

*Wilmington City Council
Wilmington, Delaware
June 20, 2024*

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, Darby (virtual°), Oliver (virtual), Harlee* (virtual), B. Fields (virtual), Johnson (virtual°), N. Field (virtual), Cabrera**, Mills (virtual), Spadola (virtual) and Bracy*, and Council President Congo. Total, twelve. Absent with leave, Council Member McCoy.

MINUTES

After reading a portion of the minutes of June 6, 2024, upon a motion of Council Member Johnson, seconded by Council Member White, it was moved they be accepted as written. Motion prevailed.

COMMITTEE REPORTS

The City Clerk read the following committee report:

| Finance & Economic Development Committee Member | Present | Absent w Leave | Absent w/out Leave |
|--|----------------|-----------------------|-------------------------------|
| Chris Johnson, Chair | Y | | |
| Michelle Harlee, Vice Chair | Y | | |
| Latisha Bracy | Y | | |
| Nathan Field | Y | | |
| Zanthia Oliver | Y | | |
| James Spadola | Y | | |
| Ernest "Trippi" Congo, Ex-Officio | Y | | |

President and Members of Council of
The City of Wilmington

June 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-023** entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE CITY CODE
TO INCREASE THE MONETARY THRESHOLD NECESSARY TO
ALLOW THE CITY TO IMMOBILIZE AND TOW A VEHICLE

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Johnson, seconded by Council Members Oliver and B. Fields, the Report was received, recorded and filed. Motion prevailed.

**Note: Council Members Bracy (in-person) and Harlee (virtual) were recognized as being present and reflected in the minutes herein (Roll Call).*

The City Clerk read the following committee report:

| Finance & Economic Development Committee Member | Present | Absent w Leave | Absent w/out Leave |
|---|---------|----------------|--------------------|
| Chris Johnson, Chair | Y | | |
| Michelle Harlee, Vice Chair | Y | | |
| Latisha Bracy | Y | | |
| Nathan Field | Y | | |
| Zanthia Oliver | Y | | |
| James Spadola | Y | | |
| Ernest "Trippi" Congo, Ex-Officio | Y | | |

President and Members of Council of
The City of Wilmington

June 3, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-032** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WWTP SWITCHGEAR & ELECTRICAL SUBSTATIONS PHASE I PROJECT), SERIES A OF 2024-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR REPLACEMENTS AT THE CITY'S WASTEWATER TREATMENT PLANT; PROVIDING FOR THE SALE OF THE 2024A BOND TO THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

Respectfully submitted, Members of
Finance & Economic Development Committee

Upon a motion of Council Member Johnson, seconded by Council Members Harlee, Oliver and B. Fields, the Report was received, recorded and filed. Motion prevailed.

The City Clerk read the following committee report:

| Public Works & Transportation Committee Member | Present | Absent w/ Leave | Absent w/out Leave |
|--|---------|-----------------|--------------------|
| Zanthia Oliver, Chair | X | | |
| Vincent M. White, Vice Chair | | X | |
| Latisha Bracy | X | | |
| Nathan Field | X | | |
| Bregetta A. Fields | | X | |
| James Spadola | X | | |
| Ernest "Trippi" Congo II, Ex-Officio | | X | |

President and Members of Council of
The City of Wilmington

June 17, 2024

Ladies and Gentlemen:

We, your Public Works & Transportation Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-035** entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE THE
CONTRACT BETWEEN THE CITY OF WILMINGTON
AND PASSPORT LABS, INC. FOR PARKING CITATION
AND PERMIT MANAGEMENT

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

Respectfully submitted, Members of
Public Works & Transportation Committee

Upon a motion of Council Member Oliver, seconded by Council Member B. Fields, the Report was received, recorded and filed. Motion prevailed.

TREASURER'S REPORT

The following Treasurer's Report for June 20, 2024 was read into the record by City Clerk and upon a motion of Council Member Johnson, seconded by Council Members White and B. Fields, the Report was received, recorded and filed. Motion prevailed.

Note: The Treasurer's Report is included herein as an insert from Page 5 to Page 7.

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report June 20, 2024

Cash - Ledger Balance (as of 06/18/2024):

| | | |
|------------------------------------|------------|-------------------------|
| General | M & T Bank | \$ 8,291,276.00 |
| Payroll | M & T Bank | \$ 1,422,549.14 |
| Law Department Court Costs | M & T Bank | \$ 4,555.60 |
| Total Petty Cash | M & T Bank | \$ 10,977.21 |
| Police - Evidence Found (Currency) | M & T Bank | \$ 1,142,143.29 |
| Police & Fire Remembrance | M & T Bank | \$ 11,744.49 |
| Police Department Discretionary | M & T Bank | \$ 28,722.73 |
| Rent Withholding Escrow | M & T Bank | \$ 9,087.97 |
| 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 | | \$ 11,033,819.30 |

Cash Equivalents & Investments (as of 06/18/2024):

| Account Type & Fund | Institution | Investment Type | Number of Days | Interest Rate | Interest Receivable | Investment Amount |
|---------------------------|-------------|---------------------|----------------|---------------|---------------------|--------------------------|
| LIQUIDITY: | | | | | | |
| General | M&T | Overnight Repo | Daily | 3.99% | \$ 2,885.11 | \$ 25,241,734.75 |
| General | TD | High Yield Checking | 13 | 4.58% | \$ 5,084.91 | \$ 3,074,518.31 |
| General | TD | High Yield Checking | 13 | 4.58% | \$ 7,415.71 | \$ 4,483,799.51 |
| General | TD | High Yield Checking | 13 | 4.58% | \$ 12,270.57 | \$ 7,419,225.52 |
| SUB-TOTAL: | | | | | | \$ 40,219,278.10 |
| RESERVE: | | | | | | |
| Police & Fire Remem. | WSFS | CD | 1/23/2025 | 4.88% | \$ 1,168.38 | \$ 26,124.17 |
| General | TD | CD** | 6/18/2024 | 5.28% | \$ 356,852.83 | \$ 40,551,457.57 |
| General | TD | CD** | 6/14/2024 | 5.28% | \$ 150,684.35 | \$ 17,123,221.88 |
| General | TD | CD** | 6/17/2024 | 5.28% | \$ 277,737.03 | \$ 31,043,632.80 |
| SUB-TOTAL: | | | | | | \$ 88,744,436.42 |
| RESTRICTED: | | | | | | |
| Capital Project | TD | CD** | 6/14/2024 | 5.28% | \$ 13,060.46 | \$ 1,484,142.82 |
| Capital Project | TD | CD** | 6/14/2024 | 5.28% | \$ 1,493.05 | \$ 169,664.62 |
| Capital Project | TD | CD** | 6/14/2024 | 5.28% | \$ 119,006.19 | \$ 13,523,431.21 |
| Water/Sewer | TD | CD | 6/20/2024 | 5.24% | \$ 16,222.89 | \$ 3,595,322.44 |
| State Bonds Proceeds | TD | CD** | 6/14/2024 | 5.28% | \$ 30,345.70 | \$ 3,448,375.00 |
| SUB-TOTAL | | | | | | \$ 22,220,936.09 |
| Total Investments | | | | | | \$ 169,886,919.45 |
| Total Cash on Hand | | | | | | \$ 11,033,819.30 |
| Grand Total | | | | | | \$ 180,920,738.75 |

¹ Budget Reserve

*Restricted use, Per ARPA US Treasury Guidelines

** Investments currently undergoing renewals

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 June 20, 2024

Cash - Ledger Balance (as of 06/18/2024):

| | | | |
|--|------------|-----------|---------------------|
| Pension Payroll | M & T Bank | \$ | 84,398.14 |
| Retiree Healthcare | M & T Bank | \$ | 2,108,994.41 |
| Police Pension | M & T Bank | \$ | 1,390,093.59 |
| Fire Pension | M & T Bank | \$ | 1,394.00 |
| Non-Uniform Pension Act of 1990-Plan 3 | M & T Bank | \$ | 310,583.25 |
| 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 | | \$ | 3,898,056.20 |

Cash Equivalents (as of 06/18/2024) & Investments (Market Value as of June 14, 2024)

| Account Type & Fund | Institution | Investment Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount |
|---------------------|----------------------------|-----------------|---------------|---------------|---------------------|------------------------|
| LIQUIDITY: | | | | | | |
| Fire Pension II | TD | CD | 6/28/2024 | 5.28% | \$ 16,376.28 | \$ 1,860,940.89 |
| Fire Pension III | TD | CD | 7/8/2024 | 5.27% | \$ 34,255.00 | \$ 3,900,000.00 |
| SUB-TOTAL: | | | | | | \$ 5,760,940.89 |
| RESERVE: | | | | | | |
| Pension Trust | Rhumblin (S&P 500) | | | | | \$ 102,701,240.00 |
| Pension Trust | Earnest Partners | | | | | \$ 17,101,518.00 |
| Pension Trust | Dodge & Cox | | | | | \$ 13,419,308.00 |
| Pension Trust | Artisan Global | | | | | \$ 13,928,908.00 |
| Pension Trust | MFS Low Global | | | | | \$ 14,387,242.00 |
| Pension Trust | Fidelity Total Intl. Index | | | | | \$ 17,430,945.00 |
| Pension Trust | Harding Loevner | | | | | \$ 2,436,124.00 |
| Pension Trust | Fidelity Emerging | | | | | \$ 2,948,359.00 |


DaWayne Sims, City Treasurer

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City of Wilmington



DaWayne Sims
City Treasurer

Treasurer's Report - Pensions II June 20, 2024

Investments (Market Value June 14, 2024)

| Account Type & Fund | Institution | Investment Type | Maturity Date | Interest Rate | Interest Receivable | Investment Amount |
|---------------------------|---------------------|-----------------|---------------|---------------|---------------------|-------------------|
| RESERVE: | | | | | | |
| Pension Trust | Clarion Lion | | | | | \$ 10,094,200.00 |
| Pension Trust | Morgan Stanley | | | | | \$ 8,357,407.00 |
| Pension Trust | JP Morgan | | | | | \$ 15,632,334.00 |
| Pension Trust | LM Capital Core | | | | | \$ 32,987,226.00 |
| Pension Trust | Rhumblin Core | | | | | \$ 28,860,180.00 |
| Pension Trust | Fidelity Bond Index | | | | | \$ 9,397,313.00 |
| Pension Trust | Money Market | | | | | \$ 1,462,118.00 |
| Pension Trust | OPEB Trust Fund | | | | | \$ 34,420,088.00 |
| | | | | | | |
| SUB-TOTAL | | | | | | \$ 325,564,510.00 |
| Total Investments | | | | | | \$ 331,325,450.89 |
| Total Cash on Hand | | | | | | \$ 3,898,056.20 |
| Grand Total | | | | | | \$ 335,223,507.09 |

Total Funds under Treasury Management:

| | | | | | | |
|--------------------------------|--|--|--|--|--|-------------------|
| Total Investments | | | | | | \$ 501,212,370.34 |
| Total Cash on Hand | | | | | | \$ 14,931,875.50 |
| Grand Total¹ | | | | | | \$ 516,144,245.84 |

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

The following non-legislative resolutions were accepted into the record and approved by voice vote:

a. Recognition Resolutions

| | |
|---------|---|
| Cabrera | Recognize Marion G. Brister |
| Congo | Recognize August Quarterly (210 th Anniversary) |
| Harlee | Recognize Bancroft Student Achievements |
| Johnson | Recognize St. Anthony's Italian Festival (50 th Anniversary) |
| Oliver | Recognize Johnnie Braxton (6abc Action News Wilmington, Delaware) |
| Oliver | Recognize Communities of Compassion Providing H.E.L.P. (Helping Eliminate Living in Poverty) |
| Oliver | Recognize Pride Month |
| White | Recognize Phi Delta Kappa, Inc. Rho Chapter Anniversary |

b. Sympathy Resolutions

| | |
|---------|--------------------------------|
| Johnson | Sympathy Thomasine C. Thompson |
| Oliver | Sympathy Ronald Lee Hairston |
| Oliver | Sympathy Keith Flemming |

°Note: During this time, Council Member Darby who was initially virtual, was present in-person in the Chambers.

The privilege of the floor was given to Council Member N. Field who stated that he will be holding his legislation this evening (Ord. 24-036), which is an ordinance to amend Chapter 11 of the City Code to prohibit noise disturbances that target a particular residence.

At this time, upon a motion of Council Member White, seconded by Council Member B. Fields, it was proposed to limit the public comment segment to 8:00 p.m. by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Oliver, Harlee, B. Fields, Johnson and Mills. Total, six. Nays, Council Members Darby, N. Field, Spadola and Bracy, and Council President Congo. Total, five. Absent, Council Members McCoy and Cabrera. Total, two.

President Congo declared the motion to limit public comment **adopted**.

PUBLIC COMMENTS

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

- Deacon Earl E. Tate, II
- Timeless Thomas

As a friendly reminder, President Congo mentioned that Council Member N. Field held Ord. 24-036, which is an ordinance to amend Chapter 11 of the City Code to prohibit noise disturbances that target a particular residence, however, he noted that it does not stop anyone from any sort of public comment.

- Dounya (virtual)

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

- Shayne Miller
- Atlas Martin (virtual)
- Lynne Kielhorn
- Daniel Carapezzi (virtual)
- Joseph Conner
- Tyler Parke (virtual)
- Michaelena DeJesus (virtual)
- Sydni Martin-Hernandez (virtual)

°Note: During this time, Council Member Johnson who was initially virtual, was present in-person in the Chambers.

LEGISLATIVE BUSINESS

Council Member Darby presented Resolution No. 24-030 (Agenda #0442) as follows:

WHEREAS, House Bill 351 (HB 351), An Act to Create a New Chapter in Title 21 Pertaining to the Towing of Vehicles Without Consent of the Owner or Operator, establishes essential requirements for the towing and storage of vehicles without consent, including the necessity for photographic evidence prior to towing, transparent display of rates by towing companies and storage facilities, and the imposition of reasonable towing and storage rates to ensure fairness for vehicle owners; and

WHEREAS, HB 351 adheres to the legislative priorities of the 2022-2025 Wilmington City Council Strategic Plan by promoting the goal of a “Resident and Visitor Friendly Wilmington” through prohibiting predatory practices, such as patrolling for illegally parked cars and offering incentives for information leading to non-consensual towing; and

WHEREAS, HB 351 safeguards consumers by mandating acceptance of credit cards by tow companies and storage facilities, providing recourse for individuals subjected to non-consensual towing through reimbursement of fees and damages, and

holding tow companies liable for property damage resulting from unauthorized towing or storage; and

WHEREAS, crafting parking enforcement measures that are both effective and fair is a priority for the Wilmington City Council. The provisions of HB 351 support the work of the Fines and Fees Taskforce, which was established by Wilmington City Council Resolution 22-069, to review the City's fees, fines, and administrative sanctions "in order to ensure fairness in the administrative process"; and

WHEREAS, despite the resilience of our State and the City of Wilmington, both businesses and residents are still confronting the financial impacts of the COVID-19 pandemic, the affordable housing crisis, and ongoing inflation. HB 351 would provide necessary safeguards against excessively punitive towing policies. These changes would bring benefits to residents and support the competitiveness of our local hospitality industry.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is strongly in favor of House Bill 351 (HB 351), An Act to Create a New Chapter in Title 21 Pertaining to the Towing of Vehicles Without Consent of the Owner or Operator. This legislation would play a critical role in protecting consumers from unjust towing practices, promoting transparency in the towing industry, and ensuring fair treatment for vehicle owners in Wilmington and across the State of Delaware.

BE IT FURTHER RESOLVED that the Wilmington City Council urges the honorable members of the Delaware General Assembly to support HB 351 to safeguard the rights and interests of Delawareans in matters related to vehicle towing and storage, as well as bolster our State's attractiveness as a destination for visitors.

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

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member McCoy. Total, one.

President Congo declared the Resolution **adopted**.

Council Member Darby presented Resolution No. 24-031 (Agenda #0443) as follows:

WHEREAS, the Wilmington City Council's 2022-2025 Strategic Plan prioritizes a "Stabilized Wilmington" with appropriate code enforcement mechanisms, as well as a "Transparent and Well-Represented Wilmington" where City government processes are accessible and receptive to constituent engagement; and

WHEREAS, the *Fines and Fees Taskforce* (hereinafter the "Taskforce") was created by Resolution 22-069 to "review fees, fines, and administrative sanctions administered by the City to ensure fairness in the administrative process" and make any necessary recommendations for reform; and

WHEREAS, the eleven (11)- member Taskforce was appointed by Resolution 23-001 as amended with the responsibility to examine the fees, fines, and administrative sanctions employed by "any City department, division, or agency" and assess the extent to which "the measures are consistent with the department's stated goals"; and

WHEREAS, the Taskforce requested data and information from relevant departments and offered the Administration the opportunity to participate in a dialogue regarding current protocols for the fees, fines, and sanctions imposed on residents and visitors to the City of Wilmington. While the data was received, participation in the dialogue was declined; and

WHEREAS, Resolution 23-067 amended the date for submission of the report on fees, fines, and administrative sanctions to allow the Taskforce additional time for the receipt and analysis of data and information from relevant City departments. The Taskforce has submitted findings and recommendations to the Wilmington City Council, a copy of which is attached hereto as Attachment A, in adherence to its March 31, 2024 submission requirements. The Taskforce's findings and recommendations were made available to the Administration of the City of Wilmington. No response has been received to date.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body accepts into the record the report titled, "Wilmington Fines and Fees Task Force: Findings and Recommendations."

BE IT FURTHER RESOLVED that this Legislative body encourages the Administration to review the report issued by the *Fines and Fees Taskforce* and assess the feasibility of adapting relevant policies and procedures to ensure that fees, fines, and administrative sanctions imposed by the City of Wilmington adhere to the principles of fairness and are appropriately tailored to the goals they are structured to achieve.

To view the actual Report, you can access the following link:
<https://www.wilmingtoncitycouncil.com/wp-content/uploads/2024/06/Res.-24-031-0443-Accepting-the-Fines-and-Fees-Taskforce-Final-Report-snd.pdf>

Upon a motion of Council Member Darby, seconded by Council Member White, the Resolution was before the Council for its consideration. Motion prevailed.

Council Member Darby spoke on the purpose of the Resolution and made comments. Council Members Johnson, Harlee, Cabrera and Oliver made comments. Council Member Johnson made additional comments. Council Member Spadola made comments. Council Member Darby made closing comments.

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, Council President Congo. Total, eleven. Nays, none. Present, Council Member Cabrera. Absent, Council Member McCoy. Total, one.

President Congo declared the Resolution **adopted**.

Council Member Oliver presented Resolution No. 24-032 (Agenda #0444)

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 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, 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 that the City requested to maximize incentives and benefits within the Wilmington District, the most recent of which expanded the boundaries of the Wilmington District from 249.28 acres to 274.64 acres; and

WHEREAS, pursuant to the Act, the Wilmington District’s initial designation as a Development District is for a ten-year period, which is set to expire in January 2025; and

WHEREAS, pursuant to the Act, the Governor may renew a Development District’s designation for up to two (2) additional five-year periods upon the expiration of its initial designation; and

WHEREAS, the OSPC has promulgated guidelines for the Development Districts Program (the “Guidelines”); and

WHEREAS, the Guidelines provide a Development District (i) may only apply for one (1) five-year renewal at a time, (ii) must submit its application no later than six (6) months prior to the expiration date of its designation as a Development District, and (iii) must include a resolution approving such application from the local government’s legislative body; and

WHEREAS, the deadline for the submission of the City’s application requesting the first five-year renewal of the Downtown District designation for the Wilmington District (the “Application”) is July 1, 2024; and

WHEREAS, based upon the fact that the City’s approximately ten (10) 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 436 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 Application and support its submission to the State of Delaware.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that City Council hereby approves the Application requesting a five-year renewal of the Wilmington District’s designation as a Development District and supports the submission of the Application to the State of Delaware.

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

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, Harlee, B. Fields, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, Council Member Johnson. Total, one. Absent, Council Member McCoy. Total, one.

President Congo declared the Resolution **adopted**.

Council Member Harlee presented Resolution No. 24-033• (Agenda #0445) as follows:

WHEREAS, House Bill 125 (HB 125), An Act to Amend Title 14 of the Delaware Code Relating to Free School Meals would require all public schools to offer only students who qualify for a reduced-price meal, under the federal School Breakfast Program and National School Lunch Program, a free breakfast and lunch every school day; and

WHEREAS, when the USDA School Breakfast Program and National School Lunch Program were required to return to pre-pandemic policies after waivers for free lunch expired on June 30, 2022, evidence emerged that there was an ongoing need for support for student meals. The Wilmington City Council recognizes the urgent necessity of addressing economic disparities among its residents. In New Castle County, the child food insecurity rate is 13.5 percent. Within the City of Wilmington, households experience a poverty rate of 24.3 percent; and

WHEREAS, access to healthy meals contributes to student health, well-being, and academic achievement. The CDC (Centers for Disease Control and Prevention) have identified healthy eating habits cultivated in schools with the establishment of lifelong dietary practices. The provision of meals in schools has been shown to mitigate food insufficiency by as much as 14 percent. Furthermore, studies indicate that consistent access to nutritious meals can impact behavioral outcomes. School meals have been linked to reductions in out-of-school suspensions by up to 25 percent in counties with high rates of food insecurity; and

WHEREAS, it is crucial to recognize that some families in Wilmington may just exceed the free lunch threshold, yet still face economic challenges. These families may struggle to provide their children with nutritious meals, impacting their ability to thrive in school. Therefore, ensuring all students have access to healthy free lunch regardless of their family's income level is essential to fostering educational equity and supporting the well-being of all students; and

WHEREAS, the cost of living has increased substantially in the post-pandemic economy. Households continue to struggle to acquire basic necessities, including nutritious food options. Assuring access to healthy meals for young, developing minds during school hours would contribute significantly to the long-term health of students and provide much-needed relief for households in the City of Wilmington and the State of Delaware that are still recovering from the economic hardships of the COVID-19 pandemic; and

WHEREAS, Wilmington faces disproportionately high rates of childhood poverty and food insecurity compared to other parts of Delaware, exacerbating the challenges faced by families in providing adequate nutrition for their children. According to the Delaware Academy of Medicine, Wilmington has the highest rates of poverty for children under 18 in Delaware at 41%, highlighting the urgent need to address these disparities and ensure that all students have equal access to nutritious meals to support their academic success and overall well-being.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body urges the honorable members of the Delaware General Assembly to support House Bill 125, An Act to Amend Title 14 of the Delaware Code Relating to Free School Meals.

BE IT RESOLVED that this Legislative body expresses strong favor for House Bill 125, An Act to Amend Title 14 of the Delaware Code Relating to Free School Meals, which is in alignment with the Wilmington City Council's 2022-2025 Strategic Plan goal of maintaining a "Healthy Wilmington" for all residents.

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

• Note: During this time, President Congo mentioned that Council will return to the above-referenced Resolution in order to address a matter with the sponsor as it relates to the Resolution.

Council Member B. Fields presented Resolution No. 24-034 (Agenda #0447) as follows:

WHEREAS, House Bill 313 (HB 313), An Act to Amend Title 11 of the Delaware Code Relating to Mammograms would ensure that all female inmates in the custody of the Delaware Department of Corrections at level IV or V, receive annual or biennial screening mammograms as recommended by the United States Preventative Services Task Force; and

WHEREAS, mammograms serve as essential early breast cancer screening and diagnostic tools to indicate abnormalities in the breast, which can help detect breast cancer in early stages and before symptoms present themselves. The American Cancer Society recommends that women begin annual breast cancer screenings at 40 years old. Early-stage diagnosis through regular screening can increase the chances of breast cancer survival by 99% in the first five years; and

WHEREAS, the City Council of Wilmington's 2022-2025 Strategic Plan prioritizes a "Healthy Wilmington" with accessibility to healthcare for all residents. In 2020, the Delaware Division of Public Health estimated that 73% of women reported having had a mammogram within the preceding two years. Research from the National Library of Medicine indicates that incarcerated women face even greater barriers to accessing healthcare, especially preventative care. They lack the freedom to decide when and how to access healthcare, including routine preventative services; and

WHEREAS, Delaware's female prison population has a disproportionate share of risk factors associated with breast cancer. Lack of physical activity, being overweight, alcohol consumption, and not breastfeeding are all behavioral factors that can increase breast cancer risk. Incarcerated women have less discretion about their diet and their ability to exercise, many have struggled with alcohol and substance abuse in their lifetimes, or have experienced disruptions in their health and family situations that may have prevented them from breastfeeding; and

WHEREAS, age, race, and family history are also significant factors associated with breast cancer risk. There is a disproportionate share of Black women currently incarcerated in the State of Delaware. Nationally, Black women are incarcerated at double the rate of White women. Black women are more likely to have aggressive forms of cancer and have the highest rate of deaths from breast cancer due to late diagnosis. Without HB 313, racial disparities in incarceration will contribute to perpetuating racial disparities in health outcomes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body urges the honorable members of the Delaware General Assembly to support House Bill 313 (HB 313), An Act to Amend Title 11 of the Delaware Code Relating to Mammograms.

BE IT FURTHER RESOLVED that this Legislative body expresses strong support for access to annual or biennial mammogram screenings, as recommended by the United States Preventative Services Task Force, for women incarcerated in Delaware's correctional facilities.

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

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member McCoy. Total, one.

President Congo declared the Resolution **adopted**.

Council Member B. Fields presented Resolution No. 24-035 (Agenda #0448) as follows:

WHEREAS, the Wilmington City Council 2022-2025 Strategic Plan envisions a "Healthy Wilmington." House Substitute 1 for House Bill 302 (HS 1 for HB 302), An Act to Amend Title 18 of the Delaware Code Relating to Prostate Cancer Screening, improves access to prostate cancer screenings by requiring health insurance

providers to cover screenings in accordance with the guidelines issued by the American Cancer Society; and

WHEREAS, prostate cancer leads as one of the most frequently diagnosed cancers for men in the United States and Delaware. Prostate cancer is curable if detected early. Prostate cancer screening allows doctors to identify, and develop a plan for treating, prostate cancer before symptoms manifest and spread. HS 1 for HB 302 would require that all standard health insurance policies cover “medically necessary and clinically appropriate” methods to detect and diagnose prostate cancer for all males within the American Cancer Society’s recommended risk categories; and

WHEREAS, risks of developing prostate cancer grow with age. The American Cancer Society recommends that at age 50, men with average risk factors discuss screening options with their physicians. Black men and those whose father or brother have been diagnosed at an early age are encouraged to begin screening at 45 years old. Men with more elevated risks, or those who have more than one first-degree relative with prostate cancer, are encouraged to screen at 40 years old. Subsequential screenings should occur every one to two years, depending on the test results. HS 1 for HB 302 would ensure that more men have access to screening options as a standard benefit of their health insurance plans; and

WHEREAS, HS 1 for HB 302 facilitates early detection of prostate cancer, which has been found to be the most effective strategy for mitigating the impact of the disease and preventing the loss of lives. In 2020, prostate cancer was the second leading cause of death for males in Delaware. From 2015 to 2019, prostate cancer diagnoses proved fatal for non-Hispanic Black males at more than twice the rate of their White counterparts in Delaware. Incorporating this fundamental prevention tool into the standard coverage of health insurance policies would represent a major advancement toward improving the quality of life for Delawareans at risk of developing prostate cancer.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body is in favor of House Substitute 1 for House Bill 302 (HS 1 for HB 302), An Act to Amend Title 18 of the Delaware Code Relating to Prostate Cancer Screening.

BE IT FURTHER RESOLVED that this Legislative body encourages the members of the Delaware General Assembly to support House Substitute 1 for House Bill 302 (HS 1 for HB 302), An Act to Amend Title 18 of the Delaware Code Relating to Prostate Cancer Screening for the benefit of male Delawareans impacted by the risk of prostate cancer.

Upon a motion of Council Member B. Fields, seconded by Council Member White, the Resolution was before the Council for its consideration. Motion prevailed. Council Member B. Fields spoke on the purpose of the Resolution. Council Members Harlee, Mills and Oliver requested to be added as a co-sponsor.

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member McCoy. Total, one.

President Congo declared the Resolution **adopted**.

• Returned Back to Resolution No. 24-033 (Agenda #0445, Sponsor: Harlee)

Council Member Harlee noted a **correction** to the title on the agenda, which should state, “A Resolution in Support of House Substitute **2** for House Bill 125”. Council Member Harlee spoke on the purpose of the Resolution. Council Member Darby requested to be added as a co-sponsor and made comments. Council Member Bracy requested to be added as a co-sponsor. Council Member White made comments. Council Members Cabrera and B. Fields requested to be added as a co-sponsor. Council Member Harlee made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, twelve. Nays, none. Absent, Council Member McCoy. Total, one.

President Congo declared the Resolution **adopted**.

Council Member Harlee presented Resolution No. 24-036 (Agenda #0446) as follows:

WHEREAS, Senate Substitute 2 for Senate Bill 4 (SS 2 for SB 4), An Act to Amend Title 11, Title 13, and Title 29 of the Delaware Code Relating to the Criminal Justice System, Including Probation, codifies best practices that have been evidenced to reduce recidivism in the State of Delaware. The proposed bill mandates that the “least restrictive conditions possible” be employed in the supervision and reintegration of criminal justice-involved individuals into society; and

WHEREAS, *11 Del. C. § 4321* of the Constitution of the State stipulates that the Department of Corrections (DOC) and its probation and parole officers “shall use all suitable methods to aid and encourage” persons in their charge to improve their conduct and successfully meet the conditions and obligations of their probation or parole. SS 2 for SB 4 would enact amendments that more closely align Title 11 of the Delaware State Code to its articulated goals and functions; and

WHEREAS, in 2023, approximately 64% of Delawareans in the criminal legal system were on probation or parole. In 2019, 91% of rearrests within the first year

of release from corrections were due to technical violations, or behaviors that are only classified as crimes because of an individual's probationary or parolee status. Of those rearrested for violations of probation or parole, one in four reincarcerations involved the failure to comply with only one imposed condition; and

WHEREAS, in 2020, the DOC reported a 77% rate of successful probation case closures. The DOC attributed its success to reducing "zero tolerance" conditions that do not allow officers to consider individual circumstances prompting a violation, decreasing the use of administrative warrants that require the detainment of individuals on probation pending a hearing, implementing more graduated responses that hold individuals on probation accountable while also allowing them a chance to redeem themselves, and using incentives that recognize and reward compliance and positive behavior; and

WHEREAS, SS 2 for SB 4 reinforces the DOC's progress by placing limitations on the special conditions that can be imposed on an individual on probation. The court, Board of Parole, or probation and parole officers are required to articulate the reasonable relationship between any special condition and the individual's propensity towards recidivism. The bill also allows probation and parole officers to consider an individual's access to resources, verifiable schedule, childcare responsibilities, and other factors when setting requirements for meetings and other terms of supervision; and

WHEREAS, if individuals fail to comply with their probation or parole conditions, the amendments proposed by SS 2 for SB 4 would both permit officers to take into account the circumstances of their noncompliance and treat incarceration as a measure of last resort. Individuals who have earned days of credit for complying with their conditions would be notified of their eligibility by the DOC; and

WHEREAS, the amendments to the State Code proposed by SS 2 for SB 4 would restore the rights of individuals on probation or parole to enjoy the same activities as other responsible adults, including obtaining a marriage license without first having the consent of a probation or parole officer and possessing and consuming alcoholic beverages, provided that they do not have a documented substance abuse problem. SS 2 for SB 4 would also ensure that probation and parole officers facilitate access to appropriate recovery programs for individuals under their supervision; and

WHEREAS, in 2020, the City of Wilmington's incarceration rate was 1,299 per 100,000 people. The amendments proposed by SS 2 for SB 4 increase the potential for Wilmingtonians leaving corrections facilities to develop partnerships with their probation or parole officers support their rehabilitation, access resources that assist them in maintaining their freedom, and to better face the challenges they incur while rebuilding their lives.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body expresses strong favor for Senate Substitute 2 for Senate Bill 4 (SS 2 for SB 4), An Act to Amend Title 11, Title 13, and Title 29 of the Delaware Code Relating to the Criminal Justice System, Including Probation that reinforces the Delaware Department of Correction's (DOC) progress in reducing recidivism.

BE IT FURTHER RESOLVED that SS 2 for SB 4 would represent the codification of strategies that the DOC has already demonstrated to be effective. The

Wilmington City Council urges the honorable members of the Delaware General Assembly to support these necessary changes.

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

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members McCoy and Spadola. Total, two.

President Congo declared the Resolution **adopted**.

At this time, Council Member Oliver requested to be excused from the remainder of the meeting.

Council Member Johnson presented and called for the first and second reading Ordinance No. 24-032 (Agenda #0433) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (WWTP SWITCHGEAR & ELECTRICAL SUBSTATIONS PHASE I PROJECT), SERIES A OF 2024-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR REPLACEMENTS AT THE CITY'S WASTEWATER TREATMENT PLANT; PROVIDING FOR THE SALE OF THE 2024A BOND TO THE DELAWARE DRINKING WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

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

President Congo requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the

following Yea and Nay Roll Call Vote: Yeas, Council Members Darby, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills and Bracy, and Council President Congo. Total, nine. Nays, none. Absent, Council Members White, Oliver, McCoy and Spadola. Total, four.

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-035 (Agenda #0437) entitled:

AN ORDINANCE TO AUTHORIZE AND APPROVE THE
CONTRACT BETWEEN THE CITY OF WILMINGTON
AND PASSPORT LABS, INC. FOR PARKING CITATION
AND PERMIT MANAGEMENT

FISCAL IMPACT STATEMENT: The fiscal impact of this Ordinance for the period beginning September 1, 2024, is an estimated annual cost of three-hundred and fifty thousand dollars (\$350,000.00).

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

President Congo requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Oliver and McCoy. Total, two.

President Congo declared the Ordinance **adopted**.

President Congo stated again as previously mentioned that Council Member N. Field held his legislation, Ord. 24-036.

Council Member Cabrera presented Resolution No. 24-037 (Agenda #0449) as follows:

WHEREAS, House Bill 400 (HB 400), An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections, modifies the date of primary elections for statewide, county, and municipal office to the fourth Tuesday in April, the date of the presidential primary in presidential election years; and

WHEREAS, the Wilmington City Council's 2022-2025 Strategic Plan aims to promote a "Connected, Informed and Engaged Wilmington" by reducing the barriers to active civic participation. The Council recognizes the importance of timely and efficient election processes for the benefit of all Delaware voters. HB 400 fosters constituent engagement, efficient government operations, and the responsible use of public resources; and

WHEREAS, Delaware currently holds one of the latest primary elections in the nation, resulting in a compressed period of voter consideration of candidates for the general election. The current calendar furnishes voters with as little as two months to evaluate candidates. This short timeframe between the primary and general elections reduces voter engagement and informed decision-making; and

WHEREAS, aligning the primary election date with the presidential primary date, as proposed in HB 400, represents a fiscally responsible measure that could save the State millions of dollars over the next decade; and

WHEREAS, moving the primary election date to the fourth Tuesday in April, as outlined in HB 400, will facilitate earlier ballot printing and distribution, ensuring that all eligible voters, including those in the armed forces, can exercise their right to vote without undue hindrance.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body expresses favor for House Bill 400 (HB 400), An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections to ensure a more efficient, cost-effective, and inclusive electoral process for all Delawareans.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body encourages the members of the Delaware General Assembly to support HB 400, which sets the date of primary elections for statewide, county, and municipal office to the fourth Tuesday in April, the date of the presidential primary in presidential election years.

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

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Harlee, B. Fields, Johnson, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, ten. Nays, none. Present, Council Member N. Field. Total, one. Absent, Council Members Oliver and McCoy. Total, two.

President Congo declared the Resolution **adopted**.

Council Member Cabrera presented Resolution No. 24-038 (Agenda #0450) as follows:

WHEREAS, House Concurrent Resolution 146 (HCR 146), Supporting the Recommendation of the Redding Consortium for Educational Equity to Provide Immediate Support to Wilmington Public School Students and Planning for the Withdrawal of the Christina School District from the City, affirms the Redding Commission for Educational Equity's (RCEE) recommendations to "move immediately to support Christina School District's City of Wilmington students and to plan for the eventual withdrawal of the Christina School District from the City of Wilmington"; and

WHEREAS, the Wilmington City Council Strategic Plan expresses a firm commitment to a "Wilmington for All Ages" that advocates for and supports youth in the educational process; and

WHEREAS, historical educational policies, such as the Neighborhood Schools Act of 2000 and the four school district model, as well as major disruptions to the learning environment, such as the COVID-19 pandemic, have further widened the achievement gap between students who reside in the City of Wilmington and their counterparts throughout the State and nation; and

WHEREAS, academic outcomes in the Christina School District have been particularly concerning to stakeholders in the Wilmington community. According to the District's most recent Delaware Report Card, which provides an overview of key indicators for Delaware's educational institutions, 32.58%, or less than one-third, of third through eighth graders were proficient in English language arts (ELA) and about 25%, only one in every four students in the third through eighth grades, had math scores that were satisfactory for their grade level; and

WHEREAS, less than 75% of the class of 2023 graduated high school in the Christina School District within four years with a traditional high school diploma. In the 2022 to 2023 school year, attendance was at 80.63%, and only 70.83% of graduating seniors were classified as college or career-ready; and

WHEREAS, the RCEE attributes these outcomes to ongoing "systemic and systematic" issues. Despite the efforts of educators, school staff, and other District stakeholders, the RCEE has determined that the current configuration of school districts that serve Wilmington's students is not conducive to eliminating educational inequities. The RCEE has developed a Redistricting Interim Plan that identifies a framework, key concerns, and recommended actions to improve the quality of the educational experience for Wilmington's school-aged children; and

WHEREAS, the Christina School District is the only noncontiguous school district in Delaware. Its serving area spans the City of Wilmington, the City of Newark, and surrounding suburban areas. The RCEE's plan involves an assessment of factors within the school setting and external variables that influence educational outcomes for Wilmington's students. The data derived from the assessment will inform the RCEE's efforts to develop a strategy for withdrawing the Christina School District from the City's existing four school district model with minimal disruption to the academic process for students; and

WHEREAS, HCR 146 “encourages the Department of Education to work to provide immediate supports to the Christina School District’s Wilmington schools through the Wilmington Learning Collaborative and The Office of Equity and Innovation” while also initiating “purposeful steps” to realign the school district model to one that is more befitting to the needs of Wilmington’s students over the next several years; and

WHEREAS, the Redding Consortium members have voted in agreement to recommend an alternative educational model for the City of Wilmington that is independent of the Christina School District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body expresses favor for House Concurrent Resolution 146 (HCR 146), Supporting the Recommendation of the Redding Consortium for Educational Equity to Provide Immediate Support to Wilmington Public School Students and Planning for the Withdrawal of the Christina School District from the City, and encourages the honorable members of the Delaware General Assembly and the Department of Education to give the Redding Consortium’s recommendation for redistricting its fullest consideration.

BE IT FURTHER RESOLVED that ensuring access to high-quality education for all Wilmington students is of paramount priority for this Legislative body.

Upon a motion of Council Member Cabrera, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Cabrera spoke on the purpose of the Resolution. Council Members Johnson, Harlee and Mills made comments. Council Member Cabrera made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Oliver and McCoy. Total, two.

President Congo declared the Resolution **adopted**.

Council Member Spadola presented Resolution No. 24-039 (Agenda #0451) as follows:

WHEREAS, the 2022-2025 Wilmington City Council Strategic Plan prioritizes a “Resident and Visitor Friendly Wilmington” with parking enhancements and planning, as well as appropriate enforcement mechanisms; and

WHEREAS, parking accessibility is a significant component of the City’s commercial and residential infrastructure. In the State of Delaware and nationally, local governments have recognized the need to reevaluate their parking policies, procedures,

and amenities to meet the demands of modern motorists. Neighboring municipalities, including Delaware City, Dover, Newark, and Rehoboth, have conducted parking assessments to enhance their downtown parking capacities. They have implemented changes ranging from app-driven parking meter systems to improving signage and markings for more efficient coordination; and

WHEREAS, innovative parking solutions are necessary to support the continued economic growth of our City, as well as to position Wilmington to proactively respond to the changing regulatory requirements that will accompany the implementation of Title 7, Chapter 100, Delaware Climate Change Solutions Act. A parking study is a fundamental step in the determination of what policy changes would benefit residents and visitors. Such a study requires a range of specialized expertise, including a depth of knowledge about emerging technologies; and

WHEREAS, an experienced consulting agency can provide the necessary recommendations to modernize Wilmington's parking infrastructure, reinforce the financial sustainability of our parking system, bolster our status as an attractive regional destination, and assist our City with the transition to parking practices that are tailored to local needs in the wake of the COVID-19 pandemic. A comprehensive parking study would address issues that are critical to the advancement and preservation of effective parking management, including but not limited to, informing departmental administrators about new technologies and how they can be leveraged, defining optimal strategies to balance parking availability and demand in our business and residential districts, proposing times for parking enforcement that facilitate more efficient operations, incorporating public feedback throughout the planning process, and right-sizing fines and fees to effectively function as a deterrent while also reinforcing the sustainability of the parking system.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that this Legislative body requests that the Administration, Department of Public Works, Department of Finance, and other relevant departments work collaboratively to engage a consulting agency that is experienced in parking evaluation to conduct a study of Wilmington's parking needs.

BE IT FURTHER RESOLVED that an evidence-based approach to parking reform is in the best interests of motorists in the City of Wilmington.

Upon a motion of Council Member Spadola, seconded by Council Members Bracy and Johnson, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson made comments. Council Member Spadola spoke on the purpose of the Resolution and made comments. Council Member Harlee raised a question and Council Member Spadola responded.

President Congo requested the Clerk to call the roll.

The above-reference 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, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills,

Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Oliver and McCoy. Total, two.

President Congo declared the Resolution **adopted**.

Council Member Bracy presented and called for the third and final reading Ordinance No. 24-023 (Agenda #0421) entitled:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE TO INCREASE THE MONETARY
THRESHOLD NECESSARY TO ALLOW THE CITY
TO IMMOBILIZE AND/OR TOW A VEHICLE

Council Member Bracy presented a **Substitute** in lieu of that ordinance:

AN ORDINANCE TO AMEND CHAPTER 37 OF THE
CITY CODE TO INCREASE THE MONETARY
THRESHOLD NECESSARY TO ALLOW THE CITY
TO IMMOBILIZE AND/OR TOW A VEHICLE

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

Upon a motion of Council Member Bracy, seconded by Council Member Johnson, the Substitute Ordinance was before the Council for its consideration. Motion prevailed. Council Member Bracy made the following floor amendment:

Description of Floor Amendment: This Floor Amendment adds an additional requirement of providing written notice that fines are accumulating.

- 1) On Page 1 of Rev. 1 to Sub. 1 to Ordinance No. 24-023, add the following **WHEREAS** clause to be inserted before the NOW Therefore Clause:

WHEREAS, City Council further believes that providing a warning will give additional notice that the owner of a vehicle is approaching the immobilization threshold will reduce the number of overall immobilizations and towing.

- 2) On Page 2 of Rev. 1 to Sub. 1 to Ordinance No. 24-023, line number 3, strike the number \$300.00 and insert the number \$150.00.
- 3) On Page 2 of Rev. 1 to Sub. 1 to Ordinance No. 24-023, line number 9, insert the following underlined language after the words shall be:

- (1) Issued a warning, affixed to the vehicle, alerting the owner that further unpaid fines may result in the vehicle being immobilized and towed once the vehicle reaches the threshold outlined in subsection (a)(2).
 - i. Warning Notices issued pursuant to this section shall provide the following information to vehicle owners: how to dispute the amount owed; how to submit a payment; and that payment plans may be available.
 - (2) Immobilized in such manner as to prevent its operation if the total amount of unpaid fines exceeds \$300.00 and the vehicle shall be
- 4) On Page 2 of Rev. 1 to Sub. 1 to Ordinance No. 24-023, line number 10, strike the following number: 37-121(a) and change to 37-125(c)
 - 5) On page 2 of Rev. 1 to Sub. 1 to Ordinance No. 24-023, line number 10, strike the following underlined language:
if the total amount of unpaid fines exceeds \$600 or immobilized in such manner as to prevent its operation if the total amount of unpaid fines exceeds \$300

Upon a motion of Council Member Bracy, seconded by Council Member Johnson, the above-referenced floor amendment was before the Council for its consideration. Council Member Bracy spoke on the floor amendment. Council Member White raised questions and Council Member Bracy responded. Council Member Johnson made comments. Council Member Harlee made comments and raised a question, and Council Member Bracy responded. Council Member Harlee made additional comments. President Congo made comments. Council Member Bracy made a closing comment. The floor amendment was before the Council by voice vote.

President Congo declared the **floor amendment adopted**.

Council Member Bracy spoke to the purpose of the **Substitute** Ordinance, **As Amended** and made comments. Council Member Johnson made comments and requested to be added as a co-sponsor. Council Members Darby, Cabrera and Harlee requested to be added as a co-sponsor. President Congo requested to be added as a co-sponsor. Council Members B. Fields and White requested to be added as a co-sponsor. Council Member Bracy made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced **Substitute Ordinance, As Amended**, was read for the third and final reading and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Harlee, B. Fields, Johnson, N. Field, Cabrera, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Oliver and McCoy. Total, two.

President Congo declared the **Substitute Ordinance, As Amended**,
adopted.

PETITIONS AND COMMUNICATIONS

Council Members and Council President spoke on the following: announcements of community events throughout the city; the opening of city pools; fans for seniors; the need to slow down on the road as school is out; summer activities; everyone was thanked for attending tonight's meeting whether in-person or virtually. Everyone was encouraged to contact the City Council's Office with any questions and/or concerns; and including but not limited to, while there was a limit of public comment this evening, everyone was encouraged to continue to participate in the Council meetings.

ADJOURNMENT

Upon a motion of Council Member Cabrera, seconded by Council Member Bracy, Council adjourned at 9:33 p.m. Motion prevailed.

Note: More detailed information is reflected in the videotape of the June 20, 2024 City Council meeting at the following link: <https://wilmingtonde.new.swagit.com/videos/309032>.

Attest: 
Maribel Seijo, City Clerk