

AN ORDINANCE TO AMEND CHAPTER 45 OF THE CITY CODE TO DISSOLVE THE WILMINGTON WATER, SEWER, AND STORMWATER CITIZENS ADVISORY BOARD (“CAB”)

#0171

Sponsor:

Council Member Darby

WHEREAS, in 2011, the City of Wilmington established the Wilmington Water, Sewer and Stormwater Citizens Advisory Board (“CAB”); and

WHEREAS, CAB was supposed to provide the public with an opportunity to engage in the governing process related to City utilities; and

WHEREAS, over time, CAB has demonstrated limited effectiveness, unclear authority, and insufficient accountability to residents, particularly those most impacted by utility policies, rates, and service decisions; and

WHEREAS, community engagement related to utilities can be more effectively achieved through other mechanisms, and

WHEREAS, maintaining boards and commissions that lack clear impact or authority creates redundancy, delays, and barriers to meaningful resident participation; and

WHEREAS, City Council has the authority to amend or repeal advisory boards that no longer serve the public interest; and

WHEREAS, City Council deems it necessary and appropriate to dissolve CAB.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. Chapter 45 of the City Code is hereby amended by deleting the following stricken language and replacing it with reserved language.

~~Sec. 45-5 — Wilmington Water, Sewer and Stormwater Citizens Advisory Board (“CAB”) — Reserved.~~

~~(a) Members. The "CAB" as heretofore constituted shall be comprised of seven members to be appointed by the mayor to serve as an economic and financial review and advisory board. Members shall possess skills and backgrounds in business;~~

~~engineering, finance, environmental matters, and community representation. Two of the members shall be recommended by the president of city council to the mayor for appointment and two members shall be recommended by the county executive to the mayor for appointment. Elected and appointed officials and staff of the city government and of the county government shall be excluded from membership in the CAB. The commissioner of public works, the director of the office of management and budget, and the director of the finance department shall act as staff to the CAB. With the exception of the members recommended by the county executive, at any given time, no more than one of the five city members of CAB shall be permitted to reside outside the city limits, so long as that member lives within county and works in the city.~~

~~(b) The chair of the CAB shall be appointed by the mayor from among the appointed members. At least one of the members shall also be a member of the Wilmington Economic and Financial Advisory Committee (WEFAC).~~

~~(c) *Meetings; reports; recommendations.* The CAB shall meet not less than quarterly and shall provide oversight of the operations, finances, policies and procedures of the water, sewer and stormwater utilities. The CAB shall: (i) produce, or cause to be produced, periodic reports; (ii) review and recommend asset management plans; and (iii) provide critical oversight of cost and revenue projections during each fiscal year, as well as multi-year financial projections for not less than five years beyond each current fiscal year. The CAB shall recommend financial standards for the utilities and annually recommend to city council water, sewer service and stormwater rates and charges sufficient to maintain and improve the financial condition of the utility relative to these standards.~~

~~(d) Each appointed member shall serve for a term of three years. Appointees shall serve no more than two consecutive three year terms. Upon the expiration of the second consecutive term, members must wait three years before seeking re-appointment.~~

- ~~(1) The initial terms of the board members shall be effective January 2, 2013. The initial term of appointment shall be staggered with two members appointed for one year, two members appointed for two years and two members appointed for three years as designated by the Mayor. After the initial appointment of the board members, all subsequent appointments shall be for a term of three years. The initial term appointment shall not count towards the member's term limit.~~
- ~~(2) In the event that a board member is appointed to fill a vacancy which arises as a result of another member's failure to complete a full term of service, such partial term shall count towards that member's term limit.~~

SECTION 2. All current members' terms shall be null and void upon passage by City Council and signing by the Mayor. CAB shall turn over its records to the City Clerk's Office for recordkeeping.

SECTION 3. This Ordinance shall take effect upon passage by City Council and signing by the Mayor.

First Reading.....February 5, 2026
Second Reading.....February 5, 2026
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved as to form this 4th day
of February 2026

John J. Stant II
Assistant City Solicitor

Approved this ____ day of _____, 2026.

Mayor

SYNOPSIS: This Ordinance amends Chapter 45 of the City Code by dissolving the Wilmington Water, Sewer and Stormwater Citizens Advisory Board.

FISCAL IMPACT: This ordinance, which dissolves the Wilmington Water, Sewer, and Stormwater Citizens Advisory Board, is not expected to have a direct fiscal impact in the short term. However, over the long term, the elimination of independent third-party review and analysis may result in less optimal rate-setting practices. This could increase the risk that revenues may be insufficient to adequately support the operational and infrastructure needs of the water, sewer, and stormwater utilities.