

***Wilmington City Council
Wilmington, Delaware
April 6, 2023***

City Council met in regular session with remote participation on the above date at 6:30 p.m., President Pro Tempore Maria D. Cabrera 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 White, Darby*, Oliver, Harlee, B. Fields*, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy. Total, eleven. Absent with leave, President Congo and Council Member McCoy. Total, two.

MINUTES

After reading a portion of the minutes of March 16, 2023, upon a motion of Council Member Harlee, seconded by Council Member Mills, it was moved they be accepted as written. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report for April 6, 2023 was read into the record by City Clerk and upon a motion of Council Member Harlee, seconded by Council Member Mills, 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

April 06, 2023

Cash - Ledger Balance (as of 04/05/2023):

General	M & T Bank	\$ 8,311,890.00
Payroll	M & T Bank	\$ 1,172,854.68
Law Department Court Costs	M & T Bank	\$ 4,652.07
Total Petty Cash	M & T Bank	\$ 6,005.73
Police - Evidence Found (Currency)	M & T Bank	\$ 1,254,336.47
Police & Fire Remembrance	M & T Bank	\$ 10,644.49
Police Department Discretionary	M & T Bank	\$ 24,402.94
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		\$ 10,901,687.22

Cash Equivalents & Investments (as of 04/05/2023):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
General	M&T	Overnight Repo	Daily	0.01%	\$ 4.32	\$ 15,710,371.27
General	TD	High Yield Checking	5	4.04%	\$ 5,149.80	\$ 9,177,862.94
General	TD	High Yield Checking	5	4.04%	\$ 3.96	\$ 7,065.09
General	TD	High Yield Checking	5	4.04%	\$ 12,145.49	\$ 21,645,420.39
SUB-TOTAL:						\$ 46,540,719.69
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	4/21/2023	4.67%	\$ 354,089.99	\$ 45,493,360.87
General	TD	CD*	4/17/2023	4.64%	\$ 232,098.69	\$ 29,044,607.76
SUB-TOTAL:						\$ 74,563,840.09
RESERVE:						
General ¹	TD	CD	8/14/2023	4.91%	\$ 431,846.93	\$ 17,493,321.25
SUB-TOTAL:						\$ 17,493,321.25
RESTRICTED:						
Capital Project	TD	CD	4/17/2023	4.64%	\$ 17,162.43	\$ 2,147,690.52
Capital Project	TD	CD	4/17/2023	4.64%	\$ 27,944.99	\$ 3,497,009.85
Capital Project	TD	CD	4/17/2023	4.64%	\$ 214,770.99	\$ 26,876,235.67
Water/Sewer	TD	CD	8/14/2023	4.91%	\$ 83,018.21	\$ 3,362,914.47
State Bonds Proceeds	TD	CD	4/17/2023	4.64%	\$ 100,776.85	\$ 12,611,118.09
SUB-TOTAL						\$ 48,494,968.60
Total Investments						\$ 187,092,849.63
Total Cash on Hand						\$ 10,901,687.22
Grand Total						\$ 197,994,536.85

¹ Budget Reserve

*Restricted use, Per ARPA US Treasury Guidelines

DocuSigned by:

DaWayne Sims

4/6/2023

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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
April 6, 2023

Cash - Ledger Balance (as of 04/05/2023):

Pension Payroll	M & T Bank	\$	121,697.38
Retiree Healthcare	M & T Bank	\$	713,151.62
Police Pension	M & T Bank	\$	1,000.00
Fire Pension	M & T Bank	\$	332,350.73
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	17,472.59
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		\$	1,188,265.13

Cash Equivalents (as of 04/05/2023) & Investments (Market Value as of March 31, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
LIQUIDITY:						
Fire Pension	TD	CD	4/10/2023	4.84%	\$ 4,905.17	\$ 1,249,194.14
SUB-TOTAL:						\$ 1,249,194.14
RESERVE:						
Pension Trust	Rhumblin 3000					\$ 54,210,076.00
Pension Trust	Fidelity Market Index					\$ 3,741,943.00
Pension Trust	Edgar Lomax					\$ 15,359,848.00
Pension Trust	Rhumblin 1000					\$ 15,403,553.00
Pension Trust	Earnest Partners					\$ 16,094,948.00
Pension Trust	Dodge & Cox					\$ 15,454,188.00
Pension Trust	Artisan Global					\$ 12,040,838.00
Pension Trust	MFS Low Global					\$ 13,382,652.00
Pension Trust	Hartford Schroder					\$ 4,215,381.00
Pension Trust	Fidelity Total Intl. Index					\$ 12,525,681.00
Pension Trust	Harding Loevner					\$ 1,290,565.00

DocuSigned by:

DaWayne Sims 4/6/2023

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DaWayne Sims, City Treasurer

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II
April 6, 2023

Investments (Market Value as of March 31, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
RESERVE:						
Pension Trust	Wellington Emerging					\$ 2,763,924.00
Pension Trust	Clarion Lion					\$ 15,174,893.00
Pension Trust	Morgan Stanley					\$ 10,091,873.00
Pension Trust	JP Morgan					\$ 13,758,723.00
Pension Trust	LM Capital Core					\$ 32,106,019.00
Pension Trust	Rhumblin Core					\$ 28,180,615.00
Pension Trust	Fidelity Bond Index					\$ 2,649,114.00
Pension Trust	Money Market					\$ 1,777,853.00
Pension Trust	Vanguard-OPEB					\$ 29,069,771.00
SUB-TOTAL						\$ 299,292,458.00
Total Investments						\$ 300,541,652.14
Total Cash on Hand						\$ 1,188,265.13
Grand Total						\$ 301,729,917.27

Total Funds under Treasury Management:

Total Investments						\$ 487,634,501.77
Total Cash on Hand						\$ 12,089,952.35
Grand Total¹						\$ 499,724,454.12

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

DocuSigned by:

DaWayne Sims 4/6/2023

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DaWayne Sims, City Treasurer

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NON-LEGISLATIVE BUSINESS

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

a. Recognition Resolutions

Bracy	Recognize Lawrence C. Smith (70 th Birthday)
Congo	Recognize Canaan Baptist Church (20 th Anniversary)
Congo	Recognize Rock of Ages Missionary Church (100 th Anniversary)
Congo	Recognize Rev. Ricky Waterman and First Lady Betty Waterman
Congo	Recognize Sanford High School Girls' Varsity Basketball Team
B. Fields	Recognize Dr. David and Bernadette Mills
Harlee	Recognize Martha Chapter No. 2 (101 st Anniversary)
Harlee	Recognize Darlene Webb (Women's History Month)
Oliver	Recognize Jill H. Scott
Oliver	Recognize Lance L. Toomer
Oliver	Recognize Antonio Robertson and the Executive Riders Motorcycle Club

b. Sympathy Resolutions

All Council	Sympathy Audrey Brooks
All Council	Sympathy Michael P. Walsh
Cabrera	Sympathy Donna Dorzback Stone
Cabrera	Sympathy Alice Thomas
Oliver	Sympathy Ashia D. Cale
Oliver	Sympathy Bishop John E. Broomer, Sr.
Oliver	Sympathy Tonja L. Lea
Oliver	Sympathy Carolyn Taylor Gale

**Note: During this time, Council Members B. Fields and Darby were recognized as being present and reflected in the minutes herein (Roll Call).*

PUBLIC COMMENTS

At this time, Madame President Pro Tempore Cabrera opened up the floor for public comments and the following individuals spoke:

- Deacon Earl E. Tate
- Elsa Castaneda
- Calvin Davis, Jr.
- Dwight Davis

- Stacey Henry
- Shani Pierce
- Donald Farrell

During this time, upon a motion of Council Member Harlee, seconded by Council Member Oliver, Council extended the public comment segment.

LEGISLATIVE BUSINESS

Council Member Darby presented Resolution No. 23-016 (Agenda #0289) as follows:

WHEREAS, 16 Del. Laws, C. 26, the Childhood Lead Poisoning Prevention Act, and 16 Del. Laws, C. 30M provide for the protection of Delawareans, particularly tender-age children, from preventable lead poisoning. The Centers for Disease Control and Prevention (CDC) recommended some guidelines to identify and follow up with children who are exposed to lead; and

WHEREAS, in late 2020, Delaware's Division of Public Health and the Department of Education received \$209,000 from the U.S. Environmental Protection Agency (EPA) Voluntary Lead Testing in Schools and Child Care grant program to test water outlets in the State's schools for lead contamination; and

WHEREAS, the Division of Public Health lead sampling found that 22 schools in Delaware have at least one water source with levels of lead that exceed the EPA's 15 parts per billion (ppb) threshold for remediation. An additional 23 schools were recommended for continuous monitoring of lead from their water sources because of elevated lead levels; and

WHEREAS, lead is a neurotoxic substance. There is no safe blood level of lead in the human body. Lead from drinking water or other sources causes serious health complications. CDC found that children who are exposed to elevated levels of lead measured in micrograms of lead per deciliter of blood (>5 ug/dl) are at increased risk of cognitive and behavioral problems during development; and

WHEREAS, having an elevated blood lead level over time is associated with body weakness, high blood pressure, anemia, stroke, and damage to the kidneys and brain. Excessive lead exposure can be fatal; and

WHEREAS, both the risks and impacts of exposure to lead carry serious implications for economic and racial disparities. Most lead materials were banned in the 1980s, but 57% of Delaware homes and many of the infrastructures were built before 1979. Three of the ten zip codes with the highest childhood lead poisoning risk are located in Wilmington. In Delaware, children of color across most racial categories are more likely to experience poverty and live in older houses than their White counterparts, which places them at higher risk for lead poisoning. The National Center for Health Statistics has identified patterns of racial disparities in exposure to lead poisoning among children nationwide. Samples of average blood lead levels were found to be higher among non-Hispanic, Black children when compared to non-Hispanic White children; and

WHEREAS, the potential for community exposure to lead in our schools is particularly troubling. The State's universal lead testing and monitoring programs target children under 24 months, older children and adults are less likely to discover that they have been exposed to lead through routine medical visits. In youth populations, lead has been linked to lower intelligence quotients (IQ) and attention spans, learning disabilities, poor classroom performance, hyperactivity, behavioral problems, impaired growth, hearing loss, and increased juvenile crime rates. These health effects would further exacerbate existing educational inequities while fueling the cycles of disadvantage that our City, State, and nation work so diligently to combat; and

WHEREAS, prevention, early detection, and treatment are key to lead poisoning harm reduction. The EPA requires Delaware schools to follow the 3Ts of training, testing, and taking action when lead levels are found to be elevated as a stipulation of the Voluntary Lead Testing in Schools and Child Care grant program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body urges the Delaware General Assembly, the Division of Public Health, and the Department of Education to coordinate with school districts and affected schools to remove lead contamination from water sources; inform parents, faculty, and staff members of their potential lead exposure; and develop a definitive plan for testing impacted individuals for lead toxicity.

BE IT FURTHER RESOLVED that Wilmington City Council is strongly in favor of continuous monitoring of school water sources for potential contamination, as well as a plan of action to remediate future contamination, communicate with the public, and test affected populations.

Upon a motion of Council Member Darby, seconded by Council Members Mills, the Resolution was before Council for its consideration. Motion prevailed. Council Member Darby made comments. Council Members Harlee, Bracy and White made comments. Council Member Harlee made additional comments. Madame President Cabrera made comments. Council Member Darby made closing comments.

Madame President Pro Tempore Cabrera 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 White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Mills, Spadola and Bracy, and Madame President Pro Tempore Cabrera. Total, eleven. Nays, none. Absent, Council Member McCoy and Council President Congo. Total, two.

Madame President Pro Tempore Cabrera declared the Resolution **adopted**.

Upon a motion of Council Member Darby, seconded by Council Member Johnson, it was moved to place Substitute No. 1 to Ordinance 21-024 to the April 20th Council meeting agenda.

During this time, a point of order was made by Council Member White who inquired about Roberts' Rules of Order as it relates to the initial lack of a second as well as other members of Council requesting clarity on the nature of the legislation. Parliamentarian John Hawley referenced Council Rule 9 noting that an ordinance that has appeared on the agenda for third and final reading at two meetings of Council without its sponsor moving for its consideration shall not thereafter be placed on the agenda for consideration at another meeting, except by a majority vote of members present at a meeting preceding the meeting for which agenda listing is sought. In addition, he noted that while a motion was made and Madame President had not moved to the next item on the agenda, the floor was still open for the second.

Council Member Darby spoke on the purpose of the legislation. Council Member Harlee made comments.

The above-referenced motion made by Council Member Darby, seconded by Council Member Johnson, to place Substitute No. 1 to Ordinance No. 21-024 on the April 20th Council agenda was properly moved and seconded, with Council Member White voting "Nay". The motion was approved by a majority voice vote and prevailed.

Council Member Oliver presented Resolution No. 23-017 (Agenda #0290) as follows:

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

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

WHEREAS, City Code Section 2-621(c) provides that non-profit corporations 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 lease property owned by the City to a non-profit corporation; and

WHEREAS, the City is the owner of 1108 East Twelfth Street (being Tax Parcel No. 26-036.40-231), 1110 East Twelfth Street (being Tax Parcel No. 26-036.40-230), 1112 East Twelfth Street (being Tax Parcel No. 26-036.40-229), 1114 East Twelfth Street (being Tax Parcel No. 26-036.40-228), 1116 East Twelfth Street (being Tax Parcel No. 26-036.40-227), 1125 Brandywine Street (being Tax Parcel No. 26-036.40-225), and 1127 Brandywine Street (being Tax Parcel No. 26-036.40-226) (collectively, the "Properties"); and

WHEREAS, the Delaware Center for Horticulture, Inc. ("DCH") is non-profit corporation that mobilizes and inspires community greening statewide in urban and suburban environments; and

WHEREAS, DCH has leased the Properties from the City for several years for use as a community garden for City residents, but DCH's current lease has expired; and

WHEREAS, the City and DCH would like to enter into a new five-year lease for DCH to be able to continue to use the Properties for a community garden (the “Lease”), a copy of which, in substantial form, is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, City Council deems it necessary and appropriate to approve the grant of a leasehold interest to DCH for DCH to use the Properties for a community garden.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that Council hereby approves the disposition of a leasehold interest in the Properties to DCH for use as a community garden pursuant to terms of the Lease, a copy of which, in substantial form, is attached hereto and incorporated herein as Exhibit A.

BE IT FURTHER RESOLVED that the Mayor, or his designee, is hereby authorized to execute any and all documents necessary to effectuate the grant of a leasehold interest in the Properties to DCH, including, but not limited to, the Lease, and the appropriate officers of the City are hereby authorized to take any and all further undertakings and assurances that may be appropriate.

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

Madame President Pro Tempore Cabrera 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 White, Darby, Oliver, Harlee, Johnson, N. Field, Mills, Spadola and Bracy, and Madame President Pro Tempore Cabrera. Total, ten. Nays, none. Absent, Council Members B. Fields and McCoy and Council President Congo. Total, three.

Madame President Pro Tempore Cabrera declared the Resolution **adopted.**

Council Member Harlee presented and called for the first and second reading Ordinance No. 23-015 (Agenda #0291) entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE
CITY CODE TO PROVIDE A PROPERTY TAX
EXEMPTION FOR LOW-TO-MODERATE INCOME,
LONG-TERM HOMEOWNERS FOLLOWING A 50
PERCENT OR MORE PROPERTY TAX INCREASE
ON THEIR PRIMARY RESIDENCE

FISCAL IMPACT STATEMENT: Revenue Changes would only take place based on the results of the next Property Assessment conducted on the housing stock in the City of

Wilmington that might cause an increase in property values in neighborhoods or areas throughout the City where new development has or will take place prior to the next Property Assessment. Any potential revenue changes would then be calculated by the Department of Finance to determine any substantial changes to expect from Property Tax Revenues relevant to increases in Property Values of the City's Housing Stock and the impact of the Property Tax Abatement for Low-to-Moderate Income, Long-Term Homeowners in the City of Wilmington on such revenue when there is an increase of 50 percent or more Property Tax increase on their Primary Residence. Long-Term, Low-to-Moderate Income City Eligible Homeowners who apply would be approved for a Partial Abatement of their Tax Obligation that would pause their Tax Obligation at the Pre-Assessment amount as long as the Property Homeowners meet their eligibility requirements. 52 percent of housing in Wilmington is classified as "owner-occupied." The American Community Survey estimates that less than 10,185 residents moved into their homes prior to 2012. Approximately one-fifth of these homeowners are considered low-income.

POLICY STATEMENT: This proposed Ordinance would amend Chapter 44 of the City Code to provide a Property Tax Abatement for Low-to-Moderate Income, Long-Term Homeowners in the City of Wilmington Following a 50 Percent or More Property Tax Increase on Their Property Residence in Areas throughout the City where new development is scheduled or has occurred that would possibly increase the value of property(s) in that area or neighborhood that could cause a 50 percent or more Property Tax Increase on their Primary Residence. Low-to-Moderate Income, Long-Term City Homeowners would be eligible for a Partial Property Tax Abatement following such an increase in their tax obligation on their Primary Residence. The City of Wilmington seeks to assist and protect Low-to-Moderate Income, Long-Term Homeowners in this City to not be at risk of having to leave their homes due to rising property taxes resulting from increased development.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Harlee, seconded by Council Member Mills, the Ordinance was received, recorded and referred to the Finance & Economic Development Committee. Motion prevailed.

On behalf of Council Member Johnson, Council Member Mills presented Resolution No. 23-018 (Agenda #0292, Rev. 1) as follows:

WHEREAS, under the Downtown Development Districts Act, 22 Del. C. § 1901 et seq. (the "Act"), the State of Delaware (the "State") may designate districts within the State's cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits; and

WHEREAS, these districts are known as Downtown Development Districts ("Development Districts"); and

WHEREAS, the State designated the City of Wilmington's (the "City") initial Development District (the "Wilmington District") on January 11, 2015; and

WHEREAS, the State has established certain criteria for the Development Districts, including, but not limited to, that the acreage of Development Districts must be contiguous; and

WHEREAS, the Wilmington District's boundaries currently contain 249.28 acres of land, all of which is located east of I-95; and
WHEREAS, in November 2022, the State increased the maximum territorial allowance for Development Districts located in jurisdictions with populations of over 30,000 residents to 275 acres; and

WHEREAS, the City plans to propose an amendment to its plan for the Wilmington District to the State in the near future that proposes to add 26.38 acres to the Wilmington District's boundaries, all of which would be east of I-95; and

WHEREAS, City Council is concerned that the requirement that the Wilmington District be contiguous, along with the maximum allowable size of 275 acres, will result in unequal development opportunities between the east and west sides of the City; and

WHEREAS, in light of the foregoing, City Council deems it necessary and appropriate to request that the State either (i) increase the maximum allowable size for Downtown Districts in jurisdictions having populations over 30,000 to 375 acres or (ii) repeal the requirement that Downtown Development Districts be contiguous.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that City Council requests that the State of Delaware either (i) increase the maximum allowable size for Downtown Development Districts in jurisdictions having populations of over 30,000 residents to 375 acres or (ii) repeal the requirement that Downtown Development Districts be contiguous.

Upon a motion of Council Member Mills, seconded by Council Members B. Fields and Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Mills spoke on the purpose of the Resolution. Council Members Harlee, Oliver and Johnson made comments. Council Member B. Fields made comments and raised a question. Madame President Pro Tempore Cabrera made comments. Council Member Johnson responded to question. Council Member B. Fields raised additional questions and Council Member Johnson responded. Council Member B. Fields made additional comments. Council Member Harlee made comments. Council Member Oliver made additional comments. Madame President Pro Tempore Cabrera made additional comments.

Madame President Pro Tempore Cabrera 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 White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Mills, Spadola and Bracy, and Madame President Pro Tempore Cabrera. Total, eleven. Nays, none. Absent, Council Member McCoy and Council President Congo. Total, two.

Madame President Pro Tempore Cabrera declared the Resolution **adopted.**

Council Member Mills presented Resolution No. 23-019 (Agenda #0293) as follows:

WHEREAS, under the Downtown Development Districts Act, 22 Del. C. § 1901 et seq. (the “Act”), the State of Delaware (the “State”) may designate districts within the State’s cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits (the “Downtown Development Districts Program”); and

WHEREAS, these districts are known as Downtown Development Districts (“Development Districts”); and

WHEREAS, the State designated the City of Wilmington’s (the “City”) initial Development District (the “Wilmington District”) on January 11, 2015; and

WHEREAS, under the Act, each participating government must submit a plan that includes the boundaries of, and a detailed planning and development strategy for, the Development District (the “District Plan”), and the City’s District Plan has been reviewed and approved on an annual basis by the State’s Office of State Planning Coordination (the “OSPC”) and the State’s Cabinet Committee on State Planning Issues (the “CCSPI”) since the Wilmington District was designated; and

WHEREAS, under the Act, each applicant must also propose incentives that address local economic and community conditions and that will help achieve the purposes set forth in the Act (the “Local Incentives”), and such Local Incentives were included in the City’s application for the designation of the Wilmington District; and

WHEREAS, the State has subsequently approved several amendments to the Wilmington District’s boundaries in order to maximize incentives and benefits within the Wilmington District, the most recent of which occurred on June 20, 2019; and

WHEREAS, the Wilmington District’s boundaries currently contain 249.28 acres of land; and

WHEREAS, in November 2022, the OSPC increased the maximum territorial allowance for Development Districts located in cities with populations of over 30,000 residents to 275 acres; and

WHEREAS, the City plans to submit a proposed amendment to its District Plan (the “Amendment”) to the OSPC and the CCSPI that proposes to add 26.38 acres to the Wilmington District’s boundaries, as illustrated on the map attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, governmental agencies are not eligible to participate in the Downtown Development Districts Program to the extent that government-owned properties would benefit, and the boundaries of the Wilmington District currently include 1.00 acre of land located at 516 N. King Street (being Tax Parcel No. 26-035.40-084) that is owned by the State (the “State Acre”); and

WHEREAS, the State Acre contains the former Customs House building and is part of the State’s planned New Castle County Courthouse office expansion; and

WHEREAS, the City proposes to remove the State Acre from the Wilmington District in the Amendment, as illustrated on the map attached hereto and

incorporated herein as Exhibit "A", thereby bringing the Amendment's final total proposed Wilmington District territory to 274.66 acres; and

WHEREAS, based upon the fact that the City's approximately eight (8) years of participation in the Downtown Development Districts Program has resulted in private investors and property owners completing new construction and rehabilitation projects valued at over 255 million dollars, City Council reaffirms its strong belief that the Wilmington District stimulates investment in the City's commercial business district and its adjacent neighborhoods, therefore strengthening the financial vitality and urban fabric of the City; and

WHEREAS, in light of the foregoing, City Council deems it necessary and appropriate to support the Amendment.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that City Council supports the submission of the Amendment to expand the Wilmington District's boundaries from 249.28 acres to 274.66 acres, as illustrated on the map attached hereto and incorporated herein as Exhibit "A", to the OSPC and the CCSPI.

Upon a motion of Council Member Mills, seconded by Council Member White, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Mills spoke on the purpose of the Resolution. Council Member Oliver made comments. Council Member Harlee made comments and requested to be added as a co-sponsor. Council Member Johnson requested to be added as a co-sponsor and made comments. Council Member White made comments. Council Member Bracy requested to be added as a co-sponsor. Council Member B. Fields requested to be added as a co-sponsor and made comments. Council Member Spadola requested to be added as a co-sponsor. Council Member Oliver made comments. Madame President Pro Tempore Cabrera requested to be added as a co-sponsor and made comments. Council Member Mills made closing comments.

Madame President Pro Tempore Cabrera 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 White, Oliver, Harlee, B. Fields, Johnson, N. Field, Mills, Spadola and Bracy, and Madame President Pro Tempore Cabrera. Total, ten. Nays, none. Absent, Council Members Darby and McCoy, and Council President Congo. Total, three.

Madame President Pro Tempore Cabrera declared the Resolution **adopted**.

Note: At this time, Council Members B. Fields and Bracy were excused from the remainder of the meeting.

Council Member Spadola presented and called for the first and second reading Ordinance No. 23-016 (Agenda #0294) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE TO REQUIRE THE DEPARTMENT OF FINANCE TO PROMINENTLY DISPLAY STATUTE ON PARKING VIOLATION NOTICES AND NOTIFY PARKING VIOLATION RECIPIENTS OF THEIR RIGHT TO APPEAL

FISCAL IMPACT STATEMENT: Any anticipated fiscal impact will be de minimis.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member Spadola, seconded by Council Member Mills, the Ordinance was received, recorded and referred to the Finance & Economic Development Committee. Motion prevailed.

PETITIONS AND COMMUNICATIONS

Council Members and Madame President spoke on the following: announcements of community events; Madame President was commended for a job well done for substituting as President; and including but not limited to the upcoming meeting of budget hearings was announced as well as everyone who joined tonight's meeting was thanked.

ADJOURNMENT

Upon a motion of Council Member Harlee, seconded by Council Member Mills, Council adjourned at 8:30 p.m. Motion prevailed.

Attest: Maribel Seijo
Maribel Seijo, City Clerk