

*Wilmington, Delaware
Louis L. Redding
City/County Building
June 18, 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, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen.

MINUTES

After reading a portion of the minutes of June 4, 2020, upon a motion of Council Member Congo, seconded by Council Members Freel and Walsh, it was moved they be accepted as written. Motion prevailed.

REPORT OF COMMITTEES

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. “Bud” Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to who was referred **Ordinance No. 20-022** entitled:

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

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freel, seconded by Council Member
Walsh, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to
who was referred **Ordinance No. 20-023** entitled:

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

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freel, seconded by Council Member Walsh, the Report was received, recorded and filed. Motion prevailed.

Note: Council Member Turner voted "no" for the above-referenced Committee Report due to the legislation not brought to the attention of the Public Works and Transportation Committee Chair. President Shabazz responded that the legislation was not referred to Public Works and Transportation Committee per his instruction of his committee only addressing COVID related matters at this time and therefore, the legislation was referred to Finance & Economic Development Committee.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to who was referred **Ordinance No. 20-024** entitled:

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

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freel, seconded by Council Member Walsh, the Report was received, recorded and filed. Motion prevailed.

Note: Council Member Turner voted "no" for the above-referenced Committee Report due to the legislation not brought to the attention of the Public Works and Transportation Committee Chair.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to
who was referred **Ordinance No. 20-025** entitled:

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 HYPOCHLORIDE

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freel, seconded by Council Member
Walsh, the Report was received, recorded and filed. Motion prevailed.

Note: Council Member Turner voted "no" for the above-referenced Committee Report due to the legislation not brought to the attention of the Public Works and Transportation Committee Chair. President Shabazz responded that the legislation was not referred to Public Works and Transportation Committee per his instruction of his committee only addressing COVID related matters at this time and therefore, the legislation was referred to Finance & Economic Development Committee.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freeland, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christopher C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to
who was referred **Ordinance No. 20-026** entitled:

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

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freeland, seconded by Council Member
Walsh, the Report was received, recorded and filed. Motion prevailed.

*Note: Council Member Turner stated the above-referenced Committee Report is another
legislation that was not brought to the attention of the Public Works and Transportation
Committee Chair. President Shabazz responded that the legislation was not referred to Public
Works and Transportation Committee per his instruction of his committee only addressing
COVID related matters at this time and therefore, the legislation was referred to Finance &
Economic Development Committee and was moving the business of the City along.*

Council Member Guy stated by virtual of this, that any piece of legislation can
be moved over to some other committee.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to
who was referred **Ordinance No. 20-027** entitled:

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

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freel, seconded by Council Member
Walsh, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Finance & Economic Development Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Charles M. "Bud" Freel, Chair	X		
Ciro Adams	X		
Linda M. Gray	X		
Christofer C. Johnson	X		
Zanthia Oliver	X		
Loretta Walsh	X		
Dr. Hanifa Shabazz, Ex-Officio	X		

President and Members of Council of
The City of Wilmington

June 1, 2020

Ladies and Gentlemen:

We, your Finance & Economic Development Committee by **Virtual** Meeting, to who was referred **Ordinance No. 20-029** entitled:

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

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Freel, seconded by Council Member Walsh, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

<u>Education, Youth & Families Committee Member</u>	<u>Present</u>	<u>Absent with Leave</u>	<u>Absent w/out Leave</u>
Michelle Harlee, Chair	x		
Linda M. Gray, Vice Chair		x	
Ernest "Trippi" Congo, II			x
Charles M. "Bud" Freel	x		
Yolanda McCoy	x		
Va'Shun "Vash" Turner			x
Dr. Hanifa Shabazz, Ex-Officio		x	

President and Members of Council of
The City of Wilmington

June 10, 2020

Ladies and Gentlemen:

We, your Education, Youth & Families Committee by **Virtual** meeting, to who was referred **Ordinance No. 20-030** entitled:

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

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

Respectfully submitted, Members of
Education, Youth & Families Committee

Upon a motion of Council Member Harlee, seconded by Council Member Walsh, the Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report as of June 18, 2020, was read into the record by City Clerk and upon a motion of Council Member Congo, seconded by Council Members Freel and Walsh, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 9 to Page 10.

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City of Wilmington Delaware

Velda Jones-Potter
City Treasurer

Louis L. Redding City/County Building
800 French Street
Wilmington, Delaware 19801-3537
(302) 576-2480
treasurer@wilmingtonde.gov



City of Wilmington Treasurer's Report as of June 18, 2020

Cash on Hand:

General Account*	M & T Bank	\$19,328,906.21
Central Deposit	M & T Bank	\$302,098.28
Payroll	M & T Bank	\$915,131.84
Total Petty Cash Accounts	M & T Bank	13,301.50
Grant-In-Aid	M & T Bank	\$152,196.30
Evidence/Found Currency Account	M & T Bank	\$1,046,570.32
Rent Withholding Escrow	M & T Bank	\$4,137.97
Capital Projects Account	M & T Bank	\$1.00
Cement Workers Escrow	WSFS Bank	\$33,681.03
Police Department Discretionary	M & T Bank	\$22,025.51
Pension Payroll Account	M & T Bank	\$157,862.81
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	\$208,404.44
Police Pension Account	M & T Bank	182,684.75
Fire Pension Account	M & T Bank	\$12,173.47
Worker's Comp 3rd Party Account	M & T Bank	\$13,168.12
Retiree Healthcare Account	M & T Bank	\$184,822.75
SubTotal		\$22,397,574.36
Total Cash on Hand		\$22,397,574.36

*Excludes \$8 Million Account Maintenance Reserve. Earns Interest (Overnight "Repo")

INVESTMENTS JUNE 18, 2020:

Fund	Institution	Invest. Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
POOLED:						
General ¹	TD	CD	6/18/2020	1.62%	\$95,625.00	\$17,000,000.00
SUB-TOTAL:						\$17,000,000.00
CAPITAL FUND:						
Capital ≤ 2015	TD	CD	7/9/2020	0.08%	\$849.45	\$7,645,036.68
Capital ≥ 2018	TD	CD	7/9/2020	0.08%	\$1,515.00	\$13,635,005.47
SUB-TOTAL:						\$21,280,042.15
INTERNAL SERVICE:						
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
SUB-TOTAL:						\$16,574,634.22
PENSION FUND:						
Non-Uniform 1990	TD	CD	5/28/2020	0.25%	\$889.58	\$4,270,000.00
Fire Pension	TD	CD	5/28/2020	0.25%	\$578.13	\$2,775,000.00
Escrow Pension	Edgar Lomax					\$20,318,460.00
Escrow Pension	Vanguard Fixed					\$34,080,109.00
Escrow Pension	Earnest Partners					\$22,538,328.00
Escrow Pension	Wilmington Trust					\$40,821,914.00
Escrow Pension	Vanguard Stock Index					\$38,867,281.00
Escrow Pension	Artisan Global					\$8,183,122.00
Escrow Pension	Dodge & Cox					\$9,403,089.00
Escrow Pension	Fidelity					\$10,638,792.00
Escrow Pension	Harding Loevner					\$8,871,120.00
Escrow Pension	MFS Management					\$24,085,868.00
Escrow Pension	Clarion Lyon					\$9,851,965.00
Escrow Pension	Money Market					\$501,343.00
Escrow Pension	Morgan Stanley					\$7,019,889.00
Retiree Medical Escrow	Vanguard-OPEB					\$23,809,663.00
SUB-TOTAL:						\$266,035,943.00
OTHER:						
Deferred Comp.	MassMutual					\$49,283,340.39
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						\$375,202,811.54
Total Cash on Hand						\$22,397,574.36
Grand Total						\$397,600,385.90

¹ Budget Reserve


Velda Jones-Potter, City Treasurer

NON-LEGISLATIVE BUSINESS

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

All Council	Recognize 2020 Kappa Achievers Scholarship Awards Ceremony
All Council	Recognize Delaware Juneteenth Association 26 th Anniversary
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

LEGISLATIVE BUSINESS

Council Member Gray did not have any legislation to present this evening.

Council Member Congo presented Resolution No. 20-030 (Agenda #4818) as follows:

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

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.

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

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-022 (Agenda #4802) entitled:

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

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).

Upon a motion of Council Member Oliver, seconded by Council Member Walsh, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance. Council Member Turner made comments and President Shabazz responded to his comments. Council Member Guy made comments and President Shabazz responded to his comments.

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

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Members Congo, Turner and Guy. Total, three.

President Shabazz declared the Ordinance adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-023 (Agenda #4803) entitled:

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

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).

Upon a motion of Council Member Oliver, seconded by Council Member Walsh, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance.

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

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Members Congo, Turner and Guy. Total, three.

President Shabazz declared the Ordinance adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-024 (Agenda #4804) entitled:

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

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).

Upon a motion of Council Member Oliver, seconded by Council Members Walsh and Freel, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance. Several members of Council as well as President Shabazz made comments. Council Member Guy requested a ruling by the parliamentarian on what the Council Rules states on the referral of ordinances to committees. A point of order was made by Council Member Walsh and President Shabazz responded. Additional comments made by members of Council.

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

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Members Congo, Turner and Guy. Total, three.

President Shabazz declared the Ordinance adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-025 (Agenda #4805) entitled:

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

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).

Upon a motion of Council Member Oliver, seconded by Council Member Walsh, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance.

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

Council Member Turner made comments.

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Members Congo, Turner and Guy. Total, three.

President Shabazz declared the Ordinance adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-026 (Agenda #4806) entitled:

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

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).

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

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

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Members Congo, Turner and Guy. Total, three.

President Shabazz declared the Ordinance adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-027 (Agenda #4807) entitled:

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

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

Upon a motion of Council Member Oliver, seconded by Council Member Freel, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance. Several members of Council made comments and raised questions. Council Member Turner made a point of order and made comments. Council Member Oliver responded and asked if Commissioner Kelly can respond to questions. President Shabazz gave the privilege of the floor to Commissioner of Public Works Kelly Williams to respond to questions raised. Several members of Council made comments.

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

Additional comments made by members of Council. Council Member Congo raised a question and President Shabazz, Council Member Freel and Commissioner Williams responded. Council Member Turner raised a question and Commissioner Williams responded. Council Members Turner and Harlee made additional comments. Council Member Oliver made closing comments. Council Member Turner made a point of order.

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, ten. Nays, Council Members Congo, Turner and Guy. Total, three.

President Shabazz declared the Ordinance adopted.

Council Member Oliver presented and called for the third and final reading Ordinance No. 20-030 (Agenda #4815) entitled:

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

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

Upon a motion of Council Member Oliver, seconded by Council Member Walsh, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Ordinance.

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

President Shabazz requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Ordinance adopted.

Council Member Harlee presented Resolution No. 20-031 (Agenda #4819) as follows:

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.

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.

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

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-032 (Agenda #4820) as follows:

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 Recreation's 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.

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.

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

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-033 (Agenda #4821) as follows:

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.

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

Upon a motion of Council Member Harlee, seconded by Council Members Freel and Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution. Council Member Gray raised questions and Council Member Harlee responded. Council Members Gray and Harlee made comments and Council Member Oliver responded to Council Member's Gray question.

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-034 (Agenda #4822) as follows:

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.

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

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

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-035 (Agenda #4823) as follows:

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.

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

Upon a motion of Council Member Harlee, seconded by Council Member Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution.

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

Council Member McCoy raised a question and Council Member Harlee responded.

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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-036 (Agenda #4824) as follows:

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.

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

Upon a motion of Council Member Harlee, seconded by Council Member Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution.

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-037 (Agenda #4825) as follows:

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 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, 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.

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

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

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freil, Adams, Guy and Walsh, and Council President Shabazz. Total, twelve. Present, Council Member Dixon. total, one. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-038 (Agenda #4826) as follows:

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

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

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.

Upon a motion of Council Member Harlee, seconded by Council Member Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution and made comments. Council Members Gray, Dixon and Oliver, and President Shabazz requested to be added as a co-sponsor. Council Member Harlee made additional comments.

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-039 (Agenda #4827) as follows:

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

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

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.

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

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

Council Member Turner made comments and requested to be added as a co-sponsor. Council Member Adams made comments. Council Member Harlee made closing comments.

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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Harlee presented Resolution No. 20-040 (Agenda #4828) as follows:

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.

Upon a motion of Council Member Harlee, seconded by Council Member Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Harlee spoke on the purpose of the Resolution. Council Member Johnson requested to be added as co-sponsor and made comments. President Shabazz requested to be added as co-sponsor.

At this time, President Shabazz opened up the floor for public comments 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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member Turner presented Resolution No. 20-041 (Agenda #4829) as follows:

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

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

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.

Upon a motion of Council Member Turner, seconded by Council Members Walsh and Freel, the Resolution was before the Council for its consideration. Motion

prevailed. Council Member Turner spoke on the purpose of the Resolution and made comments.

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

Public Comment Speaker:

- Renata Kowalczyk (Wilmington Alliance)

Council Member Harlee requested to be added as a co-sponsor and made comments. President Shabazz requested to be added as a co-sponsor and made comments. Council Member Turner made closing comments.

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, Oliver, Harlee, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and Council President Shabazz. Total, thirteen. Nays, none.

President Shabazz declared the Resolution adopted.

Council Member McCoy did not have any legislation to present this evening.

Council Member Johnson presented Resolution No. 20-042 (Agenda #4830) as follows:

WHEREAS, the killing of Minnesota resident George Floyd on May 25, 2020 was not an isolated incidence, but highlighted a legacy of Black death caused by racism in the United States of America; and

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

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.

Upon a motion of Council Member Johnson, seconded by Council Members Walsh and Freel, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution and made comments. Several members of Council made comments. Council Members Johnson and Guy made point of order during comments made and President Shabazz responded. Several members of Council made additional comments. Council Members Johnson, Guy and Turner made point of orders during the comments made.

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

Public Comment Speakers:

- Erin Goldner (experienced technical difficulties)
- Coby Owens

Council Member Harlee and President Shabazz made comments and Council Member Guy made a point of order. Several members of Council made comments and Council Member Oliver requested to be added as a co-sponsor. Council Members Guy, Dixon and Turner made comments.

At this time, President Shabazz opened up the floor once again to provide the opportunity to Ms. Erin Goldner to speak as she previously experienced technical difficulties during public comments. Council Member Johnson made closing comments.

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 Oliver, Harlee, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and Council President Shabazz. Total, nine. Nays, Council Members Gray, Congo, Turner and Guy. Total, four.

President Shabazz declared the Resolution adopted.

Council Member Johnson presented Resolution No. 20-043 (Agenda #4831) as follows:

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 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, 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.

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

Council Member Gray moved to make an amendment to have the white book available online by September 1, 2020, however, the motion failed due to a lack of a second.

Council Member Oliver requested to be added as a co-sponsor. Council Member Dixon made comments and raised a question. Council Member Johnson responded. Council Member Guy made comments.

At this time, President Shabazz opened up the floor for public comments 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 Oliver, Harlee, McCoy, Johnson, Freel, Adams and Walsh, and Council President Shabazz. Total, eight. Nays, Council Members Gray, Congo, Dixon and Guy. Total, four. Absent, Council Member Turner. Total, one.

President Shabazz declared the Resolution adopted.

Council Member Johnson presented and called for the first and second reading Ordinance No. 20-032 (Agenda #4832) entitled:

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

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Johnson, seconded by Council Member Freel, was received, recorded and referred to the Public Safety Committee. Motion prevailed.

Council Member Johnson **held** Agenda #4833.

On behalf of President Shabazz, Council Member Johnson presented Resolution No. 20-044 (Agenda #4835) as follows:

WHEREAS, the Delaware Legislative Black Caucus, heretofore referred to as the DLBC, announced and outlined on 10 June 2020 a "Justice for All" initiative intended to negate police brutality and enact racial justice in the State of Delaware; and

WHEREAS, this initiative includes eight primary goals, outlined as follows by Delaware State News:

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.

Upon a motion of Council Member Johnson, seconded by Council Members Freel and Walsh, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution and made comments. President Shabazz made comments. Council Member Gray made comments. Council Member Guy made comments and made a motion to amend the Resolution.

Upon a motion of Council Member Guy, seconded by Council Member Congo, to amend the Resolution as follows: Whereas, Wilmington City Council intends to pass an ordinance authorizing body cameras and intends to pass an ordinance dealing with the chokehold.

“On the Question”

Comments were made by several members of Council and President Shabazz. Council Member Gray requested the motion be restated. Council Member Guy requested the Clerk to restate the motion. President Shabazz asked the Clerk did she make note of the motion?

The Clerk stated that Council Member Guy needs to repeat the motion and specify where in the legislation he’s adding the amendment.

Council Member Guy stated the amendment to be a new Whereas clause at the end of all other whereas clauses as follows: *Whereas, that Wilmington City Council is doing all it can to get body cameras for Wilmington residents and Wilmington City Council is doing all it can to legislatively ban chokeholds.*

President Shabazz stated a motion was needed as Council Member Guy's amendment is different from the first one. Council Member Guy responded it was the same one. Council Member Gray seconded it.

The Clerk was requested to read back the amendment as follows: *Whereas, that Wilmington City Council is doing all it can to get body camera for Wilmington residents and Wilmington City Council is doing all it can to legislatively ban chokeholds.*

Council Member Guy added the words "*in Wilmington*" at the end of the sentence after the word chokeholds and Council Member Gray seconded it.

Council Member Walsh raised a question and President Shabazz responded and the Clerk responded to correct what was stated. Council Member Oliver raised a question and President Shabazz responded.

President Shabazz requested the Clerk to call the **Roll on the Amendment** as follows: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Adams, Dixon and Guy. Total, nine. Nays, Council Member Johnson, Freel and Walsh, and President Shabazz. Total, four.

President Shabazz declared the **Floor Amendment PASSED.**

Council Member Turner raised a question for clarity and President Shabazz responded. Council Member Turner made comments. President Shabazz made comments. Council Member Turner made additional comments. President Shabazz made additional comments and informed Council Member Turner he was out of order.

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

President Shabazz requested the Clerk call the roll.

The above-referenced Resolution, **As Amended**, was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Congo, Oliver, Harlee, Turner, McCoy, Freel, Adams, Dixon and Guy. Total, ten. Nays, Council Members Johnson and Walsh, and President Shabazz. Total, three.

President Shabazz declared the amended Resolution adopted.

Council Member Freel did not have any legislation to present this evening.

Council Member Adams presented and called for the third and final reading Ordinance No. 20-029 (Agenda #4809) entitled:

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

Council Member Adams presented a **Substitute** in lieu of the Ordinance:

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

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

Upon a motion of Council Member Adams, seconded by Council Member Freel, the Substitute Ordinance was before the Council for its consideration. Motion prevailed. Council Member Adams spoke on the purpose of the Substitute Ordinance and made comments. Council Member Gray made comments and raised a question. Council Member Adams responded. Council Member Gray raised a question for clarity and Council Member Adams responded. Council Members Guy, Johnson and Oliver made comments.

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

Upon a motion of Council Member Turner, seconded by Council Member Gray, to amend the Substitute Ordinance as follows: On Page 2, Section 1 after the words, is hereby approved, strike the words, the Mayor or his designee and insert "*City Council*". In same Section 1 after the word "option", add the words "*by vote*".

"On the Question"

Council Member Walsh made comments. Council Members Gray and Turner made a point of order and President Shabazz responded. Council Members Adams and Gray made comments. While Council Member Oliver requested to be added as co-sponsor, President Shabazz indicated that Council was "On the Question" on the amendment and the request was not noted. President Shabazz asked the Parliamentarian on the legality of the amendment. Council Member Guy made a point of order and President Shabazz responded.

For clarity, President Shabazz is asking for clarification of information from the Parliamentarian and not a legal opinion before moving forward. President Shabazz requested the Clerk to clarify where the amendment was made, and the Clerk repeated the amendment as noted above. Council Member Turner made comments. Council Members Guy, Adams and Johnson made comments.

President Shabazz requested the Clerk to call the **Roll on the Amendment** as follows: Yeas, Council Members Gray, Congo, Turner and Guy. Total, four. Nays, Council

Members Oliver, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and President Shabazz. Total, eight. Absent, Council Member Harlee. Total, one.

President Shabazz declared the **Floor Amendment DEFEATED**.

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

Public Comment Speaker:

- Erin Goldner

President Shabazz requested the Clerk to call the roll.

The above-referenced **Substitute** Ordinance was read for the third and final time and was adopted by title and section recurring to Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members Gray, Oliver, McCoy, Johnson, Freel, Adams, Dixon and Walsh, and President Shabazz. Total, nine. Nays, Council Members Congo, Turner and Guy. Total, three. Absent, Council Member Harlee. Total, one.

President Shabazz declared the Substitute Ordinance adopted.

Council Member Dixon presented Resolution No. 20-045 (Agenda #4834) as follows:

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.

Upon a motion of Council Member Dixon, seconded by Council Member Freel, the Resolution was before 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 comments 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, Oliver, Turner, McCoy, Johnson, Freel, Adams, Dixon, Guy and Walsh, and President Shabazz. Total, twelve. Nays, none. Absent, Council Member Harlee. Total, one.

President Shabazz declared the Resolution adopted.

Council Members Guy and Walsh did not have any legislation to present this evening.

PETITIONS AND COMMUNICATIONS

There were no petitions and communication presented this evening.

ADJOURNMENT

Upon a motion of Council Member Freel, seconded by Council Member Walsh, Council adjourned at 10:25 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk