT Support Services Technician	1.00	D	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>21.00</b>		<b>21.00</b>	<b>0.00</b>

**Fund: General**  
**Department: Planning**  
**Fiscal Year 2021**

<u><b>Job Title</b></u>	<u><b>No.</b></u>	<u><b>Grade</b></u>	<b>Revenues</b>	
			<u><b>City</b></u>	<u><b>Special</b></u>
Director of Planning and Development	1.00	E 08	1.00	0.00
Administrative Assistant II	1.00	E 02	1.00	0.00
Planning Manager	1.00	M 07	1.00	0.00
Planning Grants Coordinator	1.00	M 05	1.00	0.00
Senior Planner Design & Review	1.00	T	1.00	0.00
Senior Planner III	1.00	S	1.00	0.00
Senior Planner II	1.00	R	1.00	0.00
Planner II	2.00	Q	1.55	0.45
Planner I	1.00	N	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>10.00</b>		<b>9.55</b>	<b>0.45</b>

**Fund: General**  
**Department: City Council**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
President of City Council	1.00	Ext	1.00	0.00
Finance Chairman	1.00	Ext	1.00	0.00
President Pro Tempore	1.00	Ext	1.00	0.00
Council Members	10.00	Ext	10.00	0.00
Chief of Staff	1.00	Ext	0.75	0.25
Legislative & Community Director	1.00	Ext	1.00	0.00
City Clerk	1.00	Ext	1.00	0.00
Deputy Station Manager	1.00	Ext	0.00	1.00
Digital & Media Content Producer	1.00	Ext	0.00	1.00
Digital Media & Web Content Creator	1.00	Ext	0.00	1.00
Executive Administrative Assistant	1.00	Ext	1.00	0.00
Strategy & Policy Director	1.00	Ext	1.00	0.00
Legislative Administrative Assistant	1.00	Ext	0.50	0.50
Legislative Administrative Assistant/Deputy City Clerk	1.00	Ext	1.00	0.00
Producer	2.00	Ext	0.00	2.00
Senior Producer/On-Air Talent	1.00	Ext	0.00	1.00
Senior Producer	1.00	Ext	0.00	1.00
Station Manager-WITN	1.00	Ext	0.00	1.00
<b>DEPARTMENT TOTAL</b>	<b>28.00</b>		<b>19.25</b>	<b>8.75</b>

**Fund: General**  
**Department: City Treasurer**  
**Fiscal Year 2021**

<u><b>Job Title</b></u>	<u><b>No.</b></u>	<u><b>Grade</b></u>	<b>Revenues</b>	
			<u><b>City</b></u>	<u><b>Special</b></u>
City Treasurer	1.00	Ext	0.50	0.50
Deputy Treasurer	1.00	Ext	0.50	0.50
Administrative Assistant to the City Treasurer	1.00	Ext	0.50	0.50
Pension Manager	1.00	Ext	0.00	1.00
Debt Manager/System Coordinator	1.00	Ext	0.50	0.50
Senior Treasury Analyst	2.00	Q	1.00	1.00
<b>DEPARTMENT TOTAL</b>	<b>7.00</b>		<b>3.00</b>	<b>4.00</b>

**Fund: General**  
**Department: City Auditor**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<b>Revenues</b>	
			<u>City</u>	<u>Special</u>
City Auditor	1.00	E 08	1.00	0.00
Auditing Manager	1.00	M 06	1.00	0.00
Senior Auditor	3.00	S	3.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>5.00</b>		<b>5.00</b>	<b>0.00</b>

**Fund: General**  
**Department: Law**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<b>Revenues</b>	
			<u>City</u>	<u>Special</u>
City Solicitor	1.00	E 10	1.00	0.00
Deputy City Solicitor	1.00	E 09	1.00	0.00
Senior Assistant City Solicitor	3.00	E 08	3.00	0.00
Assistant City Solicitor	5.00	E 07	5.00	0.00
Legal Office Administrator	1.00	M 04	1.00	0.00
Litigation Assistant	1.00	P	1.00	0.00
Real Estate Legal Coordinator	1.00	P	1.00	0.00
Legal Assistant II	1.00	O	1.00	0.00
Nuisance Property Administrator	1.00	O	1.00	0.00
Legal Assistant I	2.00	M	2.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>17.00</b>		<b>17.00</b>	<b>0.00</b>

**Fund: General**  
**Department: Finance**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Director of Finance	0.50	E 10	0.50	0.00
Deputy Director of Finance	0.60	E 08	0.60	0.00
Administrative Assistant II	0.75	E 02	0.75	0.00
Principal Analyst	0.50	M 06	0.50	0.00
Procurement Manager	1.00	M 06	1.00	0.00
Accounting Manager	0.65	M 06	0.65	0.00
Customer Service Manager	0.50	M 06	0.50	0.00
Revenue Manager	0.35	M 06	0.35	0.00
Tax Manager	1.00	M 06	1.00	0.00
Senior Financial Analyst	0.80	M 05	0.80	0.00
Billing Manager	0.20	T	0.20	0.00
Revenue Supervisor	0.50	T	0.50	0.00
Tax Supervisor	1.00	T	1.00	0.00
Delinquent Accounts Supervisor	0.50	S	0.50	0.00
Grant Accountant	0.75	S	0.75	0.00
Grant Coordinator	0.75	S	0.75	0.00
Parking Services Supervisor	1.00	S	1.00	0.00
Senior Accountant	2.00	S	2.00	0.00
Assistant Tax Supervisor	1.00	R	1.00	0.00
Revenue Audit Agent	2.00	R	2.00	0.00
Sheriff Sale Administrator	0.10	R	0.10	0.00
Real Estate Coordinator	1.00	Q	1.00	0.00
Senior Procurement Specialist	1.00	Q	1.00	0.00
Purchasing Agent II	1.00	P	1.00	0.00
Customer Service Consultant	0.20	O	0.20	0.00
Staff Accountant	0.50	O	0.50	0.00
Accounts Payable Supervisor	0.50	N	0.50	0.00
Assistant Central Cashiering Supervisor	0.50	N	0.50	0.00
Assistant Revenue Audit Agent	1.00	M	1.00	0.00
Senior EIT Agent	2.00	M	2.00	0.00
Settlement Clerk	0.20	M	0.20	0.00
Delinquent Accounts Agent	1.50	L	1.50	0.00
EIT Agent	4.00	L	4.00	0.00
Purchasing Technician	1.00	J	1.00	0.00
Senior Parking Regulations Enforcement Officer	1.00	J	1.00	0.00
Assistant EIT Agent	1.00	I	1.00	0.00
Customer Service Representative II	3.50	I	3.50	0.00
Account Entry Clerk	3.50	G	3.50	0.00
Administrative Clerk I	3.50	G	3.50	0.00
Scofflaw Enforcer	2.00	G	2.00	0.00
Account Clerk III	0.50	F	0.50	0.00
Parking Regulations Enforcement Officer	13.00	F	13.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>58.85</b>		<b>58.85</b>	<b>0.00</b>

**Fund: Water and Sewer**  
**Department: Finance**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Director of Finance	0.50	E 10	0.50	0.00
Deputy Director of Finance	0.40	E 08	0.40	0.00
Administrative Assistant II	0.25	E 02	0.25	0.00
Accounting Manager	0.35	M 06	0.35	0.00
Customer Service Manager	0.50	M 06	0.50	0.00
Principal Analyst	0.50	M 06	0.50	0.00
Revenue Manager	0.65	M 06	0.65	0.00
Senior Financial Analyst	0.20	M 05	0.20	0.00
Billing Manager	0.80	T	0.80	0.00
Revenue Supervisor	0.50	T	0.50	0.00
Delinquent Accounts Supervisor	0.50	S	0.50	0.00
Grant Accountant	0.25	S	0.25	0.00
Grant Coordinator	0.25	S	0.25	0.00
Senior Accountant	1.00	S	1.00	0.00
Sheriff Sale Administrator	0.90	R	0.90	0.00
Billing Analyst	3.00	Q	3.00	0.00
Customer Service Consultant	2.80	O	2.80	0.00
Staff Accountant	1.50	O	1.50	0.00
Accounts Payable Supervisor	0.50	N	0.50	0.00
Assistant Central Cashiering Supervisor	0.50	N	0.50	0.00
Settlement Clerk	0.80	M	0.80	0.00
Delinquent Accounts Agent	1.50	L	1.50	0.00
Meter Reader Service Coordinator	1.00	K	1.00	0.00
Customer Service Representative II	3.50	I	3.50	0.00
Delinquent Accounts Officer	1.00	H	1.00	0.00
Account Entry Clerk	0.50	G	0.50	0.00
Administrative Clerk I	0.50	G	0.50	0.00
Account Clerk III	0.50	F	0.50	0.00
<b>DEPARTMENT TOTAL</b>	<b>25.15</b>		<b>25.15</b>	<b>0.00</b>



**Fund: General**  
**Department: Human Resources**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Director of Human Resources	0.55	E 09	0.55	0.00
Deputy Director of Human Resources	0.55	E 08	0.55	0.00
Administrative Assistant II	1.00	E 02	1.00	0.00
Director of Employment Services	1.00	M 07	1.00	0.00
Director of Classification & Compensation	1.00	M 06	1.00	0.00
Human Resources Administrator	3.00	M 04	3.00	0.00
Human Resources Information Systems Administrator	1.00	T	1.00	0.00
Labor Relations Specialist	1.00	R	1.00	0.00
Compensation Specialist	1.00	Q	1.00	0.00
Compliance Specialist	1.00	P	1.00	0.00
Human Resources Information and Systems Analyst	1.00	P	1.00	0.00
HRIS Coordinator	1.00	N	1.00	0.00
Human Resources Specialist	1.00	N	1.00	0.00
Retirement Specialist	0.50	N	0.50	0.00
Human Resources Leave Administrator	1.00	L	1.00	0.00
Human Resources Office Assistant	1.00	G	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>16.60</b>		<b>16.60</b>	<b>0.00</b>

**Fund: Internal Service**  
**Department: Human Resources**  
**Fiscal Year 2021**

<u><b>Job Title</b></u>	<u><b>No.</b></u>	<u><b>Grade</b></u>	<b>Revenues</b>	
			<u><b>City</b></u>	<u><b>Special</b></u>
Director of Human Resources	0.45	E 09	0.45	0.00
Deputy Director of Human Resources	0.45	E 08	0.45	0.00
Employee Benefits Manager	1.00	M 06	1.00	0.00
Occupational Health, Safety & Loss Prevention Programs Manager	1.00	M 05	1.00	0.00
Occupational Health Nurse	1.00	R	1.00	0.00
Senior Employee Benefits Administrator	1.00	Q	1.00	0.00
Claims Supervisor	1.00	P	1.00	0.00
Employee Benefits Administrator	1.00	P	1.00	0.00
Risk Management Analyst	1.00	O	1.00	0.00
Retirement Specialist	0.50	N	0.50	0.00
Medical Dispensary Coordinator	1.00	K	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>9.40</b>		<b>9.40</b>	<b>0.00</b>

**Fund: General**  
**Department: Licenses and Inspections**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Commissioner of Licenses and Inspections	1.00	E 09	1.00	0.00
Deputy Commissioner of Licenses and Inspections	1.00	E 07	1.00	0.00
Administrative Assistant I	1.00	E 01	1.00	0.00
Code Enforcement Supervisor	1.00	T	1.00	0.00
Zoning Manager	1.00	T	1.00	0.00
Building Code Enforcement Inspector	5.00	Q	5.00	0.00
Plans Examiner	1.00	Q	1.00	0.00
Mechanical Code Enforcement Inspector	1.00	Q	1.00	0.00
Code Enforcement Inspector	18.00	P	18.00	0.00
Code Enforcement Administrator	1.00	O	1.00	0.00
Zoning Enforcement Officer	1.00	N	1.00	0.00
Building Permit Director	1.00	M	1.00	0.00
Business Compliance Officer	1.00	M	1.00	0.00
Administrative Supervisor	1.00	L	1.00	0.00
Administrative Clerk III	1.00	I	1.00	0.00
Administrative Clerk I	5.00	G	5.00	0.00
Records Clerk	1.00	C	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>42.00</b>		<b>42.00</b>	<b>0.00</b>

**Fund: General**  
**Department: Parks and Recreation**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Director of Parks and Recreation	1.00	E 08	1.00	0.00
Deputy Director of Parks and Recreation	1.00	E 06	1.00	0.00
Administrative Assistant I	1.00	E 01	1.00	0.00
Superintendent of Maintenance, Parks & Recreation	1.00	M 05	1.00	0.00
Superintendent of Recreation	1.00	M 05	1.00	0.00
Youth & Families Manager	1.00	M 05	1.00	0.00
Parks Maintenance Supervisor	2.00	M 04	2.00	0.00
Parks Financial Administrator	1.00	P	1.00	0.00
Nutrition Program Coordinator	1.00	N	0.60	0.40
Program and Grants Coordinator	1.00	N	1.00	0.00
Youth & Families Program Administrator	1.00	N	1.00	0.00
Activities Coordinator	1.00	M	1.00	0.00
Physical Activities Coordinator	1.00	M	1.00	0.00
Recreation Program Coordinator	2.00	M	2.00	0.00
Equipment and Transportation Assistant	1.00	K	1.00	0.00
Accounts & Program Support Coordinator	1.00	H	1.00	0.00
Labor Foreman II	5.00	H	5.00	0.00
Small Engine Mechanic	1.00	H	1.00	0.00
Maintenance Mechanic III	1.00	G	1.00	0.00
Equipment Operator IV	3.00	F	3.00	0.00
Pool Mechanic	1.00	F	1.00	0.00
Labor Foreman I	3.00	E	3.00	0.00
Clerk II	1.00	D	1.00	0.00
Equipment Operator II	3.00	D	3.00	0.00
Nursery Technician	1.00	D	1.00	0.00
General Laborer I	4.00	B	4.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>41.00</b>		<b>40.60</b>	<b>0.40</b>

**Fund: General**  
**Department: Fire**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<b>Revenues</b>	
			<u>City</u>	<u>Special</u>
Chief of Fire	1.00	E 09	1.00	0.00
Deputy Chief	2.00	E 07	2.00	0.00
Administrative Assistant II	1.00	E 02	1.00	0.00
Battalion Chief	10.00		10.00	0.00
Captain	11.00		11.00	0.00
Lieutenant	29.00		29.00	0.00
Firefighter	103.00		103.00	0.00
Fire Plans Reviewer	1.00	P	1.00	0.00
Executive Assistant to the Chief	1.00	N	1.00	0.00
Fiscal Administrator	1.00	K	1.00	0.00
Administrative Clerk II	1.00	H	1.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>161.00</b>		<b>161.00</b>	<b>0.00</b>

**Fund: General**  
**Department: Police**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Chief of Police	1.00	E 09	1.00	0.00
Police Policy and Communications Director	1.00	E 06	1.00	0.00
Inspector	2.00		2.00	0.00
Captain	7.00		7.00	0.00
Lieutenant	11.00		11.00	0.00
Sergeant	38.00		38.00	0.00
Patrol Officer	260.00		254.57	5.43
Victim Services Supervisor	1.00	S	1.00	0.00
Bilingual Victims Case Coordinator	1.00	Q	1.00	0.00
Cold Case Investigator	1.00	Q	1.00	0.00
Crime Analyst	2.00	Q	2.00	0.00
Domestic Violence Coordinator	1.00	P	1.00	0.00
Communications Supervisor	5.00	O	5.00	0.00
Financial Administrator	1.00	O	1.00	0.00
Youth Intervention Specialist	1.00	N	1.00	0.00
Records Supervisor	1.00	M	1.00	0.00
Information Input Specialist	1.00	K	1.00	0.00
Senior Emergency Communications Specialist	1.00	K	1.00	0.00
Criminal Records Coordinator	1.00	I	1.00	0.00
Emergency Communications Specialist	12.00	I	12.00	0.00
Administrative Clerk II	1.00	H	1.00	0.00
Emergency Call Operator	16.00	H	16.00	0.00
Administrative Clerk I	1.00	G	1.00	0.00
Communications and Data Specialist	6.00	G	6.00	0.00
Document Management Technician	1.00	G	1.00	0.00
Police Records Specialist	1.00	G	1.00	0.00
Police Reports Specialist	1.00	G	1.00	0.00
Property Technician	1.00	M	1.00	0.00
Senior Clerk	1.00	G	1.00	0.00
Vehicle Maintenance Technician	1.00	G	1.00	0.00
Teleserve Operator	4.00	F	4.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>383.00</b>		<b>377.57</b>	<b>5.43</b>

**Fund: General**  
**Department: Public Works**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Commissioner of Public Works	0.25	E 09	0.25	0.00
Deputy Commissioner of Public Works	0.50	E 08	0.50	0.00
Administrative Assistant I	0.25	E 01	0.25	0.00
Director of Transportation	1.00	M 07	1.00	0.00
Administrative Services Director	0.35	M 06	0.35	0.00
City Engineer	0.45	M 06	0.45	0.00
Operations Director	1.00	M 06	1.00	0.00
Transportation Engineer	1.00	T	1.00	0.00
Building Services Manager	1.00	R	1.00	0.00
Contracts & Fleet Administrator	1.00	R	1.00	0.00
Sanitation Manager	1.00	R	1.00	0.00
Construction Supervisor/RCMS MGR	0.50	Q	0.50	0.00
CADD/GIS Engineering Coordinator	1.00	Q	1.00	0.00
Transportation Administrative Supervisor	1.00	P	1.00	0.00
Engineering Records Coordinator	0.25	O	0.25	0.00
Street Cleaning Supervisor	1.00	O	1.00	0.00
Assistant Sanitation Supervisor	2.00	N	2.00	0.00
Assistant Building Services Manager	1.00	N	1.00	0.00
Constituent Services Supervisor	0.30	M	0.30	0.00
ITMS Senior Technician	1.00	M	1.00	0.00
Traffic Maintenance Foreman	1.00	M	1.00	0.00
Administrative Coordinator	0.50	M	0.50	0.00
Assistant Street Cleaning Supervisor	2.00	L	2.00	0.00
Assistant Street and Sewer Maintenance Supervisor	0.20	L	0.20	0.00
Assistant Constituent Services Supervisor	0.30	K	0.30	0.00
Purchasing Coordinator I	0.70	J	0.70	0.00
Administrative Clerk III	0.50	I	0.50	0.00
Building Services Foreman	1.00	I	1.00	0.00
Constituent Services Assistant	0.90	I	0.90	0.00
Construction Inspector	1.00	I	1.00	0.00
Account Technician	0.50	H	0.50	0.00
Equipment Operator V	1.40	H	1.40	0.00
Labor Foreman II	0.20	H	0.20	0.00
Signal Electrician	4.00	H	4.00	0.00
Building Technician I	1.00	G	1.00	0.00
Traffic Maintenance Technician II	4.00	G	4.00	0.00
Traffic Technician II	2.00	G	2.00	0.00
Equipment Operator IV	13.00	F	13.00	0.00
Sanitation Driver	15.00	E	15.00	0.00
Sanitation Worker	25.00	E	25.00	0.00
Equipment Operator II	10.00	D	10.00	0.00
General Laborer II	3.00	C	3.00	0.00
General Laborer I	17.00	B	17.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>120.05</b>		<b>120.05</b>	<b>0.00</b>

**Fund: Water and Sewer**  
**Department: Public Works**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<u>Revenues</u>	
			<u>City</u>	<u>Special</u>
Commissioner of Public Works	0.75	E 09	0.75	0.00
Deputy Commissioner of Public Works	0.50	E 08	0.50	0.00
Administrative Assistant I	0.75	E 01	0.75	0.00
Water Division Director	1.00	M 07	1.00	0.00
Administrative Services Director	0.65	M 06	0.65	0.00
Assistant Water Division Director	2.00	M 06	2.00	0.00
City Engineer	0.55	M 06	0.55	0.00
Water Quality Manager	1.00	M 05	1.00	0.00
Manager of Sustainability & Environmental Compliance	1.00	S	1.00	0.00
Civil Engineer	2.00	R	2.00	0.00
Contracts & Maintenance Supervisor	1.00	R	1.00	0.00
Forestry Programs & Operation Supervisor	1.00	R	1.00	0.00
Water Utility Project Manager	1.00	R	1.00	0.00
Construction Supervisor/RCMS MGR	0.50	Q	0.50	0.00
Water Distribution Supervisor	2.00	Q	2.00	0.00
Water Meter Supervisor	1.00	Q	1.00	0.00
Water Production Supervisor	1.00	Q	1.00	0.00
Assistant Water Distribution Supervisor	1.00	P	1.00	0.00
Assistant Water Production Supervisor	1.00	P	1.00	0.00
Water Quality Assistant	1.00	P	1.00	0.00
Wet Weather Administrator	1.00	P	1.00	0.00
Engineering Records Coordinator	0.75	O	0.75	0.00
Sewer Maintenance Supervisor	1.00	O	1.00	0.00
City Forester	1.00	N	1.00	0.00
Constituent Services Supervisor	0.70	M	0.70	0.00
GIS Technician II	1.00	M	1.00	0.00
Water Production Maintenance Foreman	2.00	M	2.00	0.00
Administrative Coordinator	0.50	M	0.50	0.00
Assistant Street and Sewer Maintenance Supervisor	0.80	L	0.80	0.00
Assistant Water Meter Supervisor	1.00	L	1.00	0.00
Water Quality Specialist	3.00	L	3.00	0.00
Chief Construction Inspector	1.00	K	1.00	0.00
Assistant Constituent Services Supervisor	0.70	K	0.70	0.00
GIS Technician I	1.00	J	1.00	0.00
Purchasing Coordinator I	1.30	J	1.30	0.00
Tree Climber II/Tree Crew Foreman	1.00	J	1.00	0.00
Water Systems Valve Technician	1.00	J	1.00	0.00
Administrative Clerk III	0.50	I	0.50	0.00
Constituent Services Assistant	2.10	I	2.10	0.00
Construction Inspector	4.00	I	4.00	0.00
Labor Foreman III	3.00	I	3.00	0.00
Account Technician	0.50	H	0.50	0.00
Equipment Operator V	4.60	H	4.60	0.00
Labor Foreman II	0.80	H	0.80	0.00



**Fund: Water and Sewer (Continued)**  
**Department: Public Works**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<b>Revenues</b>	
			<u>City</u>	<u>Special</u>
Plant Mechanic II	5.00	H	5.00	0.00
Plant Operator III	8.00	H	8.00	0.00
Welder	1.00	H	1.00	0.00
Maintenance Mechanic III	9.00	G	9.00	0.00
Equipment Operator IV	1.00	F	1.00	0.00
Maintenance Mechanic II	3.00	F	3.00	0.00
Tree Climber I	1.00	F	1.00	0.00
Equipment Operator III	1.00	E	1.00	0.00
Maintenance Mechanic I	1.00	E	1.00	0.00
Technical Maintenance Mechanic I	1.00	E	1.00	0.00
Equipment Operator II	2.00	D	2.00	0.00
General Laborer III	9.00	D	9.00	0.00
Equipment Operator I	1.00	C	1.00	0.00
General Laborer II	7.00	C	7.00	0.00
<b>DEPARTMENT TOTAL</b>	<b>104.95</b>		<b>104.95</b>	<b>0.00</b>

**Fund: General**  
**Department: Real Estate and Housing**  
**Fiscal Year 2021**

<u>Job Title</u>	<u>No.</u>	<u>Grade</u>	<b>Revenues</b>	
			<u>City</u>	<u>Special</u>
Director of Real Estate and Housing	1.00	E 08	0.60	0.40
Director of Rehabilitation	1.00	M 05	0.00	1.00
Senior Program Director	1.00	M 05	0.35	0.65
Acquisition & Disposition Manager	1.00	Q	0.50	0.50
Development Specialist	1.00	Q	0.46	0.54
Program Administrator	1.00	P	0.21	0.79
Financial Administrator	1.00	O	0.00	1.00
Senior Rehabilitation Specialist II	2.00	N	0.13	1.87
GIS Technician I	1.00	J	0.50	0.50
Administrative Clerk II	1.00	H	0.00	1.00
<b>DEPARTMENT TOTAL</b>	<b>11.00</b>		<b>2.75</b>	<b>8.25</b>

## **ATTACHMENT B**

**City of Wilmington  
Executive and Managerial  
Position Level Salary Structure Matrix  
FY 2021**

	<b>Salary Range <u>07/01/20 - 06/30/21</u></b>	
<b><u>Level 1</u></b>	\$41,098	\$62,468
Administrative Assistant I Mayor's Office Receptionist		
<b><u>Level 2</u></b>	\$45,429	\$69,960
Administrative Assistant II Constituent Services Officer		
<b><u>Level 3</u></b>	\$50,078	\$78,123
Communications Assistant Community Referral Specialist		
<b><u>Level 4</u></b>	\$55,422	\$87,566
Arts & Cultural Outreach Specialist Digital & Social Media Manager Economic Development Project Manager I Human Resources Administrator Legal Office Administrator Marketing & Special Projects Coordinator Office Manager/Administrative Assistant Parks Maintenance Supervisor Special Assistant Special Assistant for Community Engagement		
<b><u>Level 5</u></b>	\$61,313	\$97,863
Best Practices/Innovation Specialist Director of Constituent Services Division Director of Rehabilitation Occupational Health, Safety & Loss Prevention Program Manager Planning Grants Coordinator Senior Financial Analyst Senior Program Director Small & Minority Business Development Manager Superintendent of Maintenance, Parks & Recreation Superintendent of Recreation Youth & Families Manager Water Quality Manager		

**Salary Range**  
**07/01/20 - 06/30/21**

<b><u>Level 6</u></b>	\$68,388	\$109,419
Accounting Manager		
Administrative Services Director		
Assistant Budget Director		
Assistant Water Division Director		
Auditing Manager		
City Engineer		
Customer Service Manager		
Deputy Director of Parks & Recreation		
Director of Classification & Compensation		
Director of Cultural Affairs		
Employee Benefits Manager		
Operations Director		
Police Policy & Communications Director		
Policy Analyst		
Principal Analyst		
Procurement Manager		
Revenue Manager		
Tax Manager		
<b><u>Level 7</u></b>	\$73,789	\$118,799
Assistant City Solicitor		
Deputy Chief of Fire		
Deputy Commissioner of Licenses & Inspections		
Deputy Director of Economic Development		
Director of Employment Services		
Director of Integrated Technologies		
Director of Transportation		
Emergency Management Director		
Planning Manager		
Special Assistant to the Mayor for Employment Initiatives		
Water Division Director		
<b><u>Level 8</u></b>	\$79,534	\$127,939
Budget Director		
City Auditor		
Deputy Commissioner of Public Works		
Deputy Director of Human Resources		
Deputy Finance Director		
Director of Parks & Recreation		
Director of Planning and Development		
Director of Real Estate & Housing		
Senior Assistant City Solicitor		

	<b>Salary Range</b> <b><u>07/01/20 - 06/30/21</u></b>	
<b><u>Level 9</u></b>	\$85,765	\$138,081
Chief of Fire		
Chief of Police*		
Commissioner of Licenses & Inspections		
Commissioner of Public Works		
Deputy City Solicitor		
Director of Economic Development		
Director of Human Resources		
<b><u>Level 10</u></b>	\$92,363	\$148,704
City Solicitor		
Deputy Chief of Staff for Fiscal and Management Operations		
Deputy Chief of Staff for Policy and Communications		
Director of Finance		
<b><u>Level 11</u></b>	\$99,696	\$160,512
Chief of Staff		

\*Declared Rate for Chief of Police increased beyond salary range per Ord #17-013

**Effective: 07/01/20**  
**Revised: 03/26/20**

# City of Wilmington Salary Review Matrix FY '21

	First Third	Middle Third	Top Third
<b>Far Above Expectations</b>	Up to 5%	Up to 5%	Up to 5%
<b>Above Expectations</b>	Up to 4%	Up to 4%	Up to 4%
<b>Meets Expectations</b>	Up to 3%	Up to 3%	Up to 3%
<b>Below Expectations</b>	Up to 1%	Up to 1%	Up to 1%
<b>Far Below Expectations</b>	0%	0%	0%

# DECLARED RATES

## Department Heads

### FY 2021

Title	Salary
Mayor	\$150,293
Chief of Staff	\$148,050
City Treasurer	\$147,006
City Solicitor	\$147,912
Commissioner of Public Works	\$138,081
Chief of Police*	\$200,346
Director of Finance	\$148,704
Director of Human Resources	\$138,081
Chief of Fire	\$138,081
Director of Economic Development	\$138,081
Commissioner of Licenses and Inspections	\$138,081
City Auditor	\$127,939
Director of Parks and Recreation	\$127,939
Director of Planning and Development	\$127,939
Director of Real Estate and Housing	\$127,939

**The Declared Rate Listing states the maximum salary for each position for each fiscal year. The actual salaries may be less than the declared rates.**

\*Declared Rate for Chief of Police increased beyond salary range per Ord #17-013

**Revised: 03/24/20**



**City of Wilmington**  
**Fiscal Year 2021**  
**Executive and Managerial Pay Plan**

	<b>First Third</b>	<b>Second Third</b>	<b>Top Third</b>
<b>Level 1</b>	\$41,098 - \$46,441	\$46,442 - \$57,125	\$57,126 - \$62,468
<b>Level 2</b>	\$45,429 - \$51,562	\$51,563 - \$63,826	\$63,827 - \$69,960
<b>Level 3</b>	\$50,078 - \$57,089	\$57,090 - \$71,111	\$71,112 - \$78,123
<b>Level 4</b>	\$55,422 - \$63,458	\$63,459 - \$79,529	\$79,530 - \$87,566
<b>Level 5</b>	\$61,313 - \$70,451	\$70,452 - \$88,725	\$88,726 - \$97,863
<b>Level 6</b>	\$68,388 - \$78,646	\$78,645 - \$99,160	\$99,161 - \$109,419
<b>Level 7</b>	\$73,789 - \$85,042	\$85,043 - \$107,546	\$107,547 - \$118,799
<b>Level 8</b>	\$79,534 - \$91,635	\$91,636 - \$115,837	\$115,838 - \$127,939
<b>Level 9</b>	\$85,765 - \$98,844	\$98,845 - \$125,001	\$125,002 - \$138,081
<b>Level 10</b>	\$92,363 - \$106,448	\$106,449 - \$134,618	\$134,619 - \$148,704
<b>Level 11</b>	\$99,696 - \$114,900	\$114,901 - \$145,307	\$145,308 - \$160,512

**Revised: 03/24/20**

## **ATTACHMENT C**

**Non-Union Pay Scale**  
**07/01/20 - 06/30/21**  
**2%**

	Step I	Step II	Step III	Step IV	Step V	Step VI	Step VII
<b>A</b>	\$25,504.71	\$26,780.59	\$28,120.97	\$28,683.91	\$29,258.81	\$29,845.23	\$30,444.18
<b>B</b>	\$26,801.40	\$28,707.81	\$30,746.81	\$31,676.68	\$32,311.57	\$32,959.19	\$33,619.77
<b>C</b>	\$28,164.01	\$29,868.67	\$31,519.68	\$32,151.41	\$32,795.80	\$33,620.39	\$34,637.17
<b>D</b>	\$29,595.92	\$31,076.46	\$32,631.07	\$33,285.09	\$33,952.22	\$34,805.86	\$35,858.50
<b>E</b>	\$31,100.60	\$32,656.43	\$34,290.08	\$34,977.34	\$35,678.37	\$36,575.44	\$37,681.59
<b>F</b>	\$32,681.80	\$34,316.73	\$36,033.43	\$36,755.65	\$37,492.32	\$38,243.76	\$39,498.87
<b>G</b>	\$33,999.95	\$35,522.31	\$37,112.84	\$37,856.67	\$38,615.41	\$39,586.31	\$40,783.53
<b>H</b>	\$36,085.84	\$38,269.96	\$40,586.27	\$41,399.73	\$42,651.79	\$43,941.71	\$45,270.64
<b>I</b>	\$38,299.69	\$40,215.65	\$42,649.74	\$43,504.54	\$44,376.49	\$45,265.91	\$46,173.17
<b>J</b>	\$40,246.90	\$42,260.27	\$44,374.36	\$45,603.21	\$46,517.22	\$47,449.54	\$48,400.57
<b>K</b>	\$42,716.04	\$44,852.92	\$47,096.71	\$48,040.66	\$49,003.52	\$49,985.67	\$50,987.52
<b>L</b>	\$44,438.89	\$46,661.97	\$48,996.25	\$49,978.28	\$50,979.96	\$52,391.76	\$53,441.82
<b>M</b>	\$46,698.22	\$49,034.33	\$51,487.29	\$52,781.83	\$53,839.72	\$55,330.70	\$56,862.97
<b>N</b>	\$49,047.89	\$51,501.54	\$54,077.91	\$55,161.79	\$56,267.37	\$57,969.07	\$59,722.24
<b>O</b>	\$51,283.83	\$54,253.21	\$57,536.92	\$58,690.12	\$59,866.42	\$61,066.30	\$62,290.24
<b>P</b>	\$53,487.00	\$56,443.52	\$59,711.64	\$60,908.42	\$62,129.17	\$63,374.41	\$64,644.60
<b>Q</b>	\$56,065.82	\$58,870.53	\$61,815.56	\$63,054.51	\$64,639.89	\$65,935.44	\$67,256.96
<b>R</b>	\$58,768.99	\$61,708.93	\$64,795.96	\$66,094.64	\$67,419.36	\$68,770.63	\$70,148.95
<b>S</b>	\$61,448.09	\$64,522.07	\$67,749.81	\$69,107.71	\$70,492.80	\$71,905.66	\$73,346.85
<b>T</b>	\$67,316.52	\$72,451.16	\$77,977.45	\$79,540.33	\$81,134.52	\$82,760.67	\$84,419.42

**AN ORDINANCE TO AMEND CHAPTER 8 OF THE CITY CODE TO REQUIRE THAT DEVELOPERS WHO RECEIVE FINANCIAL ASSISTANCE FROM THE CITY OF WILMINGTON ON RESIDENTIAL CONSTRUCTION PROJECTS REQUIRE THEIR CONSTRUCTION CONTRACTORS TO HIRE WORKERS FROM CLASS A APPRENTICE PROGRAMS**

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#4561

Sponsors:

Council  
Member  
Guy  
Dixon

WHEREAS, the City of Wilmington has a compelling interest to ensure that residential construction projects located in the City ("Residential Projects") are completed at a reasonable cost with a high degree of quality; and

WHEREAS, a highly skilled workforce helps to ensure the efficient, economical and safe completion of such projects; and

WHEREAS, the City desires to encourage new and established businesses to generate good-paying job opportunities for City residents, particularly in low-income neighborhoods and in new markets; and

WHEREAS, the City desires to encourage developers and contractors to hire workers from Class A Apprentice Programs where Wilmington residents can gain key skills in residential construction; and

WHEREAS, the City has the authority to grant economic incentives for businesses to remain in or relocate to Wilmington, and the City periodically grants such incentives to developers of Residential Projects.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:**

**SECTION 1.** Chapter 8 of the City Code is hereby amended by adding a new Section 8-6 thereto as follows:

**Section 8-6. Developer and Contractor Requirements Regarding Residential**

## Construction Apprentice Programs.

- (a) *Definition.* For purposes of this Section 8-6, a Residential Construction Apprentice Program shall be a program, as defined in City Code Sec. 2-563, that:
- (1) Maintains participation by Residents of the City of Wilmington.
  - (2) Recruits applicants from low-income neighborhoods, including in the City of Wilmington, especially those applicants that live near the location of a Residential Project.
  - (3) Demonstrates a commitment to graduating and placing apprentices from underrepresented communities in career-track residential construction jobs.
  - (4) Provides classroom and on-the-job training in residential construction prior to graduation, including classroom health and safety training, as well as training to recognize and abate hazardous material such as asbestos, mold and lead.
- (b) *Applicability.* This section shall be applicable to any developer of a residential construction project 1) receiving any amount of financing, subsidy, or grant from any city department, or 2) any developer receiving an in-kind contribution from any city department with a value that exceeds \$100,000.00, or 3) developing a residential construction project on property acquired by the Wilmington Neighborhood Conservancy Land Bank, with the exception of Homesteading for new home-owners, Side-Lots, and Community Gardens. This section shall not apply to developers who are awarded contracts through the competitive bidding process, or where the source of the funding exclusively derives from the federal or state government.
- (c) The City has previously been authorized to give financial assistance to developers of Residential Projects located in the City of Wilmington, including subsidies in the form of donation of property and tax credits. Each construction contractor hired by a developer to work on Residential Projects, shall provide a contractor responsibility certification, in a form developed by the City, that it participates in a Residential Construction Apprentice Program and demonstrates good faith efforts to meet the following requirements:
- (1) Pay a wage of at least \$15.00 an hour to all construction employees, effective upon passage, pay a wage of at least \$16.00 an hour to all construction employees, effective January 1, 2019; pay a wage of at least \$17.00 an hour to all construction employees, effective January 1, 2020; and pay a wage of at least \$18.00 an hour to all construction employees, effective January 1, 2021.
  - (2) Endeavor to ensure that at least 30% of work hours on any Residential Project will be performed by apprentices in a Residential Construction

Apprentice Program or individuals who have graduated from a Residential Construction Apprentice Program in the past two years.

- (3) Certify that neither the developer nor the construction contractors hired by the developer, nor any principal thereof, have been suspended or debarred by any federal, state, or local agency within the past five years.
- (d) As part of its review process, the city shall ensure that the contractor responsibility certification has been submitted and properly executed for all the developer's contractors and subcontractors. The city may conduct any additional inquiries to verify that the developer and its subcontractors have the qualifications and performance capabilities necessary to successfully comply with the requirements of Section (b). In conducting such inquiries, the city may seek relevant information from the firm, its prior clients or customers, its subcontractors or any other relevant source.
- (e) *Enforcement.* This section shall be enforced by the City Department of Real Estate and Housing. Failure to comply with this section may result in revocation of city assistance in the immediate project and/or subsequent projects. If the city determines that a developer's contractor or subcontractor responsibility certification contains false or misleading material information that was provided knowingly or with reckless disregard for the truth or omits material information knowingly or with reckless disregard of the truth, the firm for which the certification was submitted shall be prohibited from performing work on Residential Construction Projects under Section 8-6(b) for a period of three years and shall be subject to any other penalties and sanctions, including contract termination, available to the city under law. A contract terminated under these circumstances shall further entitle the city to withhold payment of any monies due to the developer, contractor or subcontractor as damages.
- (f) If any provision of this subdivision shall be held to be invalid or unenforceable by a court of competent jurisdiction, any such holding shall not invalidate any other provisions of this subdivision and all remaining provisions shall remain in full force and effect.
- (g) The requirements of this subdivision shall not apply to contracts advertised for bid prior to the effective date of the ordinance from which this subdivision is derived, except that the exercise of an option on a contract covered by this subdivision shall be deemed to create a new contract for purposes of this subdivision.

...

**SECTION 2.** This Ordinance shall become effective immediately upon its date of passage by the City Council and approval by the Mayor.

First Reading.....July 2, 2018  
Second Reading.....July 2, 2018  
Third Reading.....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance amends Chapter 8 of the City Code to require that developers who receive financial assistance from the City of Wilmington on residential construction projects require their construction contractors to participate in and hire workers from Residential Construction Apprentice Programs.