

*Wilmington City Council
Wilmington, Delaware
May 5, 2022*

“Youth in City Government Day”

City Council met in regular session virtually with remote participation on the above date at 6:30 p.m., President Ernest M. Congo, II presiding.

The opening prayer was done by Akira Grenardo, Deputy City 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, Darby, Harlee*, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, ten. Absent with leave, Council Members Oliver, Mills and Walsh. Total, three.

MINUTES

After reading a portion of the minutes of April 21, 2022, upon a motion of Council Member Cabrera, seconded by Council Member Spadola, it was moved they be accepted as written. Motion prevailed.

TREASURER’S REPORT

The following Treasurer’s Report for May 5, 2022, was read into the record by City Clerk and upon a motion of Council Member Cabrera, seconded by Council Member B. Fields, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer’s Report is included herein as an insert from Page 2 to Page 3.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report May 05, 2022

Cash - Ledger Balance (as of 05/04/2022):

General	M & T Bank	\$ 8,226,035.00
Payroll	M & T Bank	\$ 1,527,071.57
Law Department Court Costs	M & T Bank	\$ 4,652.07
Total Petty Cash	M & T Bank	\$ 6,323.59
Police - Evidence Found (Currency)	M & T Bank	\$ 1,213,581.47
Police & Fire Remembrance	M & T Bank	\$ 9,444.49
Police Department Discretionary	M & T Bank	\$ 30,573.65
Rent Withholding Escrow	M & T Bank	\$ 4,137.97
Grant-in-Aid	M & T Bank	\$ 112,760.87
Community Development Block Grant	M & T Bank	\$ 1.00
Capital Projects	M & T Bank	\$ 1.00
Total Cash on Hand		\$ 11,134,582.68

Cash Equivalents & Investments (as of 05/04/2022):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	0.01%	\$ 5.32	\$ 19,150,295.87
General	TD	ARPA funds*	13	0.08%	\$ 702.62	\$ 24,321,337.46
General	TD	High Yield Checking	13	0.08%	\$ 260.62	\$ 9,021,460.97
General	TD	High Yield Checking	13	0.08%	\$ 144.63	\$ 5,006,285.79
General	TD	High Yield Checking	13	0.10%	\$ 1,126.56	\$ 31,197,009.54
SUB-TOTAL:						\$ 88,696,389.63
RESERVE:						
General ¹	TD	High Yield Checking	13	0.08%	\$ 499.00	\$ 17,273,229.00
SUB-TOTAL						\$ 17,273,229.00
RESTRICTED:						
Capital Project	TD	High Yield Checking	13	0.08%	\$ 71.12	\$ 2,461,872.57
Capital Project	TD	High Yield Checking	13	0.08%	\$ 141.89	\$ 4,911,490.46
Capital Project	TD	High Yield Checking	13	0.08%	\$ 893.55	\$ 30,930,733.61
Water/Sewer	TD	High Yield Checking	13	0.08%	\$ 95.93	\$ 3,320,603.95
State Bonds Proceeds	TD	High Yield Checking	13	0.08%	\$ 182.03	\$ 6,301,106.53
Wilmington Parking	TD	High Yield Checking**	4	0.08%	\$ 0.006	\$ 618.88
SUB-TOTAL						\$ 47,926,426.00
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	7/23/2022	0.50%	\$ 196.19	\$ 25,871.46
Total Investments						\$ 153,921,916.09
Total Cash on Hand						\$ 11,134,582.68
Grand Total						\$ 165,056,498.77

¹ Budget Reserve

*Restricted use, Per ARPA US Treasury Guidelines

**Wilmington Parking Garage Relief project complete. Account closed effective 05.03.2022.

DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

LOUIS L. REDDING CITY/COUNTY BUILDING • 800 FRENCH STREET • WILMINGTON, DELAWARE • 19801-3537

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City of Wilmington



Treasurer's Report - Pensions
May 5, 2022

DaWayne Sims
 City Treasurer

Cash - Ledger Balance (as of 05/04/2022):

Pension Payroll	M & T Bank	\$	121,968.01
Retiree Healthcare	M & T Bank	\$	1,400,755.31
Police Pension	M & T Bank	\$	1,000.00
Fire Pension	M & T Bank	\$	3,691,925.61
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	19,315.62
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
Total Cash on Hand		\$	5,237,557.36

Cash Equivalents (as of 05/04/2022) & Investments (Market Value as of April 29, 2022)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Pension Plan III	WSFS	CD	5/25/2022	0.01%	\$ 3.68	\$ 448,079.48
SUB-TOTAL:						\$ 448,079.48
RESERVE:						
Pension Trust	Rhumblin 3000					\$ 48,312,449.00
Pension Trust	Fidelity Market Index					\$ 4,523,292.00
Pension Trust	Edgar Lomax					\$ 19,076,777.00
Pension Trust	Rhumblin 1000					\$ 15,203,314.00
Pension Trust	Earnest Partners					\$ 16,746,261.00
Pension Trust	Dodge & Cox					\$ 14,953,032.00
Pension Trust	AB Global Core					\$ 13,197,417.00
Pension Trust	Artisan Global					\$ 11,999,044.00
Pension Trust	MFS Low Global					\$ 13,984,544.00
Pension Trust	Hartford Schroder					\$ 2,601,204.00
Pension Trust	Fidelity Total Intl. Index					\$ 5,373,607.00
Pension Trust	Harding Loevner					\$ 1,289,435.00
Pension Trust	Wellington Emerging					\$ 3,658,465.00
Pension Trust	Clarion Lion					\$ 16,088,836.00
Pension Trust	Morgan Stanley					\$ 11,795,668.00
Pension Trust	LM Capital Core					\$ 36,110,297.00
Pension Trust	Rhumblin Core					\$ 34,626,315.00
Pension Trust	Fidelity Bond Index					\$ 6,891,474.00
Pension Trust	Money Market					\$ 1,146,060.00
Pension Trust	Vanguard-OPEB					\$ 28,990,453.00
SUB-TOTAL						\$ 306,567,944.00
Total Investments						\$ 307,016,023.48
Total Cash on Hand						\$ 5,237,557.36
Grand Total						\$ 312,253,580.84

Total Funds under Treasury Management:

Total Investments						\$ 460,937,939.57
Total Cash on Hand						\$ 16,372,140.04
Grand Total¹						\$ 477,310,079.61

¹ Excludes non-City funds held in trust on behalf of City employees (Mass Mutual)

DaWayne Sims
 DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

All Council	Recognize Youth in Government Day Participants
All Council	Recognize Maribel Seijo (Municipal Clerks Week)
Cabrera	Recognize Melissa Morris
Cabrera	Sympathy Lillian Lowery
Cabrera	Recognize The Imagination Library (Dolly Parton)
Congo	Recognize Housing Opportunities of Northern Delaware (HOND, Inc.)
Gray	Sympathy Ruth Siegel
McCoy	Recognize Tennis in the Streets
Walsh	Recognize Dr. Joan Coker

**Note: During this time, Council Member Harlee was recognized and marked present, and reflected in the minutes herein (Roll Call).*

The following students participated in the “2022 Youth in City Government Day”:

- Kyref French, President of City Council
- Ethan Clark, 1st District
- Andrew Thomas, 2nd District
- Desiree Harris, 3rd District
- Samoya McIntosh, 4th District
- Omaris Ortega, 5th District
- Samoni Roy, 6th District
- Jeffery Delgado, 7th District
- Jeremyah Plummer, 8th District
- Niara Gordy, At-Large A
- Azul Martinez-Bravo, At-Large B
- Avion Austin, At-Large C
- Maya Pinto, At-Large D
- Cordai Turner, Mayor
- Jared Guterrez-Lopez, Treasurer
- Mollie Miller, Chief of Staff (Mayor’s Office)
- Asiatu Jah, City Auditor
- Nalani McCain, City Solicitor
- Anthony Natoli, Director of Parks & Recreation
- Gabe Sutton, Deputy Director of Parks & Recreation
- Brielle Norman, Commissioner of Licenses & Inspections
- Dailena Sutton, Director of Finance

- Kario Barnes, Director of Human Resources
- Cameron Webb, Chief of Fire
- Avery Wells, Chief of Police
- Anyilah Randolph, Director of Real Estate & Housing
- Pedro Mendez-Medina, City Clerk
- Ciana Malin Johnson, Director of Integrated Technologies
- Jessica Ortega, Director of Constituent Services
- Camila Mendoza, Director of Risk Management
- Sarah Everett, Director of Cultural Affairs
- Samina Abdul-Qawi, Director of Planning

Although students participated in the Program throughout the course of the day, not all students participated during the actual City Council meeting. This year, members of Wilmington City Council participated with students during in-person events throughout the day and virtually during tonight’s City Council meeting. In addition, several of the students participated in the reading of the non-official legislative resolution that they created.

**Note: Council Member Harlee was excused for the remainder of the meeting.*

PUBLIC COMMENTS

There were no public comments this evening.

LEGISLATIVE BUSINESS

Council Members Gray and Darby did not have any legislation to present this evening.

On behalf of Council Member Oliver, Council Member B. Fields presented Resolution No. 22-019 (Agenda #0166) as follows:

WHEREAS, City Charter Section 5-404 provides that the Department of Public Works “may enter into contracts for supplying the services of city water, sewer, and sewage disposal facilities to users outside the limits of the city” when authorized by City Council to do so; and

WHEREAS, the City of Wilmington (the “City”) owns, operates, and maintains a major wastewater treatment system, including the Wilmington Wastewater Treatment Plant and the Renewable Energy Biosolids Facility (collectively known as the “System”), and for decades has received and treated wastewater from adjacent areas of New Castle County (the “County”); and

WHEREAS, throughout the years, the City and County have entered into agreements pertaining to the City’s management and expansion of the System, the County’s payment for services received therefrom, and the County’s share of capital costs (the “Sewer Agreements”); and

WHEREAS, the last Sewer Agreement was dated June 1, 2010 (the “2010 Sewer Agreement”) and covered the period of Fiscal Years 2008 through 2012; and

WHEREAS, after several contract extensions, the 2010 Sewer Agreement expired on November 30, 2014; and

WHEREAS, since the expiration of the 2010 Sewer Agreement, the City and the County engaged in discussions in an attempt to reach a new agreement; and

WHEREAS, failing to reach a new agreement, on March 19, 2019, the City filed for arbitration, and the County filed a counterclaim, in a matter captioned City of Wilmington v. New Castle County, AAA File No. 01-19-000-8779 (the “Arbitration”); and

WHEREAS, on November 5, 2021, the City and the County reached an agreement in principle to resolve all issues in the Arbitration; and

WHEREAS, the Agreement Between the City of Wilmington and New Castle County Concerning Wastewater Treatment, attached hereto and incorporated herein as Exhibit “A”, documents the aforementioned agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the “Agreement Between the City of Wilmington and New Castle County Concerning Wastewater Treatment”, a copy of which, in substantial form, is attached hereto as Exhibit “A”, is hereby approved, and the Mayor and the City Clerk, or their respective designees, are hereby authorized to execute as many copies of the Agreement, as well as to take all additional undertakings related thereto, as may be necessary.

Upon a motion of Council Member B. Fields, seconded by Council Members Cabrera and Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member B. Fields made comments. Council Member Darby raised a question. Council Member Johnson made comments. Council Member B. Fields responded. Council Member Darby raised an additional question and Council Member B. Fields responded.

President Congo requested the Clerk to call for 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, Darby, B. Fields, McCoy, Johnson, N. Field, Cabrera and Spadola, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Oliver, Harlee, Mills and Walsh. Total, four.

President Congo declared the Resolution **adopted**.

On behalf of Council Member Oliver, Council Member B. Fields presented and called for the first and second reading Ordinance No. 22-024 (Agenda #0167) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE
AN EXTENSION OF CONTRACT 20011PW (SEWER

MAINTENANCE) BETWEEN THE CITY OF
WILMINGTON AND BRANDYWINE
CONSTRUCTION COMPANY, INC.

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance is two (2) one-year contract extensions for the periods of July 1, 2022 through June 30, 2023 and July 1, 2023 through June 30, 2024, at the estimated price of One Million Three Hundred Thirty-Seven Thousand Eight Hundred Twenty-Nine Dollars and Fifty-Five Cents (\$1,337,829.55) for the first extension and One Million Three Hundred Sixty-Four Thousand Five Hundred Eighty-Six Dollars and Fourteen Cents (\$1,364,586.14) for the second extension.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member B. Fields, seconded by Council Member McCoy, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

On behalf of Council Member Oliver, Council Member B. Fields presented and called for the first and second reading Ordinance No. 22-025 (Agenda #0168) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE AN
ELECTRICITY PROCUREMENT CONTRACT STARTING
IN FISCAL YEAR 2023

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance cannot be precisely quantified because the pricing and length of the contract(s) will be determined immediately prior to execution of the contract(s). As a point of reference, the City has spent approximately Three Million Dollars (\$3,000,000.00) on the procurement of electricity in each of the last two fiscal years.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member B. Fields, seconded by Council Member McCoy, the Ordinance was received, recorded and referred to the Public Works & Transportation Committee. Motion prevailed.

Council Members McCoy, Johnson, N. Field, Cabrera and Spadola did not have any legislation to present this evening.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: Youth in Government Day; announcement of community events throughout the city; announcement of Finance & Economic Development Committee meeting; announcement of Community Development & Urban Planning Committee meeting; and including but

not limited to, everyone was reminded of COVID-19 and were encouraged to continue to get tested.

ADJOURNMENT

Upon a motion of Council Member B. Fields, seconded by Council Member Cabrera, Council adjourned at 7:48 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk