

**VIRTUAL REGULAR MEETING OF WILMINGTON CITY COUNCIL
JUNE 18, 2020 @ 6:30 P.M. – REVISED***

www.WilmingtonDe.gov or 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**

All Council Recognize 2020 Kappa Achievers Scholarship Awards Ceremony
Harlee Retirement Sheila Martin
Shabazz Recognize World Sickle Cell Day/Tova Community Health
Shabazz Recognize Nnamdi Chukwuocha and Al Mills (Twin Poets) Delaware Poets
 Laureate Receive a 2020 Fellowship from the Academy of American Poets

VI. Legislative Business

CONGO

#4818 A Resolution for the City to Accept the Gift of Real Estate from 2nd District
 NPC of 511 Concord Pike

Synopsis: *This Resolution is being presented by the Administration for Council’s review and approval. This Resolution approves the receipt of 511 Concord Avenue, Wilmington, Delaware, 19802 (Parcel No. 26-015.30-129), as a gift from the 2nd District NPC to the City.*

OLIVER

#4802 Ord. 20-022 Authorize and Approve a One-Year Extension of Contract
 20015WD Between the City of Wilmington and Greer Lime
 Company for the Provision of Hydrated Lime (**3rd & Final
 Reading**)

Synopsis: *This Ordinance is being presented by Administration for Council’s review and approval. This Ordinance authorizes the City to enter into an amendment to Contract 20015WD – Hydrated Lime (the “Contract”) -- between the City and Greer Lime Company which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.*

- #4803 Ord. 20-023 Authorize and Approve a One-Year Extension of Contract 20014PW Between the City of Wilmington and Kemira Water Solutions, Inc. for the Provision of Ferric Chloride **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to enter into an amendment to Contract 20014PW – Ferric Chloride (the “Contract”) -- between the City and Kemira Water Solutions, Inc. which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.*

- #4804 Ord. 20-024 Authorize and Approve a One-Year Extension of Contract 20024PW Between the City of Wilmington and Diamond Materials LLC for the Provision of Bituminous Concrete **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to enter into an amendment to Contract 20024PW – Bituminous Concrete (the “Contract”) -- between the City and Diamond Materials LLC which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.*

- #4805 Ord. 20-025 Authorize and Approve a One-Year Extension of Contract 20013WD Between the City of Wilmington and Buckman’s Inc. for the Provision of Sodium Hypochlorite **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to enter into an amendment to Contract 20013WD – Sodium Hypochlorite (the “Contract”) -- between the City and Buckman’s Inc. which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.*

- #4806 Ord. 20-026 Authorize and Approve a One-Year Extension of Contract 20017PW Between the City of Wilmington and Judge Mobile Wash for the Provision of Mobile Truck Washing Services **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to enter into an amendment to Contract 20017PW – Mobile Truck Washing (the “Contract”) -- between the City and Judge Mobile Wash which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.*

#4807 Ord. 20-027 Authorize and Approve a Multi-Year Extension of an Agreement Between the City of Wilmington and Itron, Inc. for the Provision of Operation and Maintenance Services for Mobile Automated Meter Reading **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for Council’s review and approval. This Ordinance authorizes the City to enter into an amendment to the contract between the City and Itron, Inc. (the “Contract”) which provides for a five-year extension of the Contract from July 1, 2020 to June 30, 2025 on the same terms.*

#4815 Ord. 20-030 Authorize a One-Year Extension to the Educational Access Channel Agreement Between Red Clay Consolidated School District and the City of Wilmington **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the City Council for Council’s review and approval. This Ordinance authorizes the City to enter into an Educational Access Channel Agreement with the Red Clay Consolidated School District to extend the current agreement for an additional one (1) year period, from July 1, 2020 until June 30, 2021.*

HARLEE

#4819 A Resolution Approving the Department of Parks and Recreation’s Grant Application to the National Recreation and Parks Association for the City’s Walk with Ease Program

Synopsis: *This Resolution is being presented by the Administration for Council’s review and approval. This Resolution authorizes a grant application of the Department of Parks and Recreation to the National Recreation and Parks Association in the amount of \$2,500. The funds will be used to expand the City’s Walk with Ease program, an evidence-based physical activity program for older adults. There is no local match required.*

#4820 A Resolution Approving the Department of Parks and Recreation’s Grant Application to the State of Delaware Department of Health and Social Services to Implement a Tobacco Prevention Community Outreach Program

Synopsis: *This Resolution is being presented by the Administration for Council’s review and approval. This Resolution authorizes the Parks and Recreation application for a grant from the Delaware Department of Health and Social Services in the amount of \$10,000 to implement tobacco prevention programs.*

#4821 A Resolution Approving the Department of Parks and Recreation's Grant Application to the National Fitness Campaign for Construction of Two Outdoor Fitness Courts

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Department of Parks and Recreation's application for a grant from National Fitness Campaign in the amount of \$60,000. The grant will enable the City to construct two free-to-use outdoor fitness courts suitable for participants of all ages and abilities to grow a stronger healthier community. No local matching funds are required.*

#4822 A Resolution Approving the Department of Parks and Recreation's Grant Application to the State of Delaware Department of Labor to Support the City's Youth Career Development Program

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Department of Parks and Recreation to apply for a grant from the Delaware Department of Labor in the approximate amount of \$225,000. The funds will be used to support approximately 170 youth for the City's 2020 Youth Career Development Program (the "Youth Program"), formally known as the Summer Youth Employment Program. There is no local match required.*

#4823 A Resolution Approving the Department of Parks and Recreation's Grant Application to the Bank of America Charitable Foundation to Support the City's Summer Youth Employment Program

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Department of Parks and Recreation's application to the Bank of America Charitable Foundation in the amount of \$75,000. The funds will be used to support the City's 2020 Summer Youth Employment Program. No local matching funds are required.*

#4824 A Resolution Approving the Department of Parks and Recreation's Grant Application to the State of Delaware Department of Education to Support the City's Summer Food Service Program

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Department of Parks and Recreation's application for a grant from the Delaware Department of Education in the amount of \$480,157.46. The funds would be used to provide meal service for the City's 2020 Summer Food Service Program. No local matching funds are required.*

#4825 A Resolution Approving the Department of Park and Recreation's Grant Application to Christiana Care Health Services to Support the City's Play Streets Initiative

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Department of Parks and Recreation's application for a grant from Christiana Care Health Services in the amount of \$35,210. The grant will enable the City to supplement its offerings in the Wilmington Play Streets initiative that will provide children a safe place to play and adults a safe place to learn about available resources. No local matching funds are required.*

#4826 A Resolution Encouraging the Delaware General Assembly to Allow Food Industry Businesses to Legally Donate Unsold Food to Shelter Facilities and Nonprofit Organizations in Response to COVID-19 and Ongoing Issues Beyond this Crisis

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. Food waste and food insecurity are significant problems facing the nation, our City of Wilmington and our State that have only been heightened in the wake of the COVID-19 crisis. The Wilmington City Council supports the petition from Charity Crossing encouraging efforts by the Delaware General Assembly to pass legislation that would allow food industry businesses to legally donate their unsold food items to shelter facilities and/or nonprofit organizations to feed the hungry thereby increasing food security, reducing food waste, decreasing waste at our landfills, and possibly saving money for our municipalities and counties on landfill maintenance costs during and after the COVID-19 pandemic.*

#4827 A Resolution Declaring 601 West Eighth Street to be Surplus and Approving its Disposition to Cinnaire Solutions

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution declares 601 West Eighth Street to be surplus and approves the property for disposition to Cinnaire Solutions.*

#4828 A Resolution to Establish the 4th District Community Task Force

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution establishes the 4th District Community Task Force which exists as a formalized body to collaboratively address the breadth of issues within and/or affecting the 4th Councilmanic District.*

TURNER

#4829 A Resolution Declaring 501 West Seventh Street to be Surplus and Approving its Disposition to Wilmington Alliance Inc.

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution declares 501 West Seventh Street to be surplus and approves the property for disposition to Wilmington Alliance Inc.*

JOHNSON

#4830 A Resolution to Declare Racism as a Public Health Crisis and to Enact Equity and Justice in all Policies of the City of Wilmington and State of Delaware

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. Racism has been prevalent in this country since before its founding as the United States of America and has continually and detrimentally negatively impacted the health and well-being of Black and Brown citizens in the country, state, and city. This Council declares racism to be a public health crisis for these reasons and is committed to pursuing equity and justice in the review of existing Codes and practices, the development and execution of all City policies and procedures going forward.*

#4831 A Resolution for the Wilmington Police Department and the City Administration to Provide the Wilmington Police Department's Policies and Procedures Manual to be available On-line for View by the Public in a Format that is not Substantially Redacted Similar to What Other Cities Smaller and Larger than Wilmington have Done in the Last Decade or More

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. This Resolution call for the City Administration and the Wilmington Police Department to make the policies and procedures manual (referred to as the White Book) available to the community without substantial redactions except in areas that would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or could reasonably be expected to endanger the life or physical safety of any individual.*

#4832 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 or Policy **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance authorizes the Wilmington Police Department and the City Administration to provide the residents of Wilmington with access to the Wilmington Police Department's Police Officer's Manual, which has not been*

substantially redacted, in an online format through the City of Wilmington's official website.

#4833 An Ordinance to Amend Chapter 35 of the City Code Pursuant to Sections 1-103 and 1-104 of the City Charter to Establish the Wilmington Citizen Complaint Review Board **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. This Ordinance Amends Chapter 35 of the City Code to establish the Wilmington Citizen Complaint Review Board*

SHABAZZ (Johnson presenting on behalf of Shabazz)

#4835* A Resolution Urging the Delaware General Assembly to Pass Senate Bill 191

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. The Council of the City of Wilmington urges members of the Delaware General Assembly to vote in favor of Senate Bill 191, an Act to establish Constitutional protections on the basis of race, color, and national origin in the State of Delaware. In addition, the Council asks that the Delaware General Assembly support the Delaware Legislative Black Caucus in their efforts to enact these 8 Justice For All actions in the State of Delaware.*

ADAMS

Rev. 1

#4809 Sub. 1 Ord. 20-029 Ratify and Authorize an Agreement with Belfint, Lyons & Shuman, P.A., for the Conduct of the CAFR and Federal Funds Audits for Fiscal Year 2021, 2022 and 2023 **(3rd & Final Reading)**

Synopsis: *This Substitute Ordinance is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration to enter into an agreement with the auditing firm of Belfint, Lyons & Shuman, P.A., to provide an annual audit of all City government departments, as required by the City Charter, for Fiscal Years 2021, 2022, and 2023. The estimated cost of each annual City government audit is estimated to be \$189,000. The agreement also allows for the possibility to two, one-year extensions of the contract by mutual agreement of the City and auditing firm. Belfint, Lyons & Shuman, P.A. was awarded the audit contract as the result of a public request for proposals.*

DIXON

#4834 A Resolution Authorizing the Mayor to File a Second Substantial Amendment to the Fiscal Year 2020 Annual Action Plan to Outline the Proposed Use of Unexpended HOME Funds for Phase I of the Reach Riverside Redevelopment Project

Synopsis: *This Resolution is being presented by the Administration for Council's review and approval. This Resolution authorizes the Mayor or his designee to file the Second Substantial Amendment to the Fiscal Year 2020 Annual Action Plan with the U.S. Department of Housing and Urban Development, which provides for the use of unexpended HOME funds from prior fiscal years for Phase I of the Reach Riverside Redevelopment Project.*

VII. Petitions and Communications

VIII. Adjournment

***Note Revision:** The agenda was revised to add item #4835 to support the efforts of the Delaware Legislative Black Caucus in addressing the needs around constitutional protections in light of all the local and national protest occurring and due to the time sensitivity nature for Senate Bill 191 legislation in the Delaware General Assembly, which session ends June 30, 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/93662423915> or log on to WITN22 website 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 6242 3915** and then #.

Wilmington, Delaware
June 18, 2020

#4818

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

Sponsor:
Council
Member
Congo

WHEREAS, pursuant to Wilm. C. (Charter) § 8-204, every department, board and commission may accept on behalf of the City unconditional gifts of property which, shall be useful in connection with the work of such department, board or commission; and

WHEREAS, the Second District Neighborhood Planning Council (the “2nd District NPC”) currently owns the parcel of real estate located at 511 Concord Avenue, Wilmington, Delaware, 19802, being New Castle County Parcel No. 26-015.30-129 (the “Property”); and

WHEREAS, the Parcel was previously conveyed to the 2nd District NPC by the City on November 1, 2016 for the sum of \$10.00, for the purpose of creating a community garden and highlighting the aesthetic aspects of Concord Avenue; and

WHEREAS, the 2nd District NPC could not create the community garden because the organization’s source of funding, the Neighborhood Planning Council Funds, could not be used for a project occurring on land that is not publicly owned or in a public right-of-way; and

WHEREAS, the 2nd District NPC now wishes to convey the Property back to the City as a gift so that the City may beautify it; and

WHEREAS, the Council, upon the recommendation of the Department of Parks and Recreation, wishes to approve the receipt of the Property as a gift to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby approves the receipt of the Property as a gift from the 2nd District NPC to the City.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: This Resolution approves the receipt of 511 Concord Avenue, Wilmington, Delaware, 19802 (Parcel No. 26-015.30-129), as a gift from the 2nd District NPC to the City.

W110809

AN ORDINANCE TO AUTHORIZE AND APPROVE A ONE-YEAR EXTENSION OF CONTRACT 20015WD BETWEEN THE CITY OF WILMINGTON AND GREER LIME COMPANY FOR THE PROVISION OF HYDRATED LIME

#4802

Sponsor:

**Council
Member
Oliver**

Co-Sponsor:

**Council
President
Shabazz**

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 20015WD – Hydrated Lime (the “Contract”) – in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract to Greer Lime Company (the “Contractor”), the lowest responsible bidder, a copy of which is available for review in the Department of Public Works; and

WHEREAS, the Contract’s term is from July 1, 2019 to June 30, 2020, at an estimated price of ninety-seven thousand seven hundred fifty dollars (\$97,750.00); and

WHEREAS, the product provided by the Contractor is necessary to the City’s provision of drinking water to the public; and

WHEREAS, in early 2020, the Centers for Disease Control designated the Coronavirus Disease (“COVID-19”) as a serious public health threat, and, therefore, social distancing is required to help mitigate exposure to (and community spread of) the COVID-19 virus; and

WHEREAS, the Governor of the State of Delaware, John C. Carney, declared a State of Emergency for the State of Delaware on Friday, March 13, 2020 that has

subsequently been modified and extended until June 7, 2020 due to the ongoing serious public health threat that COVID-19 poses to Delawareans throughout the State; and

WHEREAS, the Mayor of the City of Wilmington declared a State of Emergency for the City of Wilmington on Friday, March 13, 2020 in connection with COVID-19 and its anticipated effects that has been extended to July 13, 2020; and

WHEREAS, given the restrictions in place to stop the spread of COVID-19, and the public interaction associated with the competitive bidding process, it is not practical to competitively bid the Contract for Fiscal Year 2021; and

WHEREAS, in order to provide for the continuity of an essential service and to minimize disruption, the City would like to enter into an amendment to the Contract (the "Amendment"), which would provide a one year extension of the Contract on the same terms and at the same price; and

WHEREAS, the cost to the City of the Amendment would be ninety-seven thousand seven hundred fifty dollars (\$97,750.00) for Fiscal Year 2021; and

WHEREAS, it is the recommendation of the Department of Public Works and the Department of Finance, Division of Procurement and Records, that the City enter into the Amendment.

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

SECTION 1. The Amendment to the Contract between the City and Greer Lime Company, a copy of which is attached hereto as Exhibit "A", for a one-year extension of the Contract at the same cost of ninety-seven thousand seven hundred fifty dollars (\$97,750.00) and on the same terms is approved, and the City is hereby

authorized and directed to execute as many copies of said Amendment, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to enter into an amendment to Contract 20015WD – Hydrated Lime (the “Contract”) -- between the City and Greer Lime Company which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.

FISCAL IMPACT: The cost to the City of the Amendment in Fiscal Year 2021 would be ninety-seven thousand seven hundred fifty dollars (\$97,750.00).

W110403

EXHIBIT A

**AMENDMENT TO CONTRACT 20015WD
(HYDRATED LIME)
BETWEEN THE CITY OF WILMINGTON AND GREER LIME COMPANY.**

This amendment (this "Amendment") is entered into this _____ day of _____ 2020, by and between the City of Wilmington, a municipal corporation of the State of Delaware, (the "City") and Greer Lime Company (the "Contractor").

WHEREAS, the City and the Contractor wish to amend City Contract 20015WD (Hydrated Lime) (the "Contract") between the parties dated May 15, 2019, to extend the expiration date of the Contract for one year to allow the Contractor to continue to provide hydrated lime to the City in accordance with the terms of this Amendment and the Contract.

NOW, THEREFORE, WITNESSETH the City and the Contractor hereby agree as follows:

1. The Contractor shall continue to provide hydrated lime to the City in accordance with the Contract's specifications and other requirements.
2. The amount of this Amendment shall not exceed ninety-seven thousand seven hundred fifty dollars (\$97,750.00).
3. The term of this Amendment shall not exceed twelve (12) months and shall become effective on July 1, 2020 and expire on June 30, 2021.
4. All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment to the Contract on the date first written above.

THE CITY OF WILMINGTON

WITNESS: _____

By:

Title:

WITNESS:


Debra Christopher
Inside Sales Manager

GREER LIME COMPANY



By: John L. Bossio

Title: Executive Vice President of Sales

AN ORDINANCE TO AUTHORIZE AND APPROVE A ONE-YEAR EXTENSION OF CONTRACT 20014PW BETWEEN THE CITY OF WILMINGTON AND KEMIRA WATER SOLUTIONS, INC. FOR THE PROVISION OF FERRIC CHLORIDE

#4803

Sponsor:

Council
Member
Oliver

Co-Sponsor:

Council
President
Shabazz

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 20014PW – Ferric Chloride (the “Contract”) – in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract to Kemira Water Solutions, Inc. (the “Contractor”), the lowest responsible bidder, a copy of which is available for review in the Department of Public Works; and

WHEREAS, the Contract’s term is from July 1, 2019 to June 30, 2020, at an estimated price of four hundred thirty-two thousand six hundred dollars (\$432,600.00); and

WHEREAS, the product provided by the Contractor is necessary to the City’s provision of drinking water to the public; and

WHEREAS, in early 2020, the Centers for Disease Control designated the Coronavirus Disease (“COVID-19”) as a serious public health threat, and, therefore, social distancing is required to help mitigate exposure to (and community spread of) the COVID-19 virus; and

WHEREAS, the Governor of the State of Delaware, John C. Carney, declared a State of Emergency for the State of Delaware on Friday, March 13, 2020 that has

subsequently been modified and extended until June 7, 2020 due to the ongoing serious public health threat that COVID-19 poses to Delawareans throughout the State; and

WHEREAS, the Mayor of the City of Wilmington declared a State of Emergency for the City of Wilmington on Friday, March 13, 2020 in connection with COVID-19 and its anticipated effects that has been extended to July 13, 2020; and

WHEREAS, given the restrictions in place to stop the spread of COVID-19, and the public interaction associated with the competitive bidding process, it is not practical to competitively bid the Contract for Fiscal Year 2021; and

WHEREAS, in order to provide for the continuity of an essential service and to minimize disruption, the City would like to enter into an amendment to the Contract (the “Amendment”), which would provide a one year extension of the Contract on the same terms and at the same price; and

WHEREAS, the cost to the City of the Amendment would be four hundred thirty-two thousand six hundred dollars (\$432,600.00) for Fiscal Year 2021; and

WHEREAS, it is the recommendation of the Department of Public Works and the Department of Finance, Division of Procurement and Records, that the City enter into the Amendment.

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

SECTION 1. The Amendment to the Contract between the City and Kemira Water Solutions, Inc., a copy of which is attached hereto as Exhibit “A”, for a one-year extension of the Contract at the same cost of four hundred thirty-two thousand six hundred dollars (\$432,600.00) and on the same terms is approved, and the City is

hereby authorized and directed to execute as many copies of said Amendment, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to enter into an amendment to Contract 20014PW – Ferric Chloride (the “Contract”) -- between the City and Kemira Water Solutions, Inc. which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.

FISCAL IMPACT: The cost to the City of the Amendment in Fiscal Year 2021 will be four hundred thirty-two thousand six hundred dollars (\$432,600.00).

W110427

EXHIBIT A

**AMENDMENT TO CONTRACT 20014PW
(FERRIC CHLORIDE)
BETWEEN THE CITY OF WILMINGTON AND KEMIRA WATER SOLUTIONS INC.**

This amendment (this "Amendment") is entered into this ____ day of _____ 2020, by and between the City of Wilmington, a municipal corporation of the State of Delaware, (the "City") and Kemira Water Solutions Inc. (the "Contractor").

WHEREAS, the City and the Contractor wish to amend City Contract 20014PW (Ferric Chloride) (the "Contract") between the parties dated May 9, 2019, to extend the expiration date of the Contract for one year to allow the Contractor to continue to provide ferric chloride to the City in accordance with the terms of this Amendment and the Contract.

NOW, THEREFORE, WITNESSETH the City and the Contractor hereby agree as follows:

1. The Contractor shall continue to provide ferric chloride to the City in accordance with the Contract's specifications and other requirements.
2. The amount of this Amendment shall not exceed four hundred thirty-two thousand six hundred dollars (\$432,600.00).
3. The term of this Amendment shall not exceed twelve (12) months and shall become effective on July 1, 2020 and expire on June 30, 2021.
4. All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment to the Contract on the date first written above.

THE CITY OF WILMINGTON

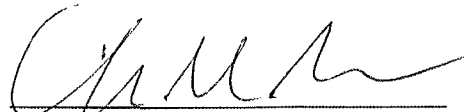
WITNESS: _____

By:

Title:

KEMIRA WATER SOLUTIONS LLC.

WITNESS: Thylfa Walker



By: Christina Lubryne

Title: Commercial Support Manager

AN ORDINANCE TO AUTHORIZE AND APPROVE A ONE-YEAR EXTENSION OF CONTRACT 20024PW BETWEEN THE CITY OF WILMINGTON AND DIAMOND MATERIALS LLC FOR THE PROVISION OF BITUMINOUS CONCRETE

#4804

Sponsor:

**Council
Member
Oliver**

Co-Sponsor:

**Council
President
Shabazz**

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 20024PW – Bituminous Concrete (the “Contract”) – in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract to Diamond Materials LLC (the “Contractor”), the lowest responsible bidder, a copy of which is available for review in the Department of Public Works; and

WHEREAS, the Contract’s term is from July 1, 2019 to June 30, 2020, at an estimated price of ninety-two thousand three hundred seventy-five dollars (\$92,375.00); and

WHEREAS, the product provided by the Contractor is necessary for the paving and repair of public streets and thoroughfares; and

WHEREAS, in early 2020, the Centers for Disease Control designated the Coronavirus Disease (“COVID-19”) as a serious public health threat, and, therefore, social distancing is required to help mitigate exposure to (and community spread of) the COVID-19 virus; and

WHEREAS, the Governor of the State of Delaware, John C. Carney, declared a State of Emergency for the State of Delaware on Friday, March 13, 2020 that has

subsequently been modified and extended until June 7, 2020 due to the ongoing serious public health threat that COVID-19 poses to Delawareans throughout the State; and

WHEREAS, the Mayor of the City of Wilmington declared a State of Emergency for the City of Wilmington on Friday, March 13, 2020 in connection with COVID-19 and its anticipated effects that has been extended to July 13, 2020; and

WHEREAS, given the restrictions in place to stop the spread of COVID-19, and the public interaction associated with the competitive bidding process, it is not practical to competitively bid the Contract for Fiscal Year 2021; and

WHEREAS, in order to provide for the continuity of an essential service and to minimize disruption, the City would like to enter into an amendment to the Contract (the "Amendment"), which would provide a one year extension of the Contract on the same terms and at the same price; and

WHEREAS, the cost to the City of the Amendment would be ninety-two thousand three hundred seventy-five dollars (\$92,375.00) for Fiscal Year 2021; and

WHEREAS, it is the recommendation of the Department of Public Works and the Department of Finance, Division of Procurement and Records, that the City enter into the Amendment.

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

SECTION 1. The Amendment to the Contract between the City and Diamond Materials LLC, a copy of which is attached hereto as Exhibit "A", for a one-year extension of the Contract at the same cost of ninety-two thousand three hundred seventy-five dollars (\$92,375.00) and on the same terms is approved, and the City is

hereby authorized and directed to execute as many copies of said Amendment, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to enter into an amendment to Contract 20024PW – Bituminous Concrete (the “Contract”) -- between the City and Diamond Materials LLC which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.

FISCAL IMPACT: The cost to the City of the Amendment in Fiscal Year 2021 will be ninety-two thousand three hundred seventy-five dollars (\$92,375.00).

W110430

EXHIBIT A

**AMENDMENT TO CONTRACT 20024PW
(BITUMINOUS CONCRETE)
BETWEEN THE CITY OF WILMINGTON AND DIAMOND MATERIALS LLC**

This amendment (this "Amendment") is entered into this ____ day of _____ 2020, by and between the City of Wilmington, a municipal corporation of the State of Delaware, (the "City") and Diamond Materials LLC (the "Contractor").

WHEREAS, the City and the Contractor wish to amend City Contract 20024PW (Bituminous Concrete) (the "Contract") between the parties dated August 14, 2019, to extend the expiration date of the Contract for one year to allow the Contractor to continue to provide bituminous concrete to the City in accordance with the terms of this Amendment and the Contract.

NOW, THEREFORE, WITNESSETH the City and the Contractor hereby agree as follows:

1. The Contractor shall continue to provide bituminous concrete to the City in accordance with the Contract's specifications and other requirements.
2. The amount of this Amendment shall not exceed ninety-two thousand three hundred seventy five dollars (\$92,375.00).
3. The term of this Amendment shall not exceed twelve (12) months and shall become effective on July 1, 2020 and expire on June 30, 2021.
4. All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment to the Contract on the date first written above.

THE CITY OF WILMINGTON

WITNESS: _____

By:
Title:

WITNESS: Jonh. Wood

DIAMOND MATERIALS LLC

[Signature]
By: Paul H. [unclear]
Title: President

AN ORDINANCE TO AUTHORIZE AND APPROVE A ONE-YEAR EXTENSION OF CONTRACT 20013WD BETWEEN THE CITY OF WILMINGTON AND BUCKMAN'S INC. FOR THE PROVISION OF SODIUM HYPOCHLORITE

#4805

Sponsor:

Council
Member
Oliver

Co-Sponsor:

Council
President
Shabazz

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 20013WD – Sodium Hypochlorite (the “Contract”) – in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract to Buckman’s Inc (the “Contractor”), the lowest responsible bidder, a copy of which is available for review in the Department of Public Works; and

WHEREAS, the Contract’s term is from July 1, 2019 to June 30, 2020, at an estimated price of one hundred ninety-nine thousand one hundred eighty-five dollars (\$199,185.00); and

WHEREAS, the product provided by the Contractor is necessary for the City’s provision of drinking water to the public; and

WHEREAS, in early 2020, the Centers for Disease Control designated the Coronavirus Disease (“COVID-19”) as a serious public health threat, and, therefore, social distancing is required to help mitigate exposure to (and community spread of) the COVID-19 virus; and

WHEREAS, the Governor of the State of Delaware, John C. Carney, declared a State of Emergency for the State of Delaware on Friday, March 13, 2020 that has

subsequently been modified and extended until June 7, 2020 due to the ongoing serious public health threat that COVID-19 poses to Delawareans throughout the State; and

WHEREAS, the Mayor of the City of Wilmington declared a State of Emergency for the City of Wilmington on Friday, March 13, 2020 in connection with COVID-19 and its anticipated effects that has been extended to July 13, 2020; and

WHEREAS, given the restrictions in place to stop the spread of COVID-19, and the public interaction associated with the competitive bidding process, it is not practical to competitively bid the Contract for Fiscal Year 2021; and

WHEREAS, in order to provide for the continuity of an essential service and to minimize disruption, the City would like to enter into an amendment to the Contract (the "Amendment"), which would provide a one year extension of the Contract on the same terms and at the same price; and

WHEREAS, the cost to the City of the Amendment would be one hundred ninety-nine thousand one hundred eighty-five dollars (\$199,185.00) for Fiscal Year 2021; and

WHEREAS, it is the recommendation of the Department of Public Works and the Department of Finance, Division of Procurement and Records, that the City enter into the Amendment.

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

SECTION 1. The Amendment to the Contract between the City and Buckman's Inc., a copy of which is attached hereto as Exhibit "A", for a one-year extension of the Contract at the same cost of one hundred ninety-nine thousand one

hundred eighty-five dollars (\$199,185.00) and on the same terms is approved, and the City is hereby authorized and directed to execute as many copies of said Amendment, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to enter into an amendment to Contract 20013WD – Sodium Hypochlorite (the “Contract”) -- between the City and Buckman’s Inc. which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.

FISCAL IMPACT: The cost to the City of the Amendment in Fiscal Year 2021 will be one hundred ninety-nine thousand one hundred eighty-five dollars (\$199,185.00).

W110431

EXHIBIT A

**AMENDMENT TO CONTRACT 20013WD
(SODIUM HYPOCHLORITE)
BETWEEN THE CITY OF WILMINGTON AND BUCKMAN'S INC.**

This amendment (this "Amendment") is entered into this ____ day of _____ 2020, by and between the City of Wilmington, a municipal corporation of the State of Delaware, (the "City") and Buckman's Inc. (the "Contractor").

WHEREAS, the City and the Contractor wish to amend City Contract 20013WD (Sodium Hypochlorite) (the "Contract") between the parties dated May 21, 2019, to extend the expiration date of the Contract for one year to allow the Contractor to continue to provide sodium hypochlorite to the City in accordance with the terms of this Amendment and the Contract.

NOW, THEREFORE, WITNESSETH the City and the Contractor hereby agree as follows:

1. The Contractor shall continue to provide sodium hypochlorite to the City in accordance with the Contract's specifications and other requirements.
2. The amount of this Amendment shall not exceed one hundred ninety-nine thousand one hundred eighty-five dollars (\$199,185.00).
3. The term of this Amendment shall not exceed twelve (12) months and shall become effective on July 1, 2020 and expire on June 30, 2021.
4. All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment to the Contract on the date first written above.

THE CITY OF WILMINGTON

WITNESS: _____

By:
Title:

BUCKMAN'S INC.

WITNESS: _____

By: **Karl Levins**
Title: **Vice President**

AN ORDINANCE TO AUTHORIZE AND APPROVE A ONE-YEAR EXTENSION OF CONTRACT 20017PW BETWEEN THE CITY OF WILMINGTON AND JUDGE MOBILE WASH FOR THE PROVISION OF MOBILE TRUCK WASHING SERVICES

#4806

Sponsor:

Council
Member
Oliver

Co-Sponsor:

Council
President
Shabazz

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for Contract 20017PW – Mobile Truck Washing (the “Contract”) – in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract to Judge Mobile Wash (the “Contractor”), the lowest responsible bidder, a copy of which is available for review in the Department of Public Works; and

WHEREAS, the Contract’s term is from July 1, 2019 to June 30, 2020, at an estimated price of sixty-four thousand three hundred ninety dollars (\$64,390.00); and

WHEREAS, the Contractor provides labor, equipment and materials necessary for washing the City’s fleet of large dump trucks, fire trucks, heavy equipment, and degreasing and clean-out of trash trucks; and

WHEREAS, in early 2020, the Centers for Disease Control designated the Coronavirus Disease (“COVID-19”) as a serious public health threat, and, therefore, social distancing is required to help mitigate exposure to (and community spread of) the COVID-19 virus; and

WHEREAS, the Governor of the State of Delaware, John C. Carney, declared a State of Emergency for the State of Delaware on Friday, March 13, 2020 that has

subsequently been modified and extended until June 7, 2020 due to the ongoing serious public health threat that COVID-19 poses to Delawareans throughout the State; and

WHEREAS, the Mayor of the City of Wilmington declared a State of Emergency for the City of Wilmington on Friday, March 13, 2020 in connection with COVID-19 and its anticipated effects that has been extended to July 13, 2020; and

WHEREAS, given the restrictions in place to stop the spread of COVID-19, and the public interaction associated with the competitive bidding process, it is not practical to competitively bid the Contract for Fiscal Year 2021; and

WHEREAS, in order to provide for the continuity of an essential service and to minimize disruption, the City would like to enter into an amendment to the Contract (the "Amendment"), which would provide a one year extension of the Contract on the same terms and at the same price; and

WHEREAS, the cost to the City of the Amendment would be sixty-four thousand three hundred ninety dollars (\$64,390.00) for Fiscal Year 2021; and

WHEREAS, it is the recommendation of the Department of Public Works and the Department of Finance, Division of Procurement and Records, that the City enter into the Amendment.

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

SECTION 1. The Amendment to the Contract between the City and Judge Mobile Wash, a copy of which is attached hereto as Exhibit "A", for a one-year extension of the Contract at the same cost of sixty-four thousand three hundred ninety dollars (\$64,390.00) and on the same terms is approved, and the City is hereby

authorized and directed to execute as many copies of said Amendment, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to enter into an amendment to Contract 20017PW – Mobile Truck Washing (the “Contract”) -- between the City and Judge Mobile Wash which provides for a one-year extension of the Contract from July 1, 2020 to June 30, 2021 on the same terms and at the same cost.

FISCAL IMPACT: The cost to the City of the Amendment in Fiscal Year 2021 will be sixty-four thousand three hundred ninety dollars (\$64,390.00).

W110432

EXHIBIT A

**AMENDMENT TO CONTRACT 20017PW
(MOBILE TRUCK WASHING)
BETWEEN THE CITY OF WILMINGTON AND JUDGE MOBILE WASH**

This amendment (this "Amendment") is entered into this _____ day of _____ 2020, by and between the City of Wilmington, a municipal corporation of the State of Delaware, (the "City") and Judge Mobile Wash (the "Contractor").

WHEREAS, the City and the Contractor wish to amend City Contract 20017PW (Mobile Truck Washing) (the "Contract") between the parties dated September 9, 2019, to extend the expiration date of the Contract for one year to allow the Contractor to continue to provide truck washing services to the City in accordance with the terms of this Amendment and the Contract.

NOW, THEREFORE, WITNESSETH the City and the Contractor hereby agree as follows:

1. The Contractor shall continue to provide mobile truck washing services to the City in accordance with the Contract's specifications and other requirements.
2. The amount of this Amendment shall not exceed sixty-four thousand three hundred ninety dollars (\$64,390.00).
3. The term of this Amendment shall not exceed twelve (12) months and shall become effective on July 1, 2020 and expire on June 30, 2021.
4. All other terms and conditions of the Contract shall remain in full force and effect.


IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment to the Contract on the date first written above.

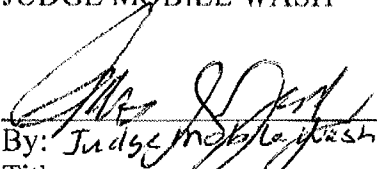
THE CITY OF WILMINGTON

WITNESS: _____

By:
Title:

JUDGE MOBILE WASH

WITNESS:  _____


By: Judge Mobile Wash Robert Judge
Title: owner

AN ORDINANCE TO AUTHORIZE AND APPROVE A MULTI-YEAR EXTENSION OF AN AGREEMENT BETWEEN THE CITY OF WILMINGTON AND ITRON FOR THE PROVISION OF OPERATION AND MAINTENANCE SERVICES FOR MOBILE AUTOMATED METER READING

#4807

Sponsor:

Council
Member
Oliver

Co-Sponsor:

Council
President
Shabazz

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City desires to obtain services for the operation and maintenance of Mobile Automated Meter Reading for its water meters; and

WHEREAS, the City entered into a five-year contract from July 1, 2015 to June 30, 2020 with Itron, Inc. (the "Contract"), a copy of which is available for review in the Department of Public Works; and

WHEREAS, in order to provide for the continuity of an essential service and to minimize disruption, the City would like to enter into an amendment to the Contract (the "Amendment"), which would provide a five-year extension of the Contract on the same terms; and

WHEREAS, the cost to the City of the Amendment would not exceed three hundred twenty-four thousand dollars (\$324,000.00) annually for Fiscal Years 2021, 2022, 2023, 2024 and 2025; and

WHEREAS, it is the recommendation of the Department of Public Works that the City enter into the Amendment.

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

SECTION 1. The Amendment to the Contract between the City and Itron, Inc., a copy of which is attached hereto as Exhibit “A”, for a five-year extension of the Contract on the same terms and at a cost not to exceed three hundred twenty-four thousand dollars (\$324,000.00) annually for Fiscal Years 2021, 2022, 2023, 2024 and 2025 is approved, and the City is hereby authorized and directed to execute as many copies of said Amendment, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to enter into an amendment to the contract between the City and Itron, Inc. (the “Contract”) which provides for a five-year extension of the Contract from July 1, 2020 to June 30, 2025 on the same terms.

FISCAL IMPACT: The cost to the City of the Amendment will be three hundred twenty-four thousand dollars (\$324,000.00) annually for Fiscal Years 2021, 2022, 2023, 2024 and 2025 2021.

EXHIBIT A



Change Order Form

	Name	Date
Client Name:	City of Wilmington	03/21/2020
Requestor:	John Durdaller	03/21/2020
Client Authorization:		

City of Wilmington

By _____
 Name _____
 Title _____
 Date _____
 (Effective Date)

Itron, Inc.

By _____
 Name **Robert Farrow**
 Title **VP Treasury**
 Date **4/9/2020**

DocuSigned by:

 B429AAC598A54AD...

Send Pricing Summary to Client? Yes No

Has contract been signed? Yes No

General Comments:

This change order is to extend the current Mobile AMR Operations & Systems Maintenance Plan agreement between Itron, and City of Wilmington dated July 1st 2015 for an additional 5 yr. term. Ending in June 30th 2025

Order Processing:

PO/Contract #:

Comments: BMR # _____

Hardware Changes:

Qty	Item Description	Unit Price

Qty	Item Description	Unit Price

Comments:

--

Software Changes:

- Modifications
 Meter Licenses
 Other

Description	Unit Price

Implementation Labor and Expense:

- Billable
 Non-billable
 Charge to: _____

Purpose	Description	Qty	@\$	Total
Extension of Current SOW dated July 1 st , 2015 for additional 5-year term	City of Wilmington has requested Itron to extend it's Mobile AMR Operations & Systems Maintenance Plan. Starting July 1 st , 2020 thru June 30 th , 2025	~37,000 accounts monthly	\$0.48 per read	\$17,760 Monthly
	Total Base contract not to exceed			\$324,000 Annually

Other Changes:



Electric/Water/Gas
Information collection, analysis and application

Budgetary Pricing Summary for

City of Wilmington - Meter Reading Services

2111 N. Molter Rd.
Liberty Lake, WA 99019
fax: 866-787-6910
www.itron.com

BMR# 19628-20 Ver1 Mar
March 23, 2020

Budgetary

Part Number	Description	QTY	Price	Extended Price	Notes
Read on a Monthly Basis - Five Year Agreement					
Normal Monthly Meter Reading Services					
<u>Year One</u>					
1	Meter reading, per meter monthly price, first year	37,000	\$0.48	\$17,760.00	
2	Off-Cycle Reads up to 500 reads per Request (minimum charge)	TBD	\$500.00	TBD	
3	Off-Cycle Reads over 500 per Request	TBD	\$0.48	TBD	
4	Consulting Services, per day	TBD	\$1,520.00	TBD	
5	Out of Scope of Work Investigation T&M - per hour	TBD	\$190.00	TBD	
<u>Year Two</u>					
6	Meter reading, per meter monthly price, second year	37,000	\$0.48	\$17,760.00	
7	Off-Cycle Reads up to 500 reads per Request (minimum charge)	TBD	\$500.00	TBD	
8	Off-Cycle Reads over 500 per Request	TBD	\$0.48	TBD	
9	Consulting Services, per day	TBD	\$1,520.00	TBD	
10	Out of Scope of Work Investigation T&M - per hour	TBD	\$190.00	TBD	
<u>Year Three</u>					
11	Meter reading, per meter monthly price, third year	37,000	\$0.48	\$17,760.00	
12	Off-Cycle Reads up to 500 reads per Request (minimum charge)	TBD	\$500.00	TBD	
13	Off-Cycle Reads over 500 per Request	TBD	\$0.48	TBD	
14	Consulting Services, per day	TBD	\$1,520.00	TBD	
15	Out of Scope of Work Investigation T&M - per hour	TBD	\$190.00	TBD	
<u>Year Four</u>					
16	Meter reading, per meter monthly price, fourth year	37,000	\$0.48	\$17,760.00	
17	Off-Cycle Reads up to 500 reads per Request (minimum charge)	TBD	\$500.00	TBD	
18	Off-Cycle Reads over 500 per Request	TBD	\$0.48	TBD	
19	Consulting Services, per day	TBD	\$1,520.00	TBD	
20	Out of Scope of Work Investigation T&M - per hour	TBD	\$190.00	TBD	
<u>Year Five</u>					
21	Meter reading, per meter monthly price, fifth year	37,000	\$0.48	\$17,760.00	
22	Off-Cycle Reads up to 500 reads per Request (minimum charge)	TBD	\$500.00	TBD	
23	Off-Cycle Reads over 500 per Request	TBD	\$0.48	TBD	
24	Consulting Services, per day	TBD	\$1,520.00	TBD	
25	Out of Scope of Work Investigation T&M - per hour	TBD	\$190.00	TBD	

(2)

Notes and Assumptions

- (1) This pricing is budgetary, non-binding, and for business planning purposes only.
- (2) Meter Reading

Pricing is based on average of 37,000 reads per month. Includes monthly service fees and monthly investigations of missed reads.

Price also includes labor to replace failed endpoints identified during investigation. City of Wilmington shall provide new endpoints for use by Itron.

Consulting Services can be provided on an as needed basis. Expenses and airfares at actual are not included and will be charged based on actual expenses.

Based on information provided by the City, it is estimated that approximately 92% of the meters will be located inside and will require access.

Purchase of endpoints is not included as a part of this proposal.

Bid reflects the City of Wilmington providing the following:

- a) Meter reading route files based on a mutually established schedule.

Pricing reflects monthly reads collected and delivered monthly.

Service fees for July, 15th 2020 through June 30, 2025 shall not exceed \$324,000 annually without written agreement by both parties.

Should the average price for fuel exceed \$4.00 per gallon, Itron reserves the right to apply a fuel cost surcharge.

- (3) Pricing is based on Itron's standard terms and conditions.
- (4) Taxes and freight are not included. Prices are in US dollars. Price is valid for 180 days.

AN ORDINANCE TO AUTHORIZE A ONE YEAR EXTENSION TO THE EDUCATIONAL ACCESS CHANNEL AGREEMENT BETWEEN RED CLAY CONSOLIDATED SCHOOL DISTRICT AND THE CITY OF WILMINGTON.

#4815

Sponsor:

**Council
Member
Oliver**

Co-Sponsor:

**Council
President
Shabazz**

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, on June 7, 2018, this Council authorized the Educational Access Channel Agreement (the "Agreement") between Red Clay Consolidated School District ("Red Clay") and the City of Wilmington; and

WHEREAS, the Agreement appointed Red Clay to operate and manage the educational access channel ("EDtv") under the City's cable franchise agreement with Comcast for a two-year period commencing on July 1, 2018 and ending on June 30, 2020; and

WHEREAS, the Agreement included an option for an additional one-year option subject to Red Clay receiving a satisfactory evaluation from its initial performance review; and

WHEREAS, Red Clay has received said satisfactory performance review and the parties wish to exercise the option to extend the agreement for one year. The term of the option year would begin on July 1, 2020 and end on June 30, 2021.

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

SECTION 1. The one-year option to the Education Access Channel Agreement between Red Clay and the City of Wilmington, a copy of which is attached hereto attached as Exhibit "A", is hereby approved.

SECTION 2. The appropriate officers of the City are hereby authorized and directed to take all such action, execute, deliver, file and record all such documents, publish all notices, and otherwise carry out the intent of the one-year extension of the Educational Access Channel Agreement and this Ordinance in the name of and on behalf of the City.

SECTION 3. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... June 4, 2020
Second Reading..... June 4, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Ordinance authorizes the City to execute a one-year option to the Educational Access Channel Agreement with the Red Clay Consolidated School District. The one-year Educational Access Channel Agreement option provides that the Red Clay Consolidated School District shall continue to operate and manage the educational access channel (“EDtv”) for an additional one-year period commencing on July 1, 2020 and ending on June 30, 2021. There will be no annual cost to the City under the one-year option to the Educational Access Channel Agreement.

FISCAL IMPACT STATEMENT: This Ordinance has no anticipated fiscal impact.

EDUCATIONAL ACCESS CHANNEL AGREEMENT

THIS EDUCATIONAL ACCESS CHANNEL AGREEMENT (the “Agreement”) is made as of the ___ day of _____, 2018, by and between the CITY OF WILMINGTON (the “City”) and the RED CLAY CONSOLIDATED SCHOOL DISTRICT (“Red Clay”).

WITNESSETH:

WHEREAS, under the terms of that certain Franchise Agreement dated November 19, 2012 between the City and Comcast of New Castle County, LLC (the “Cable Franchise Agreement”), the City has the right to three public, educational, or governmental access channels on the cable network serving the City; and

WHEREAS, on March 15, 2018, the City issued a Request for Proposals and Request for Qualifications for a Cable Television Educational Access Manager (the “RFPQ”); and

WHEREAS, Red Clay responded to the RFPQ with a submission dated April 20, 2018, a copy of which is attached hereto as Exhibit “1” (the “Red Clay Response”); and

WHEREAS, at its May 25, 2018 meeting, the Wilmington Cable, Video and Telecommunications Commission reviewed the Red Clay Response and recommended that Red Clay be authorized to operate and manage an educational access channel under the Cable Franchise Agreement for a period of two (2) years, with the possibility of a one (1) year extension; and

WHEREAS, Red Clay has agreed to operate and manage an educational access channel under the Cable Franchise Agreement in a manner that is consistent with the Red Clay Response and in accordance with this Agreement.

NOW, THEREFORE, intending to be legally bound hereby and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Grant of Educational Access Channel; Term. Subject to the terms of this Agreement and the Cable Franchise Agreement, the City hereby grants Red Clay the right to operate and manage an educational access channel (the “Educational Access Channel”) for a term of two (2) years beginning on July 1, 2018 and ending on June 30, 2020. The term of this Agreement shall be extended for an additional one (1) year period, from July 1, 2020 until June 30, 2021, if Red Clay receives a satisfactory evaluation from its initial performance review as provided in Section 7 herein.

2. Advisory Committee.

a. To assist with the administration of the Educational Access Channel, Red Clay shall form an advisory committee (the “Advisory Committee”). The Advisory Committee will meet on a quarterly basis to discuss the operation of the Educational Access Channel and the

EXHIBIT “A”

programming selections for the next quarter. At the quarterly meetings, the Advisory Committee shall solicit comments and concerns from the public regarding the Educational Access Channel.

b. The Advisory Committee shall contain 13 members, one of whom shall be the Chair of the Wilmington City Council Education, Youth and Families Committee. If any member of the Advisory Committee shall resign, then the Superintendent of Red Clay and the Wilmington City Council President shall confer regarding a replacement for such position on the Advisory Committee. In the event that the Superintendent of Red Clay and the Wilmington City Council President are unable to reach an agreement on the selection of a replacement member, then the selection of replacement members shall alternate between the City and Red Clay.

c. All meetings of the Advisory Committee shall be open to the public and subject to the Delaware Freedom of Information Act.

3. Programming Requirements.

a. Beginning on July 1, 2018, Red Clay shall provide at least twelve (12) hours of programming daily for the channel. All programming on the Educational Access Channel shall be of an educational nature and shall seek to serve the educational needs and interests of the citizens of Wilmington, including children and adults. Red Clay anticipates that students enrolled in its ARV career pathway at McKean High School, with guidance from teachers with broadcast experience, will plan and create much of the programming for the Educational Access Channel.

b. Red Clay shall invite other school districts, charter schools, and private schools operating within the limits of the City to submit ready for broadcast programming that will benefit City residents.

c. All programming selections and broadcasting times shall be reviewed at the quarterly meetings of the Advisory Committee.

4. Technical Requirements. Red Clay shall operate the Educational Access Channel in a good, safe, and quality manner. Red Clay shall create a professional communications center utilizing the agreed upon equipment, technology, hardware, and software. Red Clay shall develop and implement an equipment maintenance and replacement schedule that shall provide for the proper care and replacement of the technology, hardware, and software.

5. Coordination with Comcast. Red Clay shall be solely responsible for coordinating with Comcast to meet the requirements for the Educational Access Channel under the terms of the Cable Franchise Agreement.

6. Financial Support. Red Clay shall be solely responsible for all financial costs associated with the operation and management of the Educational Access Channel. Red Clay acknowledges and agrees that the City **is not** providing any funding for the Educational Access Channel.

7. Reports and Records. Red Clay must submit quarterly reports to the City containing a

description of: (a) the operation of the Educational Access Channel; (b) programming selections for the prior quarter; and (c) the development and implementation of an equipment maintenance schedule for the Educational Access Channel. The quarterly reports must also include minutes of the Advisory Committee and copies of any requests to provide programming from other school districts, schools, or members of the public. Lastly, Red Clay shall furnish the City with such information and/or periodic reports as the City may request pertaining to the work or services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement.

8. Annual Performance Review. The City will conduct an annual performance review to ensure that Red Clay is complying with the terms of this Agreement. In the performance evaluation, Red Clay shall be evaluated based on the following subcategories: (a) technical performance; (b) programming development; and (c) channel management.

9. Insurance. Red Clay shall obtain and maintain comprehensive commercial general liability insurance with limits of at least One Million Dollars (\$1,000,000.00) per occurrence and Two Million Dollars (\$2,000,000.00) aggregate, which shall name the City as an additional insured. In addition, Red Clay shall carry reasonable amounts of automobile liability insurance and workers' compensation insurance as required by law. All such insurance shall be written with insurers of recognized responsibility having an A.M. Best (or successor rating agency) rating of no less than A-X (or equivalent successor rating) and which are qualified to do business in Delaware. A duly executed certificate and copy of such policies shall be deposited with the City within thirty (30) days following the execution of this Agreement.

10. Indemnity. Red Clay hereby acknowledges and agrees that the City shall have no responsibility or liability with respect to the use, operation, or management of the Educational Access Channel, and Red Clay, at its sole cost and expense, shall indemnify, defend, and hold the City harmless, including its respective officials, employees, and agents, from all liability, damage, claim, loss, or cost (including counsel fees, expert fees, litigation expenses, and disbursements of legal counsel) of whatever nature arising in whole or in part out of any injury, loss, theft, damage, or cost relating or pertaining to the use, operation, or management of the Educational Access Channel. This Section 10 shall survive the expiration or termination of this Agreement.

11. Waiver of Subrogation. Any insurance Red Clay carries with respect to the Educational Access Channel shall include an endorsement denying to the insurer rights of subrogation against the City, if available. Without limiting any other provisions of this Agreement, Red Clay hereby waives any rights of recovery against the City for injury or loss due to hazards covered by such insurance.

12. Miscellaneous.

a. Recording. No party may record this Agreement.

b. Invalid Provisions. If any one or more of the provisions of this Agreement, or the

applicability or any such provision to a specific situation, shall be held invalid or unenforceable, such provision shall be modified to the minimum extent necessary to make it or its application valid and enforceable, and the validity and enforceability of all other provisions of this Agreement and all other applications of any such provision shall not be affected thereby.

c. Construction. All parties to this Agreement have participated fully and equally in the negotiating of this Agreement, and in the event of any controversy, dispute, or contest over the meaning, interpretation, validity, or enforceability of this Agreement, or any of its terms or conditions, there shall be no inference, presumption, or conclusion drawn whatsoever against any party by virtue of the party having drafted this Agreement or any portion thereof.

d. No Partnership. This Agreement is not intended to create a partnership between Red Clay and the City.

e. Binding Effect. This Agreement and its terms and conditions shall extend to and be binding upon the parties hereto and upon their respective successors and assigns.

f. Time. Time shall be of the essence of this Agreement.

g. Counterparts Deemed Original. This Agreement may be executed in one or more counterparts (including by facsimile and electronic mail), and all counterpart-signed documents shall be deemed to be an original and one (1) instrument.

h. Headings. The headings are for convenience only and shall not be considered a part of this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on or as of the date first above written.

RED CLAY CONSOLIDATED SCHOOL DISTRICT

Name: _____
Title: _____
Date: _____

CITY OF WILMINGTON

Name: _____
Title: _____
Date: _____

Exhibit “1”

To

Educational Access
Channel Agreement

Wilmington Cable, Video and Telecommunications Commission
Louis L. Redding City/Cty. Bldg., 9th Floor
800 French Street
Wilmington, DE 19801

April 20, 2018

To Whom it May Concern:

The Red Clay Consolidated School District is pleased to submit this proposal to be named again as the manager of the Cable Television Educational Access Channel.

We believe this application is a strong one because we have been managing the channel since its launch in January 2013 as EDtv. In our time of service, we have maintained a high degree of technical performance, have produced and developed a number of original programs and have provided opportunity to local filmmakers and young people.

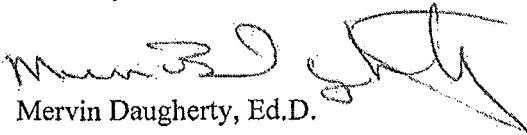
We have the equipment, the location, the personnel, the content and the enthusiasm to continue providing not only a public service to Wilmington but a means to educate and train Wilmington youth in the exciting and rewarding field of television production.

We still envision the channel as a hub of educational information for the city of Wilmington and the greater Wilmington area, opening the airwaves to the other school districts that serve a portion of the city and New Castle County. We will continue to work toward this goal.

Our motivation is to provide our students with a skill set that will take them far, to provide all students with educational programming based on all content areas and levels of the curriculum and to keep our city parents – who may not have access to a computer – informed and involved with their children's schools.

We look forward to meeting with you to answer any questions you may have and provide more information on EDtv. It is our vision to continue building a channel that the entire community can be proud of.

Sincerely,



Mervin Daugherty, Ed.D.
Superintendent

Red Clay Consolidated School District
1502 Spruce Street
Wilmington, DE 1980

2. Description of the cable television educational access service

Red Clay operates EDtv, a cable television educational access channel that serves as a source of information for students, parents and residents of the City of Wilmington and the greater Wilmington area.

In its 16 hours of daily programming, EDtv presents programming that both informs and invites parents and the community to become more involved in local schools.

In 2012, the district built a television production studio in Thomas McKean High School, and made major upgrades to the school's existing radio station, creating a comprehensive communications center that meets industry standards. The communications center serves as classroom and training ground for students who enroll in a three-year career pathway: Audio, Radio & Video Design and Engineering. Under the direction of a McKean teacher with broadcast experience, students learn first-hand all aspects of creation and delivery of television programming.

Red Clay has broadened the reach of the channel by inviting school districts and charter schools within the city limits to submit information or programming ready for broadcast.

Under the previous contract, Red Clay has demonstrated:

- Launched on Comcast Channel 965 on Jan. 22, 2013
- No major glitches in operations
- Currently producing six original programs for channel, with plans to launch two additional shows in fall
- Content on channel is high-quality, with documentaries and video shorts from local filmmakers and national institutions like CNN, NASA, and the Annenberg Foundation
- Has established partnerships with local entities and given opportunities to local filmmakers

3. Community benefits

Wilmington students attending McKean High School have a direct benefit by taking ARV courses that cover all aspects of creating informational and creative programming. These valuable skills will transfer to many different occupations. Projects that students have created for broadcast can be included in a college application or submitted to potential employers.

McKean High School is located in Pike Creek and pulls students from the local area and the City of Wilmington. Many McKean students reside 12 or more miles away from the school, along

North Market and West Streets from West 23rd to West 29th Streets and within the 4th Street community of Wilmington.

EDtv has consistently presented high-quality, educational programming either produced by Red Clay, local filmmakers, or national institutions. The schedule is filled with documentaries, entertaining children's programming and educational fare from groups such as NASA and the Annenberg Foundation.

At the highest level, the community benefits if Wilmington parents and the community become more involved in the schools. Red Clay would create segments that inform residents and parents about district programs, events, schedules, etc.

4. Evidence of need

As more and more communications from the district have become paperless, Red Clay has struggled with ways to deliver important information to students and families that may not have access to a computer. The Red Clay school district, which serves 3,485 students who reside in Wilmington, has the responsibility but hasn't had the means to deliver important information that can easily be posted on the website but is too costly to print and send to parents' homes (i.e.: Presentations made at Board of Education meetings, the budget and meeting agendas, etc.)

Lack of transportation has put some of our Wilmington families at a disadvantage when they cannot attend Open Houses at our schools that provide detailed information about available programs or are unable to attend their child's sporting event or student performances.

A lack of information coming from the district into homes can further isolate parents and foster feelings of mistrust on the part of the parents toward the district.

5. Service to the local community, local youth and area schools

Under Red Clay's management, a cable access channel serves the local community, local youth and area schools in a variety of ways. Red Clay meets five of the six stated local purposes in the Request for Proposals.

McKean students who enroll in the communications pathway gain valuable, first-hand experience in planning and producing educational programming that is broadcast on air. Students take away a set of skills that can be applied to a number of different careers and a body of work that can be submitted as part of a college application or to potential employers. Red Clay

students at the district's other high schools also have the opportunity to produce and submit programming ready to air.

Students throughout the city and New Castle County benefit from watching educational programming that presents material aligned to the curriculum in fun and interesting ways, reinforcing what is taught in the classroom.

Superintendents in districts that encompass New Castle County have stated their intention to submit information from their individual districts.

In speaking with leaders at charter schools and community centers in Wilmington, leaders welcomed the plan and also stated they would use the opportunity to keep residents informed.

6. Management

The district Public Information Officer serves as the Executive Producer of the channel, and the district hired a Director of Programming and Operations.

The district has formed an Advisory Board consisting of the superintendent, the principal, a Career and Technical Education Associate, a teacher, a parent, a member of the Leased Access Producer's Association and the district public information officer. The advisory board meets quarterly in public session and will solicit comments and concerns from the public.

7. Source of funding

Federal, state and local funding was used to build, equip and maintain a television studio at McKean High School.

Red Clay secured a federal Perkins funds to implement and equip the television station. The Delaware Department of Education has approved the three-year ARV career pathway at McKean High School, which earns the district state Career and Technical Educational (CTE) funding for continued support of the program (i.e.: materials, cameras, software, etc.)

Finally, construction of the station and upgrades to the communications center would be funded with district minor capital funding and the district's maintenance budget.

8. Source of programming

All of the channel's programming is educational in nature. Red Clay serves as the main source of educational programming, created in several different ways. McKean students enrolled in the

communications pathway - under the guidance of teachers with broadcast experience – plan and create educational programming.

Channel staff, the district PIO and the director of programming, create the original programs, with the occasional assistance of freelance crew members.

Red Clay schools with digital media or communications technology classes are also encouraged to produce and submit content that is ready to air. Red Clay also provides opportunities for school districts and charter schools inside city limits to submit their own programming that is ready to broadcast. Red Clay will maintain a calendar of events for Red Clay and other city schools that will run on a loop during hours after programming is over for the day.

9. Technical quality

Red Clay has demonstrated the technical quality of the equipment purchased by running the channel for more than four years with no interruptions in service.

10. Timeline

This section is moot, as the station and channel already exist and awarding Red Clay the contract again would result in a seamless transition.

11. Qualifications

1. Financial. Every year, the Red Clay business department tracks district spending of the millions of federal and state funds which are often designated for very specific purposes. Administrators will ensure that federal and state dollars are put toward the uses they were intended for.
2. Track Record. Since January 2013 the district has managed the EDTv channel. Since its inception in 1981, Red Clay is the largest school district in the state with roughly 16,000 students, 24 schools and close to 2,000 employees.
3. Community partnerships. Red Clay has partnered with a myriad of public and private entities over the years including area businesses, social service agencies, community groups and post-secondary institutions to provide programs and services to our students

and families. On EDTv, Red Clay is working with CCC Media (Rev. Benjamin Twin Brown, LAPA, Reed's Refuge, the United Way and others).

4. Cable access television experience. Red Clay has managed the channel since its inception in January 2013. Prior to that, Red Clay produced a weekly cable television show called "This Week in Red Clay." This program would remain part of the station's lineup.

Wilmington, Delaware
June 18, 2020

#4819

Sponsor:

Council
Member
Harlee

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

WHEREAS, the Department of Parks and Recreation submitted a grant application to the National Recreation and Parks Association in the amount of \$2,500 to expand the City's Walk with Ease program; and

WHEREAS, the Walk with Ease program is an evidence-based physical activity program for older adults; and

WHEREAS, the grant funds will be used for staff time, marketing materials, and participant materials; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON the Department of Parks and Recreation's grant application to the National Recreation and Parks Association in the amount of \$2,500 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Parks and Recreation or his designee are hereby authorized to take all necessary actions to apply for and

accept any and all funds associated with the grant application and to fulfill the grant requirements.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes a grant application of the Department of Parks and Recreation to the National Recreation and Parks Association in the amount of \$2,500. The funds will be used to expand the City's Walk with Ease program, an evidence-based physical activity program for older adults. There is no local match required.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. The Resolution approves a grant application to the National Recreation and Parks Association for \$2,500 with no matching funds requirement.

W110763

Wilmington, Delaware
June 18, 2020

#4820

Sponsor:

Council
Member
Harlee

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

WHEREAS, the City, through the Department of Parks and Recreation has sought to obtain grant funding from the Delaware Department of Health and Social Services (“DHSS”) in the amount of \$10,000 to implement a Tobacco Prevention Community Outreach Program (“TPCOP”); and

WHEREAS, the TPCOP is designed to decrease the social acceptability of tobacco, e-cigarettes, vaping, and emerging products, as well as promote healthy lifestyles, positive youth development, and meaningful community engagement in the city of Wilmington; and

WHEREAS, Program goals include: 1) to improve the quality of life for children, youth, and their families; 2) to change the normative nature of cigarettes, e-cigarettes, vaping; and 3) engage youth in constant physical exercise to prevent obesity. Youth will be recruited primarily through the Wilmington Parks and Recreations Winter Anti-Vaping Basketball league, community outreach, and media messaging campaigns; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation, is hereby authorized to apply for grant funding from the DHSS in Delaware in the amount of \$10,000 to implement tobacco prevention programs.

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

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Parks and Recreation application for a grant from the Delaware Department of Health and Social Services in the amount of \$10,000 to implement tobacco prevention programs.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. There is no matching funds requirement for the grant.

W110771

Wilmington, Delaware
June 18, 2020

#4821

Sponsor:

Council
Member
Harlee

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

WHEREAS, the City, through the Department of Parks and Recreation, applied for two (2) \$30,000 grants from the National Fitness Campaign (“NFC”) in the total amount of \$60,000; and

WHEREAS, the Department of Parks and Recreation intends to use the grant money to construct two outdoor fitness courts, and

WHEREAS, the NFC courts are outdoor gym experiences including bodyweight fitness program reimagined to transform modern public spaces. The NFC ecosystem combines a simple, seven-minute, high quality workout and connected, digital platforms to build fit communities; and

WHEREAS, the outdoor courts are designed to offer a gym-quality exercise circuit that’s effective, free, and suitable for participants of all ages and abilities; and

WHEREAS, no matching funds are required; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation’s grant application to National Fitness Campaign in the amount of \$60,000 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Department of Parks and Recreation’s application for a grant from National Fitness Campaign in the amount of \$60,000. The grant will enable the City to construct two free-to-use outdoor fitness courts suitable for participants of all ages and abilities to grow a stronger healthier community. No local matching funds are required.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact on the City, because no local matching funds are required by the grant.

W110761

Wilmington, Delaware
June 18, 2020

#4822

Sponsor:

Council
Member
Harlee

WHEREAS, pursuant to Section 2-363 of the City Code, the Council deemed it necessary and proper to specify the requirements for review and approval of City-sponsored grant applications and proposals; and

WHEREAS, the Department of Parks and Recreation intends to submit a grant application to the State of Delaware Department of Labor in the approximate amount of \$225,000 to support approximately 170 youth for the City's Youth Career Development Program (the "Youth Program"), formally known as the Summer Youth Employment Program; and

WHEREAS, the Delaware Department of Labor has been a longtime supporter and funder of the Youth Program; and

WHEREAS, the Youth Program offers job opportunities to the City's youth ages 14 to 20; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the Youth Program participants and employees will pay the City Wage tax, thereby having a positive financial impact on the City; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON the Department of Parks and Recreation's grant application to the Delaware Department of Labor in the approximate amount of \$225,000 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of the Department of Parks and Recreation or his designee are hereby authorized to take all necessary actions to apply for and accept any and all funds associated with the grant application and to fulfill the grant requirements.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Department of Parks and Recreation to apply for a grant from the Delaware Department of Labor in the approximate amount of \$225,000. The funds will be used to support approximately 170 youth for the City's 2020 Youth Career Development Program (the "Youth Program"), formally known as the Summer Youth Employment Program. There is no local match required.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact to the City by accepting this grant. No matching funds are required.

W110767

Wilmington, Delaware
June 18, 2020

#4823

Sponsor:

Council
Member
Harlee

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

WHEREAS, the City, through the Department of Parks and Recreation, applied for a grant from the Bank of America Charitable Foundation in the amount of \$75,000; and

WHEREAS, the grant will be used to support the City's 2020 Summer Youth Employment Program (the "Youth Program"), and

WHEREAS, the Bank of America Charitable Foundation has previously supported and funded the Youth Program; and

WHEREAS, the Youth Program offers job opportunities to the City's youth ages 14 to 20; and

WHEREAS, no matching funds are required; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation's grant application to the Bank of America Charitable Foundation in the amount of \$75,000 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Department of Parks and Recreation’s application to the Bank of America Charitable Foundation in the amount of \$75,000. The funds will be used to support the City’s 2020 Summer Youth Employment Program. No local matching funds are required.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact on the City, because no local matching funds are required by the grant.

W110760

Wilmington, Delaware
June 18, 2020

#4824

Sponsor:

Council
Member
Harlee

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

WHEREAS, the Department of Parks and Recreation has applied for a grant from the Delaware Department of Education in the amount of \$480,157.46 to support the City's 2020 Summer Food Service Program (the "Summer Food Program"); and

WHEREAS, the proposed grant funds will be used to provide meal service for the Summer Food Program; and

WHEREAS, the Summer Food Program offers breakfasts, lunches, and dinners during the months of June through August 2020 to children via local community centers, camps, and other organizations; and

WHEREAS, the City is not required to provide matching funds for receipt of these grant funds; and

WHEREAS, the Department of Parks and Recreation recommends that City Council approve the City's grant application; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation's grant application to the Delaware Department of Education in the amount of \$480,157.46 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Department of Parks and Recreation's application for a grant from the Delaware Department of Education in the amount of \$480,157.46. The funds would be used to provide meal service for the City's 2020 Summer Food Service Program. No local matching funds are required.

FISCAL IMPACT STATEMENT: This grant would not have a negative impact on the City because no local matching funds are required.

W110774

Wilmington, Delaware
June 18, 2020

#4825

Sponsor:

Council
Member
Harlee

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

WHEREAS, the City, through the Department of Parks and Recreation, applied for a grant from Christiana Care Health Care Services in the amount of \$35,210; and

WHEREAS, the Department of Parks and Recreation intends to use the grant money to supplements its offerings in the Wilmington Play Streets initiative that will provide children a safe place to play and adults a safe place to learn about available resources, and

WHEREAS, the grant will assist the City in promoting healthier lifestyles for children and families as well as seek to improve community engagement among City government offices and neighborhood residents; and

WHEREAS, no matching funds are required; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Department of Parks and Recreation's grant application to Christiana Care Health Services in the amount of \$35,210 is hereby authorized.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation, or his designee, shall be authorized to take all necessary actions to accept any and all funds associated with the grant application and to fulfill the grant requirements.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Department of Parks and Recreation’s application for a grant from Christiana Care Health Services in the amount of \$35,210. The grant will enable the City to supplement its offerings in the Wilmington Play Streets initiative that will provide children a safe place to play and adults a safe place to learn about available resources. No local matching funds are required.

FISCAL IMPACT STATEMENT: There is no negative fiscal impact on the City, because no local matching funds are required by the grant.

W110777

Wilmington, Delaware
June 18, 2020

#4826

WHEREAS, the 2020 global COVID-19 pandemic is increasing the insecurities and risks associated with food and poverty in historically and increasingly vulnerable households; and

Sponsor:

**Council
Member
Harlee**

WHEREAS, the U.S. Department of Agriculture (USDA) defines food insecurity as a lack of consistent access to enough food for an active, healthy life; and

Co-Sponsors:

**Council
Members
McCoy
Oliver**

WHEREAS, poverty, unemployment/under-employment and inconsistent access to enough healthy food are considered the primary causes of food insecurity; and

WHEREAS, the [New York Times](#) reports over 30 million Americans have filed for unemployment due to COVID-19 related closures and layoffs; and

WHEREAS, the [Brookings Institute](#) in the COVID-19 Impact Survey and the Survey of Mothers with Young Children report that “by the end of April, more than one in five households in the United States, and two in five households with mothers with children 12 and under, were food insecure,” and “almost one in five households of mothers with children age 12 and under, the children were experiencing food insecurity;” and

WHEREAS, [Feeding America](#) estimates between 9.9 and 17.1 million more people could become food insecure by the end of the year; and

WHEREAS, Charity Crossing, a nonprofit voluntary organization created in the Summer of 2015 by a group of volunteers who wanted to help the community that they live in by providing charitable initiatives in Wilmington and other communities in Delaware have been providing basic needs to the homeless and less fortunate members across our State and neighboring states since then; and

WHEREAS, Charity Crossing became aware of legislative actions in several European countries to address Food Waste and realized such laws would benefit Wilmington and other Delaware communities, individuals, and families; and

WHEREAS, Charity Crossing began sharing statistics and facts on Food Waste in the U.S. from Recycle Track Systems research identifying the following 2020 data:

1. The United States is the global leader in food waste, with Americans discarding nearly 80 billion pounds of food every year. This equates to more than \$161 billion dollars.
2. Approximately 219 pounds of food is wasted per person every year
3. Nearly 40 percent of the U.S. food supply is wasted each year
4. Food waste makes up 22 percent of municipal solid waste in U.S. landfills

WHEREAS, COVID-19 is continuing to cause significant food supply disruptions, and therefore food shortages, in the State of Delaware; and

WHEREAS, organizations in Wilmington, Delaware such as Charity Crossing have distributed nearly 6,000 meals to the homeless, low-income families, and senior citizens, Feeding America has developed a COVID-19 Response Fund, the Food Bank of Delaware has established a drive-thru pantry, and Central Baptist Community Development Corporation has provided 281 Wilmington households with fresh produce from area farmers to feed a family of 4 for a week; and

WHEREAS, the [Food Recovery Network](#), a University of Delaware student-run organization, also has the goal of reducing food waste by collecting excess food from the dining halls and donating the food to local food pantries; and

WHEREAS, Charity Crossing is petitioning the U.S. Congress and the Delaware General Assembly to develop and enact legislation for the food business industry to legally donate unsold food items to shelter homes or nonprofit organizations to feed the hungry and reduce food waste; and

WHEREAS, it is therefore now clear that changes need to be made to food industry businesses so that in times of health pandemics such as COVID-19 that affect the public welfare and health of the U.S. population that food industry businesses can legally donate

their unsold food items to shelter facilities, shelter homes and/or nonprofit organizations to feed the hungry and reduce food waste.

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF WILMINGTON that this Body strongly supports the petition from Charity Crossing encouraging efforts by the Delaware General Assembly to pass legislation that would allow food industry businesses to legally donate their unsold food items to shelter facilities, shelter homes and/or nonprofit organizations to feed the hungry, reduce waste at our landfills, and possibly save money for the counties that spend tax payer dollars on landfill maintenance during the COVID-19 crisis and beyond.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: Food waste and food insecurity are significant problems facing the nation, our City of Wilmington and our State that have only been heightened in the wake of the COVID-19 crisis. The Wilmington City Council supports the petition from Charity Crossing encouraging efforts by the Delaware General Assembly to pass legislation that would allow food industry businesses to legally donate their unsold food items to shelter facilities and/or nonprofit organizations to feed the hungry thereby increasing food security, reducing food waste, decreasing waste at our landfills, and possibly saving money for our municipalities and counties on landfill maintenance costs during and after the COVID-19 pandemic.

Wilmington, Delaware
June 18, 2020

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

#4827

Sponsor:

WHEREAS, Wilm. C. § 2-621(a) authorizes the Department of Real Estate and Housing to conduct disposition proceedings of real property owned by the City; and

**Council
Member
Harlee**

WHEREAS, Wilm. C. § 2-621(c) provides that governmental agencies, governmental authorities organized pursuant to Title 22 of the Delaware Code, and non-profit organizations are exempt from the City's bid procedures and that upon the declaration of a property as approved for disposition by resolution of City Council, the Department of Real Estate and Housing may negotiate an agreement of sale, lease, exchange, or other transfer of such property owned by the City to any such governmental agency, governmental authority, or non-profit organization; and

WHEREAS, the City currently owns real property located at 601 West Eighth Street, Wilmington, Delaware, being New Castle County Tax Parcel ID No. 26-035.10-083 (the "Property"); and

WHEREAS, Cinnaire Solutions is a non-profit organization that focuses on historic adaptive reuse, acquisition and rehabilitation, mixed-use, technical consultation, low income housing tax credits, and market rate developments serving target populations; and

WHEREAS, a vacant liquor store is currently located on the Property; and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to declare the Property surplus; and

WHEREAS, the Council further wishes to approve the disposition of the Property to Cinnaire Solutions for demolition of the vacant liquor store and construction of two new homes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that Council hereby declares the Property to be surplus and approves the Property for disposition to Cinnaire Solutions.

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor or his designee to execute any and all documents necessary to effectuate disposition proceedings for the Property, including any and all further undertakings and assurances that may be appropriate.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: This Resolution declares 601 West Eighth Street, Wilmington, Delaware (Tax Parcel ID No. 26-035.10-083) to be surplus and approves the property for disposition to Cinnaire Solutions.

W0110635

Wilmington, Delaware
June 18, 2020

#4828

Sponsor:

Council
Member
Harlee

WHEREAS, as the legislative body for the City of Wilmington (“City”), one of the primary responsibilities of City Council is to make policy decisions and enact laws on behalf of City residents; and

WHEREAS, the essence of the legislative process involves the consideration of different interests and a search for a compromise that is acceptable to the majority of constituents; and

WHEREAS, in order to effectively and efficiently address the breadth of issues within and/or affecting the 4th councilmanic district, including, but not limited to, community benefits agreements, community development concerns, and community health and safety, the 4th District Councilmember seeks to establish a community task force; and

WHEREAS, the 4th District Community Task Force (the “Task Force”) will be a formalized body, centralizing and combining the input of community civic organizations, neighborhood planning councils, individual constituents, and the 4th District Councilmember and her partners.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that the 4th District Community Task Force is hereby established. The Task Force shall be comprised of no more than twelve members at any given time, each of whom shall be chosen by the 4th District Councilmember who, in choosing Task Force members, shall consider suggestions made by the community.

BE IT FURTHER RESOLVED, that after a period of six months, beginning from the establishment of the Task Force, the 4th District Councilmember shall assess the Task Force,

its membership, and its effectiveness, and determine whether the Task Force shall continue to convene.

Passed by City Council,
June 18, 2020

ATTEST: _____
City Clerk

SYNOPSIS: This resolution establishes the 4th District Community Task Force which exists as a formalized body to collaboratively address the breadth of issues within and/or affecting the 4th Councilmanic District.

W110746

Wilmington, Delaware
June 18, 2020

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

#4829

Sponsor:

WHEREAS, Wilm. C. § 2-621(a) authorizes the Department of Real Estate and Housing to conduct disposition proceedings of real property owned by the City; and

**Council
Member
Turner**

WHEREAS, Wilm. C. § 2-621(c) provides that governmental agencies, governmental authorities organized pursuant to Title 22 of the Delaware Code, and non-profit organizations are exempt from the City's bid procedures and that upon the declaration of a property as approved for disposition by resolution of City Council, the Department of Real Estate and Housing may negotiate an agreement of sale, lease, exchange, or other transfer of such property owned by the City to any such governmental agency, governmental authority, or non-profit organization; and

WHEREAS, the City currently owns real property located at 501 West Seventh Street, Wilmington, Delaware, being New Castle County Tax Parcel ID No. 26-035.10-298 (the "Property"); and

WHEREAS, Wilmington Alliance Inc. is a non-profit organization that focuses on economic development and inclusion, creative placemaking, and community based violence intervention; and

WHEREAS, a vacant laundromat and liquor store are currently located on the Property; and

WHEREAS, the Council, upon the recommendation of the Department of Real Estate and Housing, wishes to declare the Property surplus; and

WHEREAS, the Council further wishes to approve the disposition of the Property to Wilmington Alliance Inc. for the rehabilitation of the vacant laundromat and liquor store into a community gathering and pop up entrepreneurial space.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that Council hereby declares the Property to be surplus and approves the Property for disposition to Wilmington Alliance Inc.

BE IT FURTHER RESOLVED that Council hereby authorizes the Mayor or his designee to execute any and all documents necessary to effectuate disposition proceedings for the Property, including any and all further undertakings and assurances that may be appropriate.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: This Resolution declares 501 West Seventh Street, Wilmington, Delaware (Tax Parcel ID No. 26-035.10-298) to be surplus and approves the property for disposition to Wilmington Alliance Inc.

W0110634

Wilmington, Delaware
June 18, 2020

#4830

WHEREAS, the killing of Minnesota resident George Floyd on May 25,

Sponsor:

2020 was not an isolated incidence, but highlighted a legacy of Black death caused by racism in the United States of America; and

**Council
Member
Johnson**

WHEREAS, racism is defined as race-based prejudice, discrimination,

Co-Sponsors:

antagonism, and the belief that all members of each race possess characteristics or abilities specific to that race, especially so as to distinguish one race as inferior or superior to another race or races; and

**Council
President
Shabazz**

**Council
Members
Harlee
Walsh**

WHEREAS, White racism in the form of the belief that Black humans were inferior, unintelligent, and exclusively suited to manual labor resulted in the taking of Africans for the purpose of perpetuating enslaved labor in the Americas; and

WHEREAS, beginning in 1619, the Americas, and subsequently, the newly formed United States of America relied on Black slave labor to build the foundations of this country and earn capital for White Americans until the ratification of the 13th Amendment in 1865; and

WHEREAS, in the Reconstruction Era and well into the 20th century, Jim Crow Laws were established by state and local jurisdictions in order to enforce segregation in the Southern United States, disenfranchise Black Americans after the 1870 ratification of the 15th Amendment, and prevent political and economic gains within Black communities; and

WHEREAS, in the 1930s, President Roosevelt's New Deal helped build a solid middle class through sweeping social programs, including Social Security and the minimum wage, yet because the majority of Black people were agricultural laborers or domestic workers, those occupations were ineligible for those benefits; and

WHEREAS, research by Trymaine Lee in 2019 found that: (1) White Americans have seven times the wealth of black Americans on average, (2) Black people make up nearly 13 percent of the United States population yet hold less than 3 percent of the nation's total wealth, (3) the median family wealth for White people is \$171,000, compared with just \$17,600 for Black people, and (4) according to the Economic Policy Institute, 19 percent of Black households have zero or negative net worth, while only 9 percent of White families are that poor; and

WHEREAS, discriminatory housing practices such as segregation, redlining, racial covenants, the discriminatory application of the G. I. Bill, the Federal Housing Administration guaranteeing bank loans only to developers who wouldn't sell to Black people, the building of inter-state highways through historic minority neighborhoods have caused Black families to often be displaced from their homes even in their segregated neighborhoods, be continuously denied opportunities to own, invest in, and accumulate property, credit, and capital wealth; and

WHEREAS, housing has been accredited as a social determinant of health because where housing is located, the resources around it, the quality of the housing, the stability of that housing, including how much it costs, and the environmental quality of the air, water and soil of the neighborhood the housing is located, are all important in determining how housing affects health; and

WHEREAS, in 1985, the U.S. Department of Health and Human Services commissioned a report through Margaret Heckler on Black and Minority Health, which found disparate health outcomes for Black Americans, concluding that health disparities accounted

for 60,000 excess deaths each year and that six causes of death accounted for more than 80 percent of mortality among Blacks and other minority populations; and

WHEREAS, research on discrimination and racial disparities in health reveals that: “pathogenic factors linked to race continue to affect health even when socioeconomic status (SES) criteria are in some cases nearly the same,” and that, “even after adjustment for income, education, gender and age, blacks had higher scores on blood pressure, inflammation, and total risk... blacks maintained a higher risk profile even after adjusting for health behaviors (smoking, poor diet, physical activity and access to care)” (2008); and

WHEREAS, stunning research in the field of epigenetics, or the study of how “the external environment's effects upon genes can influence disease,” and how some of these effects are inherited in humans, reveals that the health experiences of slaves, such as nutrition - - findings suggest that diet can cause changes to genes that are passed down through generations by the males in a family, as well as, physical security, and mental anguish can impact Black Americans today; and

WHEREAS, during the current COVID-19 pandemic, on May 30, 2020, NPR broadcast a report by Maria Godoy, “What do Coronavirus Racial Disparities Look Like State By State?” based on an analysis of demographic data from the COVID Racial Tracker, a joint project of the Antiracist Research Policy Center and the COVID Tracing Project, comparing each racial or ethnic groups’ share of infestations or deaths where race and ethnicity is known with their share of the population from 49 States, plus Washington, DC, where at least some data with race or ethnicity was known for around half of all cases and 90 percent of deaths, even with gaps, Communities of color are being hit disproportionately hard by COVID-19; and

WHEREAS, NPR's analysis found that in 32 states plus Washington, D.C. blacks are dying at rates higher than their proportion of the population including in 4 states, where the rate is three or more times greater, race and ethnicity is known for around half of all cases, and 90 percent of deaths; and

WHEREAS, NPR's analysis found that in 42 states plus Washington, D.C. Hispanics/Latinos make up a greater share of confirmed cases than their share of the population. In 8 states, the rate is more than four times greater. The rates are 2 times higher in 30 states, and over 4 times higher in 8 states; and

WHEREAS, on Thursday, June 4, 2020, the Trump administration, under pressure from Congress, announced new requirements for states to collect data on race, ethnicity, age and gender of COVID-19 test results, hospitalizations, and deaths by local government public health departments to the Centers for Disease Control and Prevention for that data to be collected and published; and

WHEREAS, According to the National Women's Law Center data in 2017, despite making up less than half (47 percent) of all workers women are nearly six in ten (58 percent) of the more than 26 million workers in low-wage occupations that typically pay less than \$11 per hour/ and, Black women and Latinas are overrepresented in the low-wage workforce with Latinas making up 15 percent of women in the overall workforce but 24 percent of women in the low-wage workforce and, 20 percent of women in the lowest-wage jobs are Black women making up 13 percent of women in the overall workforce but 18 percent of women in the low-wage workforce and 16 percent of women in the lowest wage jobs, the majority of which have been identified as essential during the COVID-19 pandemic; and

WHEREAS, aggregated health conditions and systemic poverty have resulted in the disproportionate focus on Black Americans as perpetrators of crime in the United States, whereby 1 in 10 Black men in their thirties are incarcerated at any given time, 57% of people in state prisons for drug offenses are people of color even though whites comprise over two-thirds of drug users, and judges are more likely to give longer sentences to people of color (The Sentencing Project, 2015); and

WHEREAS, nearly 60 percent of all hate crimes in the United States are caused by racism; and

WHEREAS, racism has inhibited Black Americans from performing simple, daily tasks such as shopping, walking, jogging, or driving without the awareness that, at any moment, law enforcement may be called by a white person to prevent their exercising of daily freedoms; and

WHEREAS, data from the Prison Policy Initiative indicates that Delaware has an incarceration rate of 756 per 100,000, meaning it has a higher rate of incarceration than the United States as a whole and any other country in the world, and in 2015 Black Americans comprised 60% of the incarcerated population in the State; and

WHEREAS, according to the research group, Mapping Police Violence, police killed more than 1,000 people in 2019, almost a quarter of them of African-American descent who are 3 times more likely to be killed by police than their white counterparts and twice as likely to be unarmed when shot by police; and

WHEREAS, the City of Wilmington, Delaware is 57.2% Black, and the Council of the City of Wilmington is committed to addressing injustices, inequality, and discrimination in the form of racism impacting more than half of the population of its citizens.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Council declares racism to be a public health crisis in the City of Wilmington and is committed to enacting equity in all policies in the City. Following the foundations laid by the Ohio Legislative Black Caucus in Council Bill 0095X-2020, the Council of the City of Wilmington is committed to the standards identified and sponsored by Priscilla Tyson, Elizabeth Brown, Mitchell Brown, Rob Dorans, Shayla Favor, Emmanuel V. Remy, and Shannon G. Hardin of:

1. Reviewing all City policy with a focus on its effects on minority communities including disadvantaged business enterprises.
2. Conducting all human resources, vendor selections, and grant management activities in the City of Wilmington government with special attention to policies and practices such as hiring, promotions, leadership appointments, contracts assigned, and funding awarded to private small, DBEs and large businesses and mainstream and community-based Non-Profit Organizations engaged in housing development and services, workforce development and employment, youth development, the arts, cultural programming, and health access and education.
3. Encouraging community partners and leaders in education, employment, housing, criminal justice and safety arenas, health care and the environment to recognize racism as a public health crisis.
4. Securing adequate resources to successfully accomplish the activities described in this resolution.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: Racism has been prevalent in this country since before its founding as the United States of America and has continually and detrimentally negatively impacted the health and well-being of Black and Brown citizens in the country, state, and city. This Council declares racism to be a public health crisis for these reasons and is committed to pursuing equity and justice in the review of existing Codes and practices, the development and execution of all City policies and procedures going forward.

Wilmington, Delaware
June 18, 2020

#4831

Sponsor:

Council
Member
Johnson

Co-Sponsors:

Council
President
Shabazz

Council
Members
Harlee
Walsh

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 in all of 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 department's mission, the principles behind what the organization does, procedures and instructions for carrying our 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, policies and procedures for their Police Officers relevant to following specific U.S. Constitutional Amendments and in their Training Academies 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 they are to serve; and

WHEREAS, the Policy and Procedures Manuals of U.S. City Police Departments often may incorporate 3 main Constitutional Rules specifically, the 4th Amendment, 5th Amendment and 6th Amendment of the U.S. Constitution; and

WHEREAS, the 4th Amendment of the U.S. Constitution basically guarantees that U.S. citizens shall be free from "unreasonable search and seizure" of property, in places that have a "reasonable expectation of privacy", generally including places such as property that one owns or lives at, or places where they are an overnight guest; and

WHEREAS, the 5th Amendment of the U.S. Constitution reads “no persons shall be compelled to be a witness against himself in any criminal case” and has been interpreted to mean 1) the privilege against self-incrimination is a personal privilege which only applies to human beings. The privilege does not exist for corporations; 2) the privilege against self-incrimination only applies to criminal cases; this a party cannot “plead the Fifth” to stay silent in a civil case, unless the answer will tend to incriminate; 3) the prosecution and judge may not infer that refusal to testify means an individual is guilty; and 4) certain relationships are granted immunity from testifying against each other, such spousal relationships, lawyer-client relationships, and doctor-patient relationships; and

WHEREAS, the 6th Amendment of the U.S. Constitution includes the right to a speedy trial, the right to an impartial jury, the right to assistance of counsel, the right to confront witnesses, (cross-examine them at trial), the right to be informed of the charges being brought and the punishments, and the right to compel witnesses to appear in court; and

WHEREAS, the Police cannot use such evidence in a criminal case if they violate these Constitutional rights and a defense lawyer can argue that Police violated constitutional provisions and prevent evidence from being used in court by petitioning the court to suppress the evidence; and

WHEREAS, approximately 35 U. S. Police Departments have provided the public they serve access to their Policies and Procedures Manuals online starting in 2007: and

WHEREAS, City Police Policies and Procedures Manuals from U..S. Cities in Seattle, Washington, Craig, Colorado, Fairlawn, New Jersey, Beaverton, Oregon, Garden Grove, California, Bremerton, Washington, Brunswick, Georgia, Newark, New Jersey and Lower Marion Township, Pennsylvania, to name a few, only redacted information that would threaten ongoing investigations, endanger officers or others, or invade someone’s personal privacy; and

WHEREAS, the Newark, New Jersey Police Department began to provide the public with access to their Policies and Procedures Manual in the early 2000s through both online access and printed copies provided to Public Libraries throughout the City of Newark; and

WHEREAS, on June 1, 2010, Mayor Cory A. Booker and Police Director Gary F. McCarthy held a press conference announcing the release of a revised Rules and Regulations Manual for the Police Department of the City of Newark, New Jersey; and

WHEREAS, the entirety of the revised 190 pages of the Newark Police Department Rules & Regulations Manual is available online and accessible by the public; and

WHEREAS, according to ACLU New Jersey, the new practices entail monthly reports by the Newark Police Department on all stops, including how many people were stopped, where they were stopped, and whether the stops led to an arrest or not, as well as, the race and ages of the individuals; and

WHEREAS, on reflection of the revision of these practices seven years later, Booker stated that such transparency serves a necessary function to provoke meaningful changes in policing practices that improve public safety and fight crime while building trust between communities and police departments, ensuring fair enforcement of laws, and protecting civil rights; and

WHEREAS, obtaining information from local U.S. Police Departments on Police Shootings, particularly on repeat shooters that can be identified simply by a code number to protect the privacy of the officers while learning how many shootings have taken place and by how many officers over a specific period of time and what appropriate remedial action was taken; and

WHEREAS, obtaining information from local U.S. Police Departments on Police Use of Physical Force to learn if officers are required to fill out reports after any use of physical force, and if not, to recommend they do so in order to have records of such use of physical force and under what circumstances; and

WHEREAS, obtaining information from local U.S. Police Departments on minority employment is important in order to learn if various racial and ethnic groups in the City served by the Police Department reflects the percentage of those racial and ethnic groups in the police force; and

WHEREAS, the City of Wilmington is committed to a transparent and well-represented Wilmington that sees the importance of sustaining meaningful changes in policing practices that will always strive to improve public safety of all Wilmingtonians,

fight crime in coordination with the public, and consistently build trust between all communities throughout Wilmington and their Police Department, and demonstrate consistently the protection of civil rights based on the U.S. and Delaware Constitutions.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Wilmington City Council strongly recommends/calls upon/encourages the Wilmington Police Department and the City Administration to provide the Wilmington Public with access to the Wilmington Police Department’s Policies and Procedures Manual, referred to as “The White Book”, on-line through the City of Wilmington’s official website for the knowledge of its Citizenry in a Format that is Not substantially redacted similar to what other Cities Smaller and Larger than Wilmington have done in the Last Decade or More promoting knowledge and support of police procedures, building trust and transparency between the Wilmington Police Department, its officers, personnel and the public they serve in our Great City of Wilmington. Delaware.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: This Resolution call for the City Administration and the Wilmington Police Department to make the policies and procedures manual (referred to as the White Book) available to the community without substantial redactions except in areas that would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or could reasonably be expected to endanger the life or physical safety of any individual.

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 Merion 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,

President of City Council

ATTEST: _____
City Clerk

Approved this _____ day of _____, 2020

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.

Wilmington, Delaware
June 18, 2020

#4835

WHEREAS, the Delaware Legislative Black Caucus, heretofore referred to as the

Sponsor:

DLBC, announced and outlined on 10 June 2020 a “Justice for All” initiative intended to

**Council
President
Shabazz**

negate police brutality and enact racial justice in the State of Delaware; and

WHEREAS, this initiative includes eight primary goals, outlined as follows by

Co-Sponsors:

Delaware State News:

**Council
Members
Johnson
Harlee
Oliver
Walsh**

1. Passage of Senate Bill 191, the first leg of an amendment to the Delaware Constitution that would explicitly make protection against discrimination on the basis of race, color and national origin a fundamental right.
2. Establishment of an African American Task Force entrusted with exploring the disparities experienced by people of color throughout Delaware and proposing remedies to address those inequities, including a commitment to significant, restorative investments in historically Black communities over the next five years.
3. Banning knee holds, choke holds and similar acts of applying force or pressure against the trachea, windpipe, carotid artery, or jugular vein unless deadly force is necessary.
4. Requiring that body camera devices be used by all law enforcement agencies in Delaware and mandating that those devices be activated from the beginning to the end of all interactions with suspects or witnesses.
5. Prohibiting Delaware law enforcement agencies from releasing mug shots or other photographs of juvenile defendants.

6. Requiring that all Delaware law enforcement agencies video record all interrogations of juvenile suspects and defendants except under certain circumstances.
7. Amending to the Delaware Law Enforcement Officers Bill of Rights to allow criminal defendants' legal counsel to receive internal affairs investigation records of law enforcement officers accused of wrongdoing.
8. Establishment of a Law Enforcement Accountability Task Force made up of a wide range of stakeholders, including police officers and impacted citizens, assigned with considering additional issues and proposals regarding the use of force, civil rights protections, transparency, and community policing.

WHEREAS, the State Senate, of the 150th General Assembly of the State of Delaware, has introduced Senate Bill No. 191, an Act proposing an amendment to Article I of the Delaware Constitution relating to Equal Rights; and

WHEREAS, this amendment would add race, color, and national origin to the protections listed within the Delaware State Constitution to explicitly declare that protection against discrimination based on race, color, and national origin as one of Delaware's fundamental rights; and

WHEREAS, this Act is considered the “first leg” of a constitutional amendment to add race, color, and national origin to the Article I, § 21 and is therefore the first step to realizing the Justice for All initiative in the State of Delaware; and

WHEREAS, these goals reflect those of the Wilmington City Council, a legislative body committed to a safe and secure Wilmington, a healthy Wilmington, a resident and visitor friendly Wilmington, and a transparent and well-represented Wilmington.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that we urge the Delaware General Assembly to pass by a 2/3 majority Senate Bill 191, **AN ACT PROPOSING AN AMENDMENT TO ARTICLE I OF THE DELAWARE CONSTITUTION RELATING TO EQUAL RIGHTS**, as proposed by the DLBC, in accordance with the Justice for All initiative in the State of Delaware, in order to best ensure protection under the Delaware State Constitutions on the basis of race, color, and national origin.

Passed by City Council,

Attest: _____
City Clerk

SYNOPSIS: The Council of the City of Wilmington urges members of the Delaware General Assembly to vote in favor of Senate Bill 191, an Act to establish Constitutional protections on the basis of race, color, and national origin in the State of Delaware. In addition, the Council asks that the Delaware General Assembly support the Delaware Legislative Black Caucus in their efforts to enact these 8 Justice For All actions in the State of Delaware.

SUBSTITUTE NO. 1 TO ORDINANCE NO. 20-029

AN ORDINANCE TO AUTHORIZE AND APPROVE A MULTI-YEAR CONTRACT RETAINING BELFINT, LYONS, & SHUMAN, P.A. AS THE EXTERNAL AUDITOR FOR THE CITY OF WILMINGTON

**Rev. 1
#4809**

Sponsor:

**Council
Member
Adams**

Co-Sponsors:

**Council
President
Shabazz**

**Council
Member
Freel**

WHEREAS, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

WHEREAS, the City publicly advertised the specifications for the retention agreement with Belfint, Lyons, & Shuman, P.A. (the “Contract”) in accordance with the requirements of Section 8-200 of the City Charter, and subsequently awarded the Contract, a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit “A”, to Belfint, Lyons, and Shuman, P.A. (the “Contractor”); and

WHEREAS, the Contract’s initial term is for three years (2020, 2021, and 2022) with an option to extend this agreement for year four (2023) and year five (2024), on the same terms and conditions. The yearly contract amount, both for the initial three-year term and each additional year at the City’s option, is set at \$189,000 per annum; and

WHEREAS, the primary purpose of the Contract is to retain the services of an External Auditor to provide full assurance that the City’s accounting records are fair, complete and in adherence with generally accepted accounting principles, industry standards and regulatory requirements; and

WHEREAS, it is the recommendation of the City Auditor’s Office and Audit Review Committee that the City authorize this agreement for services of an External Auditor.

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

SECTION 1. A multi-year contract between the City of Wilmington and Belfint, Lyons, & Shuman, P.A., a copy of which Contract, in substantial form, is attached hereto as Exhibit “A,” for the purposes of retaining an External Auditor, at an estimated price of One Hundred Eighty-Nine Thousand dollars and zero cents per annum (\$189,000.00) based on the terms of the contract, is hereby approved, and the Mayor or his designee is hereby authorized to exercise the City’s option, as well as all additional undertakings related thereto, as may be necessary.

SECTION 2. This Substitute Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... May 28, 2020
Second Reading..... May 28, 2020
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2020.

Mayor

SYNOPSIS: This Substitute Ordinance authorizes the City to enter into a multi-year contract with Belfint, Lyons, & Shuman for the purposes of retaining an External Auditor, at an estimated price of One Hundred Eighty-Nine Thousand dollars and zero cents per annum (\$189,000.00). The primary purpose of the Contract is to retain the services of an External Auditor to provide full assurance that the City’s accounting records are fair, complete and in adherence with generally accepted accounting principles, industry standards and regulatory requirements.

FISCAL IMPACT STATEMENT: This Substitute Ordinance has no anticipated fiscal impact because the monies will be derived from already-budgeted funds.

W110749

EXHIBIT A

We are listening

Proposal to Provide Auditing Services for
Audit Cost Section

City of Wilmington, Delaware

For Fiscal Years Ending
June 30, 2020, 2021, and 2022
RFP 21002ADPS

Prepared for:
Terence J. Williams, City Auditor and
the Audit Review Committee

Prepared by:
George G. Fournaris, CPA, CGFM
gfournaris@belfint.com / 302.573.3931

Jonathan D. Moll, CPA
jmoll@belfint.com / 302.573.3937

February 20, 2020

City of Wilmington, Delaware
Professional Audit Services
RFP#21002ADPS
Belfint, Lyons & Shuman, P.A.

BLS

BELFINT • LYONS • SHUMAN
Certified Public Accountants

www.belfint.com

DE 302.225.0600 • PA 610.537.5200 • info@belfint.com



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BELFINT • LYONS • SHUMAN
Certified Public Accountants

www.belfint.com

February 20, 2020

City of Wilmington, Delaware
Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537

RE: Professional Auditing Services for the City of Wilmington, Delaware

Belfint, Lyons & Shuman, P.A. appreciates the opportunity to submit a proposal to audit the financial statements of the City of Wilmington, Delaware. (RFP 21002ADPS.)

Our fees for the requested services are based on current accounting standards and the understanding that certain preliminary work will be conducted in-house and that your organization's staff will be available for assistance. Our fees are calculated based in part, on past experience. If the City makes significant efficiencies and improvements in internal controls, we could revisit our fees.

We are committed to providing these services at the following fee for the years ending June 30:

2020	\$189,000
2021	189,000
2022	189,000
2023	189,000*
2024	189,000*

*Based on current market conditions, at the City's discretion, the contract may be renegotiated and extended for two one-year contracts. The audit costs include:

- Assistance with adjusting journal entries for fiscal year end closing not to exceed five (5) entries. *Any entries exceeding five (5) would be billed separately as addendum services.*
- Services to assist with expediting the completion of the City's Comprehensive Annual Financial Report to include but not limited to review of statements, MD&A and notes as needed.

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. We look forward to extending our association with the City of Wilmington.

Sincerely,

George G. Fournaris, CPA, CGFM
Principal

Jonathan D. Moll, CPA
Director

1011 Centre Road • Suite 310 | Wilmington • DE 19805 | Phone: 302.225.0600 | Fax: 302.225.0625

Schedule of Professional Fees and Expenses

Detailed below is the Schedule of Professional Fees and Expenses for the audit of the City of Wilmington, Delaware for the initial audit for the years ending June 30, 2020, 2021, and 2022 which supports the firm's total all-inclusive maximum cost.

Schedule of Professional Fees and Expenses
Audit of the City of Wilmington, Delaware
Fiscal Years Ending June 30, 2020, 2021 & 2022

	Director and Principal		Managers and Supervisors		Senior and Staff Auditors		Administrative Assistants		Subtotals	
Hourly Rate										
Standard Rates		\$400		\$225		\$150		\$115		
Quoted Rates		\$240		\$175		\$125		\$75		
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost
CAFR Engagement Section										
Planning	40	\$ 9,600	40	\$ 7,000	60	\$ 7,500	-	\$ -	140	\$ 24,100
Fieldwork	80	19,200	180	31,500	400	50,000	-	-	660	100,700
Reporting	40	9,600	40	7,000	60	7,500	40	3,000	180	27,100
	<u>160</u>	<u>38,400</u>	<u>260</u>	<u>45,500</u>	<u>520</u>	<u>65,000</u>	<u>40</u>	<u>3,000</u>	<u>980</u>	<u>151,900</u>
Uniform Guidance Engagement Section										
Planning	16	3,840	16	2,800	16	2,000	-	-	48	8,640
Fieldwork	4	960	24	4,200	80	10,000	-	-	108	15,160
Reporting	20	4,800	20	3,500	20	2,500	20	1,500	80	12,300
	<u>40</u>	<u>\$ 9,600</u>	<u>60</u>	<u>\$ 10,500</u>	<u>116</u>	<u>\$ 14,500</u>	<u>20</u>	<u>\$ 1,500</u>	<u>236</u>	<u>36,100</u>
										Other (Travel, Parking, Etc.)
										<u>1,000</u>
										Total Cost
										<u>\$ 189,000</u>

The above fee quote is based on discounted hourly rates.

Fees for Additional Services

Should you need additional services, beyond those mentioned in this proposal, we will develop an estimate and submit an addendum to the contract for approval prior to the start of any additional work. Our standards rates per hour are as follows:

	Range
Directors and Principals	\$245 - \$435
Managers	175 - 265
Supervisors	140 - 210
Senior Accountants	125 - 160
Staff Accountants	100 - 135
Administrative Staff	75 - 130

The above standard rates may be discussed depending on the amount and type of additional services required.

Wilmington, Delaware
June 18, 2020

#4834

Sponsor:

Council
Member
Dixon

WHEREAS, the City of Wilmington is a participating jurisdiction for purposes of the HOME Investment Partnerships Program (HOME) and allocates funds each year for a variety of eligible activities; and

WHEREAS, on May 16, 2019, City Council adopted Resolution No. 19-018, which approved the City's proposed Annual Action Plan for Fiscal Year 2020 (the "Plan") and authorized the Mayor to submit the Plan to the United States Department of Housing and Urban Development; and

WHEREAS, the Plan allocated \$120,798 of HOME funds for the construction of a seventy-four (74) unit low income housing tax credit project at 1400 Todd Lane, to be known as Phase I of the Reach Riverside Redevelopment Project (the "Project"); and

WHEREAS, there was a typographical error in the Plan regarding the amount allocated for the Project, which amount should have been \$122,796 rather than the stated \$120,798; and

WHEREAS, the applicant for the Project had originally requested a total of \$470,000 for the Project; and

WHEREAS, the City has unexpended HOME funds from prior fiscal years available to fund the Project as follows: (1) Fiscal Year 2018: \$173,275.01; (2) Fiscal Year 2017: \$43,251.04; (3) Fiscal Year 2016: \$103,642.00; and (4) Fiscal Year 2015: \$27,035.95 (collectively, the "Unexpended Funds"); and

WHEREAS, on May 28, 2020, City Council adopted Resolution No. 20-024, which approved the first substantial amendment to the Plan in order to outline the proposed use of certain funding for the COVID 19 crisis response; and

WHEREAS, the City has prepared a second substantial amendment to the Plan in order to outline the proposed use of the Unexpended Funds for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Mayor Michael S. Purzycki, or his designee, is hereby authorized to submit the Second Substantial Amendment to Annual Action Plan for Fiscal Year 2020 to the U.S. Department of Housing and Urban Development, which allocates \$470,000 in the aggregate for Phase I of the Reach Riverside Redevelopment Project.

BE IT FURTHER RESOLVED that Michael S. Purzycki, Mayor of the City of Wilmington, or his designee, is hereby further authorized to certify to such matters as the U.S. Secretary of Housing and Urban Development may require with the application, to provide additional information as may be required, and to administer and expend such funds as are received or become available in accordance with Second Substantial Amendment to the Annual Action Plan for Fiscal Year 2020.

Passed by City Council,

ATTEST: _____
City Clerk

SYNOPSIS: This Resolution authorizes the Mayor or his designee to file the Second Substantial Amendment to the Fiscal Year 2020 Annual Action Plan with the U.S. Department of Housing and Urban Development, which provides for the use of unexpended HOME funds from prior fiscal years for Phase I of the Reach Riverside Redevelopment Project.

W0110636