ORD 26-051

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (SMALL DIAMETER COLLECTION SYSTEM PROJECT), SERIES D OF 2026-WPCRF, TO FINANCE THE REHABILITATION OF SMALL DIAMETER (LESS THAN 42 INCHES) SEWER PIPES TO EXTEND THEIR SERVICE LIFE; PROVIDING FOR THE SALE OF THE 2026D BOND TO THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

#0304

Sponsor:

Council Member Harlee

WHEREAS, the City of Wilmington (the "City") has determined to undertake a project in the City to finance the rehabilitation of small diameter (less than 42 inches) sewer pipes throughout the City, via point repairs, replacements, and/or cured in-place pipe lining, to extend their service life, reduce the risk of failure, and improve the level of service of the sewer collection system, as specified in the City's capital budget for its Fiscal Year ending June 30, 2026 (the "Project"); and

WHEREAS, in order to finance the Project and pay certain administrative costs relating to the Project and the costs of issuing the 2026D Bond (as defined herein), the City has determined to issue its General Obligation Bond (Small Diameter Collection System Project), Series D of 2026-WPCRF, in a principal amount not to exceed $2,200,000; and

WHEREAS, the City has heretofore adopted the General Obligation Bond Ordinance, No. 83-019, Division 7 of Article VI of Chapter 2 of the Wilmington City Code (the "General Ordinance"), authorizing the City to issue general obligation bonds secured by a pledge of the City's full faith, credit, and taxing power, for the purpose of, among other things, paying the costs of capital projects; and

WHEREAS, this Ordinance is a Supplemental Ordinance adopted pursuant to the General Ordinance and provides for the issuance and sale of the 2026D Bond.

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

SECTION 1. Defined Terms. Terms used in this Ordinance and not otherwise defined shall have the meaning specified in the General Ordinance.

SECTION 2. Authorization of the 2026D Bond. The City hereby authorizes the issuance of its General Obligation Bond (Small Diameter Collection System Project), Series D of 2026-WPCRF (the "2026D Bond"), or such other series designation as the Bond Committee (as defined herein) shall determine, in a principal amount not to exceed $2,200,000 pursuant to and in accordance with the General Ordinance, as supplemented by this Ordinance and the Bond Committee Resolution (as defined herein) for the purpose of financing the Project. The 2026D Bond shall be sold to the Delaware Water Pollution Control Revolving Fund.

The 2026D Bond shall be in such principal amount (not exceeding $2,200,000), shall bear such rate or rates of interest, shall mature in such principal amounts and on such dates, shall be subject to redemption, shall be sold at such price and in such manner, and shall be in such form and contain or be subject to such other terms and conditions, as shall be determined by the City's Bond Committee (the "Bond Committee") pursuant to a resolution of said committee (the "Bond Committee Resolution").

SECTION 3. Execution of the 2026D Bond. The 2026D Bond shall be executed by the manual or facsimile signatures of the Mayor, the City Treasurer, and the City Auditor, and by the manual or facsimile impression of the City seal, both attested by the manual or facsimile signature of the City Clerk or Deputy City Clerk. The 2026D Bond in definitive form may be printed, typewritten, or lithographed without steel engraved borders.

SECTION 4. Security for the 2026D Bond. The full faith, credit, and taxing power of the City is hereby pledged to the prompt payment of the principal of, premium, if any, and the interest on the 2026D Bond. The 2026D Bond shall be the direct and unlimited obligation of the City, and unless paid from other sources, the City shall levy *ad valorem* taxes upon all taxable property in the City for the payment of the 2026D Bond subject to the limitation contained in applicable law.

SECTION 5. Further Action. The appropriate officers of the City are hereby authorized and directed to take all such action, execute, deliver, file, and record all such documents, publish all notices, and otherwise carry out the intent of the General Ordinance and this Ordinance in the name of and on behalf of the City.

SECTION 6. Inconsistent Provisions. In the event that any provision of the 2026D Bond, or any term or condition contained in any agreement relating to the 2026D Bond, shall be inconsistent with any of the provisions of the General Ordinance, the provision of the 2026D Bond, this Ordinance, and such agreement shall be controlling with respect to the 2026D Bond and such agreement.

SECTION 7. Relation to General Ordinance. This Ordinance is supplemental to the General Ordinance and all sections of the General Ordinance, except as modified herein in accordance therewith, are applicable to the 2026D Bond authorized hereunder.

SECTION 8. Effective Date. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

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

Passed by City Council,

_____
President of City Council

ATTEST:_____
City Clerk

Approved as to form this 5th day of November, 2026.

Elizabeth D. Power
Senior Assistant City Solicitor

Approved this ___ day of _____, 2026.

_____
Mayor

SYNOPSIS: This Ordinance authorizes the issuance of a General Obligation Bond (Small Diameter Collection System Project), Series D of 2026-WPCRF, in an amount not to exceed $2,200,000 (the "2026D Bond"), which will be sold to the Delaware Water Pollution Control Revolving Fund in order to (i) to finance the rehabilitation of small diameter (less than 42 inches) sewer pipes throughout the City, via point repairs, replacements, and/or cured in-place pipe lining, to extend their service life, reduce the risk of failure, and improve the level of service of the sewer collection system, as specified in the City's capital budget for its Fiscal Year ending June 30, 2026, (ii) pay administrative costs relating to such capital projects, and (iii) pay the costs of issuing the 2026D Bond.

FISCAL IMPACT STATEMENT: The Office of Management and Budget has reviewed and analyzed this Ordinance authorizing the issuance of the 2026D Bond, together with the related documentation provided by the State of Delaware. The 2026D Bond is authorized in an amount not to exceed $2,200,000 for a term of thirty (30) years at an annual interest rate of 2.0%. The interest rate during the disbursement period is 0%.

Assuming the full authorized amount of $2,200,000 is borrowed, annual debt service payments (principal and interest), payable semi-annually, would be $97,876 over the thirty-year repayment period. Over the life of the 2026D Bond, the City would pay $2,936,267 in total debt service payments, inclusive of principal and interest.

In addition to debt service payments, the City will incur one-time bond issuance and financing costs of up to $7,000, which are assumed to be capitalized and financed from the bond proceeds. All debt service payments and bond issuance and financing costs associated with the 2026D Bond will be paid from the Water/Sewer Fund.

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