

***Wilmington City Council  
Wilmington, Delaware  
September 21, 2023***

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 White, Harlee (virtual), McCoy, Johnson\*, N. Field, Cabrera, Mills, Spadola and Bracy (virtual), and Council President Congo. Total, ten. Absent with leave, Council Members Darby, Oliver and B. Fields.

**MINUTES**

After reading a portion of the minutes of September 7, 2023, upon a motion of Council Member Cabrera, seconded by Council Member McCoy, it was moved they be accepted as written. Motion prevailed.

**TREASURER'S REPORT**

The following Treasurer's Report for September 21, 2023 was read into the record by City Clerk and upon a motion of Council Member Cabrera, seconded by Council Member 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**  
**September 21, 2023**

**Cash - Ledger Balance (as of 09/20/2023):**

General	M & T Bank	\$ 8,311,581.00
Payroll	M & T Bank	\$ 1,831,459.72
Law Department Court Costs	M & T Bank	\$ 4,637.07
Total Petty Cash	M & T Bank	\$ 6,108.90
Police - Evidence Found (Currency)	M & T Bank	\$ 1,202,085.28
Police & Fire Remembrance	M & T Bank	\$ 10,644.49
Police Department Discretionary	M & T Bank	\$ 19,813.06
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
<b>Total Cash on Hand</b>		<b>\$ 11,503,230.36</b>

**Cash Equivalents & Investments (as of 09/20/2023):**

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
General	M&T	Overnight Repo	Daily	3.99%	\$ 2,230.11	\$ 19,985,451.07
General	TD	High Yield Checking	13	4.56%	\$ 4,835.35	\$ 2,936,449.80
General	TD	High Yield Checking	13	4.55%	\$ 7,102.56	\$ 4,322,775.58
General	TD	High Yield Checking	13	4.55%	\$ 36,213.67	\$ 22,040,439.57
<b>SUB-TOTAL:</b>						<b>\$ 49,285,116.02</b>
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	9/20/2023	5.57%	\$ 658,355.99	\$ 46,250,908.43
General	TD	CD*	9/15/2023	5.70%	\$ 251,062.06	\$ 26,427,584.84
General	TD	CD	9/29/2023	5.51%	\$ 69,768.19	\$ 4,849,316.50
General	TD	CD	10/16/2023	5.73%	\$ 148,025.00	\$ 30,000,000.00
<b>SUB-TOTAL:</b>						<b>\$ 107,553,681.23</b>
<b>RESERVE:</b>						
General <sup>1</sup>	TD	CD	10/23/2023	5.70%	\$ 198,670.61	\$ 17,925,168.18
<b>SUB-TOTAL:</b>						<b>\$ 17,925,168.18</b>
<b>RESTRICTED:</b>						
Capital Project	TD	CD	9/15/2023	5.70%	\$ 18,022.67	\$ 1,897,123.24
Capital Project	TD	CD	9/15/2023	5.70%	\$ 15,065.54	\$ 1,585,846.23
Capital Project	TD	CD	9/15/2023	5.70%	\$ 162,985.75	\$ 17,156,394.84
Water/Sewer	TD	CD	10/23/2023	5.70%	\$ 38,192.42	\$ 3,445,932.68
State Bonds Proceeds	TD	CD	9/15/2023	5.70%	\$ 87,832.56	\$ 9,245,533.04
<b>SUB-TOTAL</b>						<b>\$ 33,330,830.03</b>
<b>Total Investments</b>						<b>\$ 208,094,795.46</b>
<b>Total Cash on Hand</b>						<b>\$ 11,503,230.36</b>
<b>Grand Total</b>						<b>\$ 219,598,025.82</b>

<sup>1</sup> Budget Reserve

\*Restricted use. Per ARPA US Treasury Guidelines

All CDs dated 09/15/2023 and 09/20/2023 currently undergoing renewal

DocuSigned by:

DaWayne Sims 9/21/2023

CITY TREASURER'S OFFICE

DaWayne Sims, City Treasurer

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  
September 21, 2023

## Cash - Ledger Balance (as of 09/20/2023):

Pension Payroll	M & T Bank	\$	206,660.55
Retiree Healthcare	M & T Bank	\$	2,931,755.70
Police Pension	M & T Bank	\$	131,011.39
Fire Pension	M & T Bank	\$	1,664.29
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	191,395.70
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
<b>Total Cash on Hand</b>		<b>\$</b>	<b>3,465,080.44</b>

## Cash Equivalents (as of 09/20/2023) &amp; Investments (Market Value as of September 15, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Fire Pension	TD	CD	9/29/2023	5.65%	\$ 47,503.11	\$ 5,044,577.78
<b>SUB-TOTAL:</b>						<b>\$ 5,044,577.78</b>
<b>RESERVE:</b>						
Pension Trust	Rhumblin (S&P 500)					\$ 89,963,560.00
Pension Trust	Earnest Partners					\$ 15,883,365.00
Pension Trust	Dodge & Cox					\$ 13,237,257.00
Pension Trust	Artisan Global					\$ 12,529,828.00
Pension Trust	MFS Low Global					\$ 13,930,723.00
Pension Trust	Hartford Schroder					\$ 4,361,576.00
Pension Trust	Fidelity Total Intl. Index					\$ 12,746,133.00
Pension Trust	Harding Loevner					\$ 1,300,447.00

DocuSigned by:

DaWayne Sims 9/21/2023

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DaWayne Sims, City Treasurer

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## City of Wilmington



DaWayne Sims  
City Treasurer

Treasurer's Report - Pensions II  
September 21, 2023

Investments (Market Value as of September 15, 2023)

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>RESERVE:</b>						
Pension Trust	Fidelity Emerging					\$ 2,656,929.00
Pension Trust	Clarion Lion					\$ 12,291,937.00
Pension Trust	Morgan Stanley					\$ 9,449,493.00
Pension Trust	JP Morgan					\$ 14,359,326.00
Pension Trust	LM Capital Core					\$ 31,278,750.00
Pension Trust	Rhumblin Core					\$ 27,310,541.00
Pension Trust	Fidelity Bond Index					\$ 8,921,150.00
Pension Trust	Money Market					\$ 558,176.00
Pension Trust	Vanguard-OPEB					\$ 30,108,602.00
<b>SUB-TOTAL</b>						\$ 300,887,793.00
<b>Total Investments</b>						\$ 305,932,370.78
<b>Total Cash on Hand</b>						\$ 3,465,080.44
<b>Grand Total</b>						\$ 309,397,451.22

Total Funds under Treasury Management:

<b>Total Investments</b>						\$ 514,027,166.24
<b>Total Cash on Hand</b>						\$ 14,968,310.80
<b>Grand Total<sup>1</sup></b>						\$ 528,995,477.04

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

DocuSigned by:

DaWayne Sims/21/2023

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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:

a. Recognition Resolutions

All Council	Recognize Fiesta Latina (LACC)
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b. Sympathy Resolutions

Congo	Sympathy Beulah H. Shaw
Harlee	Sympathy Ruth Oates Graham
Oliver	Sympathy Bruce Allen Lancaster, Sr.
Oliver	Sympathy Michael D. Mills

## **PUBLIC COMMENTS**

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

- Yvonne Brown
- D. Marque Hall (virtual)

## **LEGISLATIVE BUSINESS**

On behalf of President Congo, Council Member Harlee presented Resolution No. 23-053 (Agenda #0345) as follows:

**WHEREAS**, in accordance with Section 2-104 of the City Charter, City Council shall provide for such committees as it deems necessary; and

**WHEREAS**, Council adopted Resolution No. 21-006 establishing the 108<sup>th</sup> Session Standing Committees and the personnel assignments; and

**WHEREAS**, Council amended Resolution No. 21-006 by adopting Resolution No. 22- 011, Resolution No. 22-032, and Resolution No. 23-010, amending the 108<sup>th</sup> Session Standing Committees and the personnel assignments; and

**WHEREAS**, City Council deems it desirable to update the personnel assignments for its standing committees for the 108<sup>th</sup> Council Session; and

**WHEREAS**, this Resolution amends Resolution No. 23-010 to update the personnel assignments for the 108<sup>th</sup> Session Standing Committees to: (1) remove, at her request, Councilmember Shané N. Darby from the following Committees: (i) Education, Youth & Family Services Committee; (ii) Intergovernmental Committee; (iii) Personnel Committee; and (iv) Cable, Video, and Telecommunications Commission; (2) appoint Vincent White to the Education, Youth

& Family Services Commission; and (3) appoint Latisha Bracy to the Cable, Video, and Telecommunications Commission.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this Resolution amends Resolution No. 22-032 to update the personnel assignments for the 108<sup>th</sup> Session Standing Committees to be as follows:

**Finance & Economic Development**

**Chris Johnson, Chair**

Michelle Harlee, Vice Chair

Nathan Field

Zanthia Oliver

Latisha Bracy

James Spadola

**Public Safety**

**Yolanda M. McCoy, Chair**

Zanthia Oliver, Vice Chair

Shané N. Darby

Chris Johnson

James Spadola

Albert Mills

**Community Development & Urban Planning**

**Maria D. Cabrera, Chair**

Nathan Field, Vice Chair

Yolanda M. McCoy

Bregetta A. Fields

James Spadola

Shané N. Darby

Vincent White

**Public Works & Transportation**

**Zanthia Oliver, Chair**

Vincent White, Vice Chair

Latisha Bracy

Nathan Field

Bregetta A. Fields

James Spadola

**Cable, Video & Telecommunications Commission**

President Ernest “Trippi” Congo II, Chair

Maria D. Cabrera, Vice Chair

~~Shané N. Darby~~

Bregetta A. Fields

Latisha Bracy\*

**Education, Youth & Family Services**

**Albert Mills, Chair**

Latisha Bracy, Vice Chair

~~Shané N. Darby~~

Bregetta A. Fields

Zanthia Oliver

Vincent White\*

**Health, Aging & Disabilities**

**Bregetta A. Fields, Chair**

Maria D. Cabrera, Vice Chair

Yolanda M. McCoy

Albert Mills

Zanthia Oliver

Vincent White

**Intergovernmental**

**Michelle Harlee, Chair**

~~Shané N. Darby, Vice Chair~~

Latisha Bracy

Yolanda M. McCoy

Zanthia Oliver

**Personnel Committee**

**Michelle Harlee, Chair**

Chris Johnson, Vice Chair

~~Shané N. Darby~~

Nathan Field

James Spadola

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 White, Harlee, McCoy, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, B. Fields and Johnson. Total, four.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 23-054 (Agenda #0346) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, City 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 Wilmington Police Department has submitted a grant application to the State of Delaware Special Law Enforcement Assistance Fund in the amount of \$62,561; and

**WHEREAS**, proposed grant funding in the amount of \$42,424 would allow for the purchase of a vehicle mover for the Forensic Services Unit to move vehicles in the parking lot of police headquarters that are involved in various phases of processing, which would alleviate the need to engage a tow truck for such purpose; and

**WHEREAS**, proposed grant funding in the amount of \$9,100 would allow for the purchase of two (2) computers to be used by officers operating police motorcycles, which would increase the range of functions that could be performed by such officers; and

**WHEREAS**, proposed grant funding in the amount of \$11,037 would allow for the purchase of 150 tourniquets, which would be issued to police officers in the Uniformed Services Division to help effectuate rescues and the rendering of emergency medical care to injured persons; and

**WHEREAS**, this grant funding would cover expenses that would otherwise have to be paid for out of the Police Department's annual operating budget, thereby continuing the Police Department's efforts to identify funding opportunities to negate increases to the City's annual operating budget; and

**WHEREAS**, no matching funds are required; and

**WHEREAS**, City Council deems it necessary and proper to authorize the grant application for the aforesaid purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department's grant

application to the State of Delaware Special Law Enforcement Assistance Fund in the total amount of \$62,561 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 to the City because no local matching funds are required by this grant.

Upon a motion of Council Member McCoy, seconded by Council Member Harlee, 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 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, Harlee, McCoy, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, B. Fields and Johnson. Total, four.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 23-055 (Agenda #0347) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, City 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 Wilmington Police Department has submitted a grant application to the State of Delaware Emergency Illegal Drug Enforcement (EIDE) program; and

**WHEREAS**, the Police Department is eligible for \$33,595.75 in grant funding, which would be used support specialized drug investigations through covering overtime costs; and

**WHEREAS**, no local matching funds are required; and

**WHEREAS**, in applying for this funding, the Police Department seeks to continue its efforts to secure funding from other entities to help offset the fiscal impact of crime prevention activities on the City's operating budget; and

**WHEREAS**, City 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 grant application to the State of Delaware Emergency Illegal Drug Enforcement program is hereby authorized.



**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 to the City because no local matching funds are required by this grant.

Upon a motion of Council Member McCoy, seconded by Council Member Mills, 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 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, Harlee, McCoy, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, B. Fields and Johnson. Total, four.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 23-056 (Agenda #0348) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, City 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 Wilmington Police Department has submitted a grant application to the State of Delaware Department of Safety and Homeland Security for funding from the State Aid to Local Law Enforcement (SALLE) grant program in the amount of \$62,121.24; and

**WHEREAS**, the proposed grant funding would be used to cover the cost of providing advanced and specialized training for police officers; and

**WHEREAS**, this grant funding would cover expenses that would otherwise have to be paid for out of the Police Department's annual operating budget, thereby continuing the Police Department's efforts to identify funding opportunities to negate increases to the City's annual operating budget; and

**WHEREAS**, no matching funds are required; and

**WHEREAS**, City 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 grant application to the State of Delaware Department of Safety and Homeland Security for funding from the State Aid to Local Law Enforcement grant program in the total amount of \$62,121.24 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 to the City because no local matching funds are required by this grant.

Upon a motion of Council Member McCoy, seconded by Council Member Mills, 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 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, Harlee, McCoy, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, B. Fields and Johnson. Total, four.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 23-057 (Agenda #0349) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, City 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 Wilmington Police Department has submitted a grant application to the State of Delaware Department of Safety and Homeland Security, Fund to Combat Violent Crime; and

**WHEREAS**, the Police Department is eligible for \$411,173.92 in grant funding, which would be used to cover overtime costs as part of overall violent crime reduction efforts; and

**WHEREAS**, no local matching funds are required; and

**WHEREAS**, in applying for this funding, the Police Department seeks to continue its efforts to secure funding from other entities to help offset the fiscal impact of crime prevention activities on the City's operating budget; and

**WHEREAS**, City 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 grant application to the State of Delaware Department of Safety and Homeland Security, Fund to Combat Violent Crime, is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 to the City because no local matching funds are required by this grant.

Upon a motion of Council Member McCoy, seconded by Council Member Mills, 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 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, Harlee, McCoy, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, B. Fields and Johnson. Total, four.

President Congo declared the Resolution **adopted**.

Council Member McCoy presented Resolution No. 23-058 (Agenda #0350) as follows:

**WHEREAS**, pursuant to Section 2-363 of the City Code, City 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 Wilmington Police Department has submitted a grant application to the State of Delaware Special Law Enforcement Assistance Fund in the amount of \$70,000; and

**WHEREAS**, proposed grant funding in the amount of \$18,000 would allow for the purchase of an Event Data Recorder, which will enable investigators to download crucial information from Hyundai and Kia vehicles following fatal, near-fatal, and other serious motor vehicle collisions; and

**WHEREAS**, proposed grant funding in the amount of \$52,000 would allow for the purchase of 20 new LifePak 1000 Automatic External Defibrillators. These would replace aging devices that are no longer functioning and are outside of warranty coverage. These devices are carried in patrol cars to serve as an immediate tool to revive someone suffering from sudden cardiac arrest or other emergency medical conditions that can benefit from the use of an AED; and

**WHEREAS**, this grant funding would cover expenses that would otherwise have to be paid for out of the Police Department's annual operating budget, thereby continuing the Police Department's efforts to identify funding opportunities to negate increases to the City's annual operating budget; and

**WHEREAS**, no matching funds are required; and

**WHEREAS**, City Council deems it necessary and proper to authorize the grant application for the aforesaid purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that the Wilmington Police Department's grant application to the State of Delaware Special Law Enforcement Assistance Fund in the total amount of \$70,000 is hereby authorized.

**BE IT FURTHER RESOLVED** that the Chief of Police, or 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 to the City because no local matching funds are required by this grant.

Upon a motion of Council Member McCoy, seconded by Council Member Mills, 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 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, Harlee, McCoy, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members Darby, Oliver, B. Fields and Johnson. Total, four.

President Congo declared the Resolution **adopted**.

Council Member Mills presented Resolution No. 23-059 (Agenda #0351) 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, its 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, which the City requested to maximize incentives and benefits within the Wilmington District; 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**, 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 North 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**, in April 2023, the City proposed amending the Wilmington District by adding 26.38 acres to its boundaries and removing the State Acre, thereby increasing the Wilmington District by a net 25.38 acres and bringing the final total proposed Wilmington District territory to 274.66 acres (the “Proposed Amendment”); and

**WHEREAS**, on April 6, 2023, City Council adopted Resolution 23-019, which supported the submission of the Proposed Amendment to the OSPC and the CCSPI; and

**WHEREAS**, on July 18, 2023, the CCSPI approved the Proposed Amendment with the imposition of the following condition: “[t]he City of Wilmington meet with representatives of OSPC and DSHA to evaluate strategies to improve the utilization of the program within the existing boundary in order to meet the needs of the neighborhood revitalization set forth in their district plan” (the “State-Approved Amendment”); and

**WHEREAS**, the City anticipates being able to satisfy the CCSPI’s condition within the next six (6) months; and

**WHEREAS**, on July 19, 2023, the OSPC sent a letter to the City documenting the CCSPI’s approval of the State-Approved Amendment and noting a correction to be included in the State-Approved Amendment that, according to the State’s records, the City was proposing to add 26.36 acres to the Wilmington District’s boundaries rather than 26.38 acres, therefore resulting in a net increase of 25.36 acres rather than 25.38 acres; and

**WHEREAS**, the City’s Department of Land Use and Planning agrees with the OSPC’s correction to the State-Approved Amendment, which is reflected on the map attached hereto and incorporated herein as Exhibit “A”; and

**WHEREAS**, via the State-Approved Amendment, the City would like to amend the Wilmington District by adding 26.36 acres to its boundaries and removing the State Acre, thereby increasing the Wilmington District by a net 25.36 acres and bringing the final total proposed Wilmington District territory to 274.64 acres, as illustrated on the map attached hereto and incorporated herein as Exhibit “A”; 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 approve the State-Approved Amendment.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that City Council hereby approves the State-Approved Amendment to expand the Wilmington District’s boundaries from 249.28 acres to 274.64 acres, as illustrated on the map attached hereto and incorporated herein as Exhibit “A”.

**FISCAL IMPACT STATEMENT:** This Resolution approves an amendment to expand the boundaries of the City’s Downtown Development District from 249.28 acres to 274.64 acres, as illustrated on the map attached to this Resolution as Exhibit “A”.

Upon a motion of Council Member Mills, seconded by Council Member McCoy, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Mills spoke on the purpose of the Resolution. Council Member White requested to be added as a co-sponsor. Council Member Cabrera raised a question and Council Member Mills responded. Council Member Harlee made comments and requested to be added as a co-sponsor. Council Member Cabrera requested to be added as a co-sponsor.

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 White, Harlee, McCoy, N. Field, Cabrera, Mills and Spadola, and Council President Congo. Total, eight. Nays, none. Absent, Council Members Darby, Oliver, B. Fields, Johnson and Bracy. Total, five.

President Congo declared the Resolution **adopted**.

### **PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: concerns expressed by constituents who spoke during the public comment segment; announcements of community events/community meetings; congratulations extended to

the Department of Human Resources for the Employee Appreciation Fall Fest; emails regarding South Lincoln Street; and including but not limited to everyone was thanked for attending tonight's Council meeting whether in-person or virtually and were encouraged to continue to do so.

*\*Note: During this time, Council Member Johnson was recognized as being present and reflected in the minutes herein (Roll Call).*

### **ADJOURNMENT**

Upon a motion of Council Member Cabrera, seconded by Council Members McCoy and Johnson, Council adjourned at 7:12 p.m. Motion prevailed.

*Note: More detailed information is reflected in the videotape of the September 21, 2023 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/272269>.*

Attest: Maribel Seijo  
Maribel Seijo, City Clerk