

*Wilmington, Delaware
Louis L. Redding
City/County Building
April 2, 2020*

City Council met in “**virtual**” regular session on the above date at 6:30 p.m., President Hanifa Shabazz presiding.

The opening prayer was done by Andrea Queen, Deputy Clerk.

The Pledge of Allegiance was recited by City Council.

ROLL CALL

The following members responded to the Call of the Roll: Council Members Gray, Congo, Oliver, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, eleven. Absent, Council Members Harlee and Walsh. Total, two.

MINUTES

After reading a portion of the minutes of March 19, 2020, upon a motion of Council Member Congo, seconded by Council Members Freel and Dixon, it was moved they be accepted as written. Motion prevailed.

After reading a portion of the minutes of March 26, 2020, upon a motion of Council Member Congo, seconded by Council Members Freel and Dixon it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Community Development & Urban Planning Committee Members</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Rysheema Dixon, Chair	X		
Yolanda McCoy, Vice-Chair	X		
Ernest “Trippi” Congo, II	X		
Linda M. Gray	X		
Zanthia Oliver		X	
Va’Shun “Vash” Turner	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

<u>Health, Aging & Disabilities Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Ernest "Trippi" Congo, II, Chair	X		
Christofer C. Johnson	X		
Ciro Adams		X	
Rysheema Dixon	X		
Va'Shun "Vash" Turner	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

March 25, 2020

Ladies and Gentlemen:

We, by "**Virtual**" Joint Meeting of Community Development & Urban Planning and Health, Aging & Disabilities Committees, to who was referred Substitute 1 to Ordinance No. 20-006 entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE CITY
CODE REGARDING BED BUGS EXTERMINATION
AND TREATMENT

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

Respectfully submitted, Members of
Community Development & Urban Planning and
Health, Aging & Disabilities Committees

Upon a motion of Council Member Dixon, seconded by Council Members Freel and McCoy, the above-referenced Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report as of April 2, 2020, was read into the record by City Clerk and upon a motion of Council Member Congo, seconded by Council Members Dixon and Freel, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 3 to Page 4.

City of Wilmington
Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19861-3537
(302) 576-2480
Treasurer@wilmingtonde.gov



City of Wilmington
Treasurer's Report
of April 2, 2020

Cash on Hand:

General Account	M & T Bank	\$8,566,220.21
Central Deposit	M & T Bank	\$68,155.22
Payroll	M & T Bank	\$1,226,721.03
Total Petty Cash Accounts	M & T Bank	\$10,944.99
Grant-In-Aid	M & T Bank	\$152,196.30
Evidence/Found Currency Account	M & T Bank	\$1,089,795.32
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,659.33
Police Department Discretionary	M & T Bank	\$24,773.91
Pension Payroll Account	M & T Bank	\$229,488.44
Old Non-Uniform Pension Account -Plan 1	M & T Bank	\$1,592.81
Non-Uniform Pension-Plan 2	M & T Bank	\$1,500.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$176,939.43
Police Pension Account	M & T Bank	\$185,441.65
Fire Pension Account	M & T Bank	\$13,725.77
Worker's Comp 3rd Party Account	M & T Bank	\$21,038.85
Retiree Healthcare Account	M & T Bank	\$215,536.85
SubTotal		\$12,021,869.08
Total Cash on Hand		\$12,021,869.08

INVESTMENTS April 2, 2020:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
GENERAL FUND:						
General	TD	CD	4/2/2020	1.34%	\$4,582.36	\$3,517,376.00
General	TD	CD	4/8/2020	1.44%	\$5,760.00	\$3,000,000.00
General	TD	CD	4/28/2020	1.50%	\$15,833.33	\$4,000,000.00
General	TD	CD	5/28/2020	1.50%	\$31,250.00	\$6,000,000.00
General ¹	WSFS	CD	6/18/2020	1.62%	\$95,625.00	\$17,000,000.00
SUB-TOTAL:						\$33,517,376.00
CAPITAL FUND:						
Capital ≤ 2015	TD	CD	5/20/2020	1.65%	\$47,356.82	\$10,651,955.58
Capital ≥ 2018	TD	CD	5/20/2020	0.68%	\$20,205.27	\$15,281,294.70
SUB-TOTAL:						\$25,933,250.28
RISK MGMT:						
Risk Management	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Worker's Comp	TD	CD	6/30/2020	1.63%	\$64,915.02	\$8,287,317.11
Retiree Medical Escrow	Vanguard-OPEB					\$25,348,434.00
SUB-TOTAL:						\$41,923,068.22
PENSION FUND:						
Non-Uniform 1990	WSFS	CD	4/28/2020	0.60%	\$2,234.66	\$4,190,000.00
Escrow Pension	Edgar Lomax					\$21,981,235.00
Escrow Pension	Vanguard Fixed					\$41,394,208.00
Escrow Pension	Earnest Partners					\$24,205,636.00
Escrow Pension	Wilmington Trust					\$40,551,131.00
Escrow Pension	Vanguard Stock Index					\$36,261,600.00
Escrow Pension	Artisan Global					\$8,068,123.00
Escrow Pension	Dodge & Cox					\$10,746,388.00
Escrow Pension	Fidelity					\$10,024,283.00
Escrow Pension	Harding Loevner					\$8,846,437.00
Escrow Pension	MFS Management					\$23,441,611.00
Escrow Pension	Clarion Lyon					\$9,806,396.00
Escrow Pension	Money Market					\$316,049.00
Escrow Pension	Morgan Stanley					\$6,157,618.00
SUB-TOTAL:						\$245,990,715.00
OTHER:						
Deferred Comp.	MassMutual					\$44,410,660.00
Contractual Requirements	WSFS	CD	7/1/2020	1.45%	\$20,638.07	\$3,049,961.78
Port Debt	WSFS	CD	7/15/2020	1.40%	\$11,537.20	\$1,978,890.00
Total Investments						\$396,803,921.28
Total Cash on Hand						\$12,021,869.08
Grand Total						\$408,825,790.36

¹ Budget Reserve


Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

Upon a motion of Council Member Freel, seconded by Council Members Dixon and McCoy, the following non-legislative resolutions were accepted into the record and motion prevailed:

Harlee	Recognize Mary “Jean” Avery
Harlee	Recognize Raye Jones Avery
Oliver	Sympathy Roxanne Hickerson
Turner	Recognize Ber’Nyah Mayo
Turner	Recognize Dr. James Newton
Shabazz	Recognize Black Maternal Health Week
Shabazz	Sympathy Mercedes Fields
Shabazz	Sympathy Deacon Johnny B. Wilson, Sr.

President Shabazz announced the names of those individuals who would have been in-person recognition.

LEGISLATIVE BUSINESS

Council Members Gray and Congo did not have any legislation this evening.

On behalf of President Shabazz, Council Member Oliver presented Ordinance No. 20-006 (Agenda #4762) entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE
CITY CODE REGARDING BED BUG EXTERMINATION
AND TREATMENT

Council Member Oliver presented **Substitute No. 2** in lieu of that Ordinance:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE
CITY CODE REGARDING BED BUG EXTERMINATION
AND TREATMENT

FISCAL IMPACT STATEMENT: The projected fiscal impact of this Ordinance is a nominal increase relevant to the development and availability of the bed bugs educational brochure.

POLICY STATEMENT: The resurgence of bed bugs has created significant concern in the pest management industry and in society overall. The spread of bed bug infestations is a burden on the resources of Wilmington residents, property owners and health and social services providers in both the public and private sectors. In a time of fiscal austerity, cities should choose strategies that are both cost-efficient and highly effective.

Smart, dedicated action can prevent the spread of bed bugs, thereby saving money and preventing waste in the long term. Municipalities across the county are creating and/or strengthening legislation on this issue. Examples of such proactive local jurisdictions include Philadelphia, Chicago, Jersey City, San Francisco, New York City, Boston, Cincinnati and Detroit. The goal of these regulations is not to overburden landlords, but to raise the bar and ensure to the extent possible that landlords are responsible stewards of their properties, working with the municipality to ensure safe, clean and healthy neighborhoods.

Upon a motion of Council Member Oliver, seconded by Council Member Freel, the Substitute Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Substitute Ordinance. Members of Council made comments.

At this time, President Shabazz opened up the floor for public comment.

Public Comment Speaker:

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Members of Council made additional comments.

Upon a motion of Council Member Congo, seconded by Council Member Turner, to **“Refer” Substitute Ordinance back to Health, Aging & Disabilities Committee**, was Adopted by “Raise of Hand” by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Turner, McCoy, Dixon and Guy. Total, six. Nays, Council Members Oliver, Johnson, Freel and Adams, and Council President Shabazz. Total, five. Absent, Council Members Harlee and Walsh. Total, two. Motion prevailed.

Note: No further action was taken on the above-referenced Substitute Ordinance as motion prevailed to referred to Health, Aging & Disabilities Committee.

Council Members Turner did not have any legislation to present this evening.

Council Member McCoy presented Resolution No. 20-019 (Agenda #4792) as follows:

WHEREAS, The American Diabetes Association reports that more than 30 million Americans have diabetes, and 7.4 million of those adults use one or more formulations of insulin; and

WHEREAS, Insulin costs for diabetes patients in the United States almost tripled between 2002 and 2013 and increased by 15% to 17% from 2013 to 2016 according to the University of Southern California’s Schaeffer Center, one of the nation's premier policy centers. PolicyMap and the Center for Disease Control report that

Delaware residents with diabetes pay an average of \$160 for out of pocket cost on prescription medications; and

WHEREAS, a 2018 study done by the Delaware Department of Health and Social Services indicated that 24% of Delaware adults currently have or at serious risk of developing diabetes. PolicyMap and the Center for Disease Control reports that in 2017, 12.4% of Wilmington residents have diabetes; and

WHEREAS, On January 30, 2020 the Delaware House of Representatives passed House Bill 263 which requires individual, group, and State insurance plans to cap the amount the employee must pay for insulin prescriptions at \$100 a month. In addition, House Bill 263 requires insurance plans to include at least 1 formulation of insulin on the lowest tier of the drug formulary developed and maintained by the carrier; and

WHEREAS, House Bill 263 is sponsored by Senator Brown and Representative Dorsey Walker, who both represent the City of Wilmington. House Bill 263 is also co-sponsored by Representative Chukwuocha, Representative Bolden, Representative Brady, Representative Cooke and Senator McDowell and Senator Lockman, who all represent the City of Wilmington; and

WHEREAS, House Bill 263 is currently awaiting consideration in the Senate Health & Social Services Committee and has been since February 28, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council supports House Bill 263 and strongly encourages the Senate Health & Social Services Committee to bring House Bill 263 into consideration and ultimately pass this important piece of legislation. House Bill 263 will provide a highly beneficial service to residents throughout Delaware and in the City of Wilmington to reduce the cost of insulin, a vital medication for those managing diabetes. House Bill 263 is important to improve the health and wellbeing of Wilmington and Delaware residents living with diabetes.

Upon a motion of Council Member McCoy, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member McCoy spoke on the purpose of the Resolution and made comments.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Oliver, Harlee and Walsh. Total, three.

President Shabazz declared the Resolution adopted.

Council Members Johnson, Freel and Adams did not have any legislation this evening.

Council Member Dixon presented Resolution No. 20-020 (Agenda #4793) as follows:

WHEREAS, federal law forbids discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, and any other term or condition of employment; and

WHEREAS, “discrimination” refers to the treatment or consideration of, or making a distinction in favor of or against, a person or thing based on the group, class, or category to which that person or thing belongs rather than on individual merit. It could also be defined in the context of civil rights law, as the unfair or unequal treatment of an individual (or group) based on certain characteristics; and

WHEREAS, in 2019, The Creating a Respectful and Open World for Natural Hair (CROWN) Coalition conducted a 2019 study surveying 2,000 working women aged 25 – 64, who are employed in an office setting, or had been employed in a corporate office within the last six months. The findings of this study revealed that African American women are 80 percent more likely to change their natural hair to conform to social norms or expectations at work, and that African-American women's hair is approximately three times more likely to be perceived as unprofessional in the workplace; and

WHEREAS, first introduced in California in January 2019, the CROWN Act expanded the definition of race in the Fair Employment and Housing Act (FEHA) and Education Code, to ensure protection in workplaces and in K-12 public and charter schools. The inaugural CROWN Act was signed into law by Governor Newsom in California on July 3rd and went into effect January 1, 2020; and

WHEREAS, New Jersey became the third state to the enact the CROWN Act as Governor Phil Murphy signed the CROWN Act into law on December 19th, the one-year anniversary of the wrestling match where New Jersey high school wrestler Andrew Johnson's locs were forcibly cut off; and

WHEREAS, on December 5th, Senator Cory Booker (D-NJ) and Congressman Cedric Richmond (D-LA) introduced The CROWN Act of 2019 in both chambers of U.S. Congress paving the way for federal protections; and

WHEREAS, the CROWN Act made clear that discrimination based on natural and protective hairstyles associated with people of African descent, including hair that is tightly coiled or tightly curled, locs, cornrows, twists, braids, Bantu knots, and Afros, is a prohibited form of racial or national origin discrimination; and

WHEREAS, Delaware is among more than 23 states who are considering the CROWN Act and have either pre-filed, filed or formally stated an intent to introduce their own anti-hair discrimination bills; and

WHEREAS, over 60% of the population of citizenry of the City of Wilmington are people of color, who may be positively impacted by the State’s recognition of the micro-aggressive nature of hair discrimination in workplaces, schools and wherever other forms of discrimination may also negatively, unfairly and unlawfully impact the lives of Delawareans.

THE COUNCIL OF THE CITY OF WILMINGTON HEREBY RESOLVES to strongly encourage and support the passing of Senate Bill 192, wherein definitions of “race” and “protective style” are expanded, and makes clear that race also includes traits historically associated with race, including hair texture, including protective styles such as braids, locs and twists. It is the belief that passing Senate Bill 192 will have direct positive effect on the Citizenry of the City of Wilmington.

Upon a motion of Council Member Dixon, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Dixon spoke on the purpose of the Resolution and made comments.

At this time, President Shabazz opened up the floor for public comment and nobody desired the privilege of the floor.

President Shabazz requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Turner, McCoy, Johnson, Freel, Adams, Dixon and Guy, and Council President Shabazz. Total, ten. Nays, none. Absent, Council Members Oliver, Harlee and Walsh. Total, three.

President Shabazz declared the Resolution adopted.

Council Member Guy did not have any legislation this evening.

PETITIONS AND COMMUNICATIONS

Council President and Council Members spoke on the following: COVID-19 and encouraged everyone to adhere to the orders implemented by Governor Carney of social distancing/shelter in place, to stay healthy and be safe (only those essential personnel should be out); residents were encouraged to visit the State’s site to access resources information impacted by COVID-19; if available, residents were encouraged to utilize Telemedicine; announcement of upcoming budget hearings; resources for businesses (visit Small Business Administration website); organizations as well as those essential individuals were thanked for being out there still doing the work during these difficult times; internet access program for employees and working remotely; Council was thanked for their efforts in keeping citizens informed; Social Services; Stimulus Package; the need to have personal protective equipment; and including, but not limited to, April 1, 2020 Census Day (www.2020census.gov).

ADJOURNMENT

Upon a motion of Council Member Turner, seconded by Council Members Freel and Dixon, Council adjourned at 7:33 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk