

*Wilmington City Council
Wilmington, Delaware
December 1, 2022*

City Council met in regular session 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 Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera*, Mills and Spadola*, and Council President Congo. Total, eleven.

***Note: After being administered the Oath of Office, Ms. Latisha Bracy was placed on the Roll (See Suspension of the Rules on page 7).*

MINUTES

After reading a portion of the minutes of November 17, 2022, upon a motion of Council Member Johnson, seconded by Council Member McCoy, it was moved they be accepted as written. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report for December 1, 2022 was read into the record by City Clerk and upon a motion of Council Member Johnson, seconded by Council Members B. Fields and McCoy, 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 4.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report December 01, 2022

Cash - Ledger Balance (as of 11/30/2022):

General	M & T Bank	\$ 8,129,197.00
Payroll	M & T Bank	\$ 1,240,609.91
Law Department Court Costs	M & T Bank	\$ 3,902.07
Total Petty Cash	M & T Bank	\$ 6,089.35
Police - Evidence Found (Currency)	M & T Bank	\$ 1,256,976.40
Police & Fire Remembrance	M & T Bank	\$ 9,444.49
Police Department Discretionary	M & T Bank	\$ 17,103.78
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		\$ 10,780,223.84

Cash Equivalents & Investments (as of 11/30/2022):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	0.01%	\$ 3.99	\$ 17,493,608.53
General	TD	ARPA funds*	1	2.35%	\$ 2,060.93	\$ 31,571,635.42
General	TD	High Yield Checking	1	2.35%	\$ 593.16	\$ 9,086,771.43
General	TD	High Yield Checking	1	2.35%	\$ 0.46	\$ 6,994.97
General	TD	High Yield Checking	1	2.35%	\$ 2,051.40	\$ 31,425,736.89
SUB-TOTAL:						\$ 89,584,747.24
RESERVE:						
General [†]	TD	High Yield Checking	1	2.35%	\$ 1,135.72	\$ 17,398,277.76
SUB-TOTAL						\$ 17,398,277.76
RESTRICTED:						
Capital Project	TD	High Yield Checking	1	2.35%	\$ 139.43	\$ 2,136,021.84
Capital Project	TD	High Yield Checking	1	2.35%	\$ 227.04	\$ 3,478,010.14
Capital Project	TD	High Yield Checking	1	2.35%	\$ 1,744.89	\$ 26,730,213.57
Water/Sewer	TD	High Yield Checking	1	2.35%	\$ 218.33	\$ 3,344,643.32
State Bonds Proceeds	TD	High Yield Checking	1	2.35%	\$ 996.63	\$ 15,267,545.08
SUB-TOTAL						\$ 50,956,433.95
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	1/23/2024	0.15%	\$ 59.18	\$ 25,871.46
General	TD	CD**	11/21/2022	3.37%	\$ 130,587.50	\$ 45,000,000.00
Total Investments						\$ 202,965,330.41
Total Cash on Hand						\$ 10,780,223.84
Grand Total						\$ 213,745,554.25

[†] Budget Reserve

*Restricted use. Per ARPA US Treasury Guidelines

** CD pending renewal. Interest rate negotiations with FIs.

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



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions I December 1, 2022

Cash - Ledger Balance (as of 11/30/2022):

Pension Payroll	M & T Bank	\$	25,963.14
Retiree Healthcare	M & T Bank	\$	774,906.36
Police Pension	M & T Bank	\$	398,637.90
Fire Pension	M & T Bank	\$	264,067.00
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	690,338.98
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		\$	2,156,506.19

Cash Equivalents (as of 11/30/2022) & Investments (Market Value as of November 25, 2022)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension	TD	CD	12/9/2022	3.31%	\$ 10,280.94	\$ 3,727,229.87
Police Pension	TD	CD	12/5/2022	2.75%	\$ 2,285.59	\$ 1,099,366.63
SUB-TOTAL:						\$ 4,826,596.50
RESERVE:						
Pension Trust	Rhumblin 3000					\$ 53,008,449.00
Pension Trust	Fidelity Market Index					\$ 4,161,728.00
Pension Trust	Edgar Lomax					\$ 17,192,719.00
Pension Trust	Rhumblin 1000					\$ 14,316,575.00
Pension Trust	Earnest Partners					\$ 17,259,102.00
Pension Trust	Dodge & Cox					\$ 14,898,971.00
Pension Trust	Artisan Global					\$ 11,505,876.00
Pension Trust	MFS Low Global					\$ 13,977,074.00
Pension Trust	Hartford Schroder					\$ 3,994,005.00
Pension Trust	Fidelity Total Intl. Index					\$ 13,276,928.00
Pension Trust	Harding Loevner					\$ 1,250,744.00

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

DaWayne Sims, City Treasurer

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II December 1, 2022

Investments (Market Value as of November 25, 2022)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Wellington Emerging					\$ 3,277,559.00
Pension Trust	Clarion Lion					\$ 16,596,849.00
Pension Trust	Morgan Stanley					\$ 11,405,429.00
Pension Trust	JP Morgan					\$ 13,319,190.00
Pension Trust	LM Capital Core					\$ 31,263,821.00
Pension Trust	Rhumblin Core					\$ 27,322,754.00
Pension Trust	Fidelity Bond Index					\$ 3,866,127.00
Pension Trust	Money Market					\$ 28,157,332.00
Pension Trust	Vanguard-OPEB					\$ 27,858,111.00
SUB-TOTAL						\$ 327,909,343.00
Total Investments						\$ 332,735,939.50
Total Cash on Hand						\$ 2,156,506.19
Grand Total						\$ 334,892,445.69

Total Funds under Treasury Management:

Total Investments						\$ 535,701,269.91
Total Cash on Hand						\$ 12,936,730.03
Grand Total¹						\$ 548,637,999.94

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

DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

All Council	Sympathy Council Member Linda M. Gray
All Council	Sympathy Wilmington Police Officer Sayer Rhys Evans
Oliver	Sympathy Tyrease Howard

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

PUBLIC COMMENTS

At this time, President Congo opened up the floor for public comments and the following individuals spoke:

- Deacon Earl Tate (in-person)
- Kevin Melloy (virtually)

LEGISLATIVE BUSINESS

President Congo stated he will be dispensing from calling each Council Members name.

On behalf of President Congo, Council Member McCoy presented Resolution No. 22-075 (Agenda #0252) as follows:

WHEREAS, Council Member Linda Gray passed away on November 14, 2022 that led to the First District Councilmanic position being vacated due to death while in office effective November 15, 2022, and Council President Congo acknowledged the vacated seat with the utmost deepest sympathy; and

WHEREAS, City Charter Section 2-101 and City Code Section 2-34 collectively provide that when a vacancy occurs in the office of City Council, that City Council shall certify that a vacancy exists by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that it is with deep regret and sympathy that, effective as of November 15, 2022, this Council certifies the vacated seat of the late Council Member Linda Gray, First District Council Member, due to untimely death.

BE IT FURTHER RESOLVED that City Council, as required by City Charter Section 2-101 and City Code Section 2-34, formally certifies that the First District Councilmanic position is vacant as of November 15, 2022 and it will be filled by the appointment of a duly qualified successor in accordance with City Charter Section 2-101 and City Code Section 2-34.

Upon a motion of Council Member McCoy, seconded by Council Members B. Fields and Oliver, the Resolution was before the Council for its consideration. Motion prevailed. Council Member McCoy spoke on the purpose of the Resolution.

President Congo requested the Clerk 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 Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills and Spadola, and Council President Congo. Total, eleven. Nays, none.

President Congo declared the Resolution **adopted**.

On behalf of President Congo, Council Member Oliver presented Resolution No. 22-076 (Agenda #0253) as follows:

WHEREAS, on October 20, 2022, the City Council, as required by Section 2-101 of the City Charter, formally declared that an At-Large Councilmanic position was vacant as of October 7, 2022, due to the late former Council Member Loretta Walsh's resignation; and

WHEREAS, pursuant to City Charter Section 2-101, when such a vacancy occurs between general elections, it is the duty of City Council to fill said vacancy with a member of the same political party; and

WHEREAS, pursuant to City Code Section 2-34, the Committee of the Whole of Wilmington City Council has recommended Latisha Bracy to fill the vacated At-Large Councilmanic seat.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council appoints Latisha Bracy, a duly registered member of the Democratic Party residing in the City of Wilmington, to fill the vacancy created by the late former At-Large Council Member Loretta Walsh.

Upon a motion of Council Member Oliver, seconded by Council Members McCoy and B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution.

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 Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills and Spadola, and Council President Congo. Total, eleven. Nays, none.

President Congo declared the Resolution **adopted**.

SUSPENSION OF THE RULES

Upon a motion of Council Member Cabrera, seconded by Council Members Johnson and B. Fields, Council suspended the rules for the purpose of swearing in Ms. Latisha Bracy pursuant to Resolution No. 22-076 to fill the At-Large vacancy. Motion prevailed.

The Oath of Office was administered Ms. Latisha Bracy by Judge Arlene Coppadge.

President Congo requested the Clerk to place newly appointed Council Member Latisha Bracy to the roll and it is reflected in the minutes herein (*Note: Roll Call***).

RETURN TO REGULAR ORDER OF BUSINESS

Upon a motion of Council Member Cabrera, seconded by Council Members McCoy and Oliver, Council returned to regular order of the business.

On behalf of President Congo, Council Member Harlee presented Resolution No. 22-077 (Agenda #0254) as follows:

WHEREAS, the members of the 108th Session of the Wilmington City Council have determined to articulate a strategic plan for legislative, policy, and financial decision-making. The ten goals enumerated in the 2022-2025 Strategic Plan (referred to as the “Plan”) sets forth priorities for the realization of a safe and secure; growing; stabilized; resident and visitor friendly; business friendly; prosperous and sustainable; healthy; transparent and well-represented; connected, informed and engaged Wilmington for all ages; and

WHEREAS, the Plan was developed through a comprehensive revision process that assessed Council’s ongoing legislative priorities, emerging public concerns, as well as current and forthcoming policy initiatives. Council Members evaluated the relevance of each strategic goal and specific sub-priorities to their present governing contexts and were briefed on the findings during a public Committee of the Whole meeting; and

WHEREAS, the mission statements of the standing committees were reformulated to better reflect their current functions and objectives. The Intergovernmental and Personnel Committees created their inaugural mission statements defining their roles in supporting the Council’s governance processes; and

WHEREAS, the Plan describes how Council’s progress on goals will be tracked and monitored. It also provides definitions of key policy terms and explains their relevance to existing and proposed initiatives within the City of Wilmington; and

WHEREAS, the 2022-2025 Strategic Plan will serve as a guiding document for the Wilmington City Council, as well as a framework for collaborative efforts with external stakeholders at all levels of government, within public and private institutions, and City residents.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body accepts the 2022-2025 Strategic Plan.

BE IT FURTHER RESOLVED that this 108th Session of the Wilmington City Council will use this Plan as a tool to carry out our solemn mission of responsible and transparent governance for all Wilmingtonians.

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

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 Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none.

President Congo declared the Resolution **adopted**.

President Congo announced for the record to reflect that Council Member Oliver is the actual sponsor of Agenda #0255.

Council Member Oliver presented Resolution No. 22-078 (Agenda #0255) as follows:

WHEREAS, a *City Council Reparations Taskforce to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States* (hereinafter the "Taskforce"), was established by Res. 20-080 as amended and the composition amended by Res. 22-007; and

WHEREAS, the members of the Taskforce were nominated based on their issue area expertise in fields closely related to African American history, economic development, finance and other related fields. They have actively demonstrated an interest and expertise in efforts to promote diversity, equality, equity and understanding of civil and human rights, and to dismantle injustice, discrimination, bigotry, hatred, and harassment within the City; and

WHEREAS, Taskforce members have confirmed their commitment to meet on a quarterly basis, at a minimum, and to participate in additional meetings as deemed necessary; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the members of the *City Council Reparations Taskforce to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States* appointed by the City Council President of the 108th Session of the City Council and approved by a majority of all members of City Council shall be as follows:

Shane Cannon

Bebe Coker

Dr. Michael H. Casson, Jr.

Alisia Drew

Darryl L. Chambers

Dr. Jason L. James, Jr.

Renata B. Kowalczyk

Coby Owens

Leandra C. Marshall

BE IT FURTHER RESOLVED that these individuals shall be responsible for making findings and recommendations to City Council regarding issues of systemic racial disparity, racist practices and procedures and/or institutional discrimination against African Americans, resulting from the delivery or provision of City government services or the implementation or effect of City policies, and resulting from the delivery or provision of other government-provided services or widely implemented business practices or the implementation or effect of government policies or business practices.

BE IT FURTHER RESOLVED that the Taskforce shall recommend, among other things, the form of compensation that should be awarded, the instrumentalities through which it should be awarded, and who should be eligible for this compensation within 180 days of its appointment.

Upon a motion of Council Member Oliver, seconded by Council Member McCoy the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution. Council Member Darby raised a question and Council Member Oliver responded. Council Members Johnson, Oliver, Darby, B. Fields, Cabrera and Harlee made comments. Council Member Darby requested to be added as a co-sponsor. President Congo made comments. Council Member Harlee requested to be added as a co-sponsor and made additional comments. President Congo and Council Members B. Fields, Johnson, Mills, Cabrera and Bracy requested to be added as a co-sponsor. Council Member Oliver made closing comments.

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 Darby, Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none.

President Congo declared the Resolution **adopted**.

Note: City Clerk Seijo noted that a correction on the records needed to be made for Agenda #0254 (Res. 22-077) in which Council Member N. Field's name was inadvertently omitted when calling for the vote on the above-stated legislation. It was

duly noted that Council Member N. Field's vote is a "Yes" on such stated legislation and it is reflected in the minutes for Resolution No. 22-077.

Council Member Oliver presented Resolution No. 22-079 (Agenda #0256) 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 Wilmington Police Department (the "Department"), has submitted a FY22 Local Law Enforcement Crime Gun Intelligence Center Integration Initiative grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the total amount of \$686,433.00 for a three (3) year period; and

WHEREAS, the proposed grant funding would be used to support a collaboration over the course of the three (3) year term of the grant between the Department, the Delaware Department of Justice, and the Police Executive Research Forum to expand the Department's existing Crime Gun Intelligence Center, which involves a strong and long-standing partnership with the U.S. Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives to assist in the investigation of gun violence and firearm offenses in the City of Wilmington; and

WHEREAS, the grant funding would allow the Department to hire a contractual forensic firearms examiner and purchase necessary equipment to expand its Forensics Laboratory to allow for the full examination of firearm and ballistic evidence, which will significantly enhance the efficiency of City gun investigations and alleviate the current need to rely on outside agencies to complete these examinations; and

WHEREAS, this funding will strengthen the Department's efforts to address firearm crimes and gun violence in the City of Wilmington, and will build on evidence-based strategies that have brought about notable reductions in gun crime; and

WHEREAS, in applying for this grant funding, the Department seeks to continue its efforts to engage in innovative, evidence-based approaches to crime reduction without increasing the financial burden to resident taxpayers; and

WHEREAS, no local 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 Wilmington Police Department's FY22 Local Law Enforcement Crime Gun Intelligence Center Integration Initiative grant application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance in the total amount of \$686,433.00 is hereby authorized.

BE IT FURTHER RESOLVED that the Chief of Police, or their 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.

Upon a motion of Council Member Oliver, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Oliver spoke on the purpose of the Resolution. Council Member Darby made comments. Council Member Johnson requested to be added as a co-sponsor and made comments. Council Members Spadola, Harlee and Cabrera made comments. Council Member B. Fields made comments and requested to be added as a co-sponsor. Council Member McCoy made comments. Council Members Darby and Johnson made additional comments. President Congo made comments. Council Member Harlee requested to be added as a co-sponsor and made comments. President Congo made additional comments. Council Member Oliver made closing comments.

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 Oliver, Harlee, B. Fields, McCoy, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy. Total, ten. Nays, Council Member Darby and Council President Congo. Total, two.

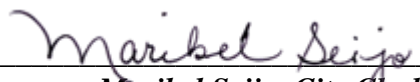
President Congo declared the Resolution **adopted**.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: Council Member Latisha Bracy was congratulated on being appointed; announcements of community events throughout the various districts; recent passing of members of Council; announcement of Finance & Economic Development Committee meeting (Dec. 5); Pennsylvania Avenue bus stop; the need to check on seniors; Deacon Earl Tate was thanked for his continual dedication over the years in attending Council meetings; wellness and mental health; sympathies expressed to the family and Wilmington Police Department on the passing of Officer Sayer Evans; Council Member Bracy thanked her colleagues for their support on her appointment; everyone was encouraged to shop locally; Turkey Drive Giveaway being passed along from NOR Enterprise to DETV; Parliamentarian Jocelyn Pugh was welcomed to the meetings; announcement of next week's Council meeting (Dec. 8); and including but not limited to, well wishes expressed for a happy holiday season.

ADJOURNMENT

Upon a motion of Council Member Cabrera, seconded by Council Members B. Fields and Oliver, Council adjourned at 8:17 p.m. Motion prevailed.

Attest: 
Maribel Seijo, City Clerk