



NEW CASTLE COUNTY COUNCIL ADMINISTRATIVE-FINANCE COMMITTEE MEETING

**Co-Chair George Smiley, Seventh District
Co-Chair John Cartier, Eighth District**

**January 10, 2023
5:00 PM**

VIRTUAL ZOOM WEBINAR MEETING &
LOUIS L. REDDING CITY/COUNTY BUILDING
1ST FLOOR COUNCIL CHAMBERS
800 N. FRENCH STREET, WILMINGTON, DE 19801**

AGENDA

A. Call To Order/Roll Call

B. Approval of Minutes

C. Review/Discussion of Resolution(s)

R23-014: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH INTERFAITH HOUSING DELAWARE INC. TO PROVIDE HOUSING COUNSELING SERVICES TO PROSPECTIVE HOMEBUYERS FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$5,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-015: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH LIBRARY SYSTEMS & SERVICES LLC TO PROVIDE TO HIRE TEMPORARY LIBRARIANS FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES IN THE AMOUNT OF \$70,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-016: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH LANDMARK ENGINEERING INC. TO PROVIDE PROFESSIONAL SERVICES FOR ST. GEORGE'S CROSSING FOR THE DEPARTMENT OF LAND USE, DIVISION OF PLANNING IN THE AMOUNT OF \$11,400.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-017: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH SCANNA MSC, INC. TO PURCHASE A PORTABLE X-RAY UNIT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE IN THE AMOUNT OF \$57,150.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-018: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER 06-020.003-13 Introduced by: Mr. Smiley, Mr. Cartier

R23-021: AUTHORIZING THE FILING OF THE HOME ARPA 2021 ACTION PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT Introduced by: Mr. Hollins, Mr. Street

D. Review/Discussion of Ordinance(s)

°22-154: ESTABLISHING A SUPERMAJORITY VOTE REQUIREMENT FOR THE COUNTY COUNCIL OF NEW CASTLE COUNTY RELATING TO THE RULES OF PROCEDURE OF COUNTY COUNCIL Introduced by: Mr. Hollins, Mr. Smiley

°22-156: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 ("HUMAN RESOURCES"), ARTICLE 3 ("MERIT SYSTEM"), SECTION 26.03.1403 ("HOLIDAYS) CONVERTING TWO EXISTING HOLIDAYS TO FLOATING HOLIDAYS AND DECLARING JUNETEENTH AN OFFICIAL HOLIDAY Introduced by: Ms. Kilpatrick

E. New Castle County Grant Requests/Community Events**F. Expense and Revenue Round Table****G. Other****H. Public Comment****I. Adjournment****AGENDA POSTED: January 3, 2023**

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2). The meeting may go into Executive Session to address issues that arise at the time of the meeting.

****Under Title 29, Section 10006A of *Delaware Code*, New Castle County Council is holding this meeting as a**

telephone and video conference, utilizing  Webinar. In addition, this meeting is open to the public in Council Chambers (800 N. French Street, Wilmington, DE 19801). The link to join the meeting via computer, smart device, or smart phone is : <https://zoom.us/j/377322142> You may also call into the meeting (audio) using the following call in numbers: 1-312-626-6799 or +1-646-558-8656 or +1-346-248-7799 or +1-669-900-9128 or +1-253-215-8782 or +1-301-715-8592. Then enter the Webinar ID: 377 322 142. If you do not have a good connection with one, please try the others. Additional information regarding phone functionality during the meeting is available at: <https://support.zoom.us/hc/en-us/articles/360029527911-Live-Training-Webinars>

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccde.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

If permitted to comment, you will not be able to speak until called upon by the moderator. For those appearing virtually, there are functions in the program that allow you to do this. Please see the link in the previous paragraph.

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: January 10, 2023

RESOLUTION NO. 23-014

AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH INTERFAITH HOUSING DELAWARE INC. TO PROVIDE HOUSING COUNSELING SERVICES TO PROSPECTIVE HOMEBUYERS FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$5,000.00

WHEREAS, *New Castle County Code* § 2.02.004 requires that all contracts involving expenditures of funds in excess of \$50,000.00 in aggregate to one vendor in a fiscal year, which are not competitively bid, be approved by Resolution of County Council; and

WHEREAS, this contract is an agreement between New Castle County and Interfaith Housing Delaware Inc. in an amount not to exceed \$5,000.00 in Community Development Block Grant funds; and

WHEREAS, these funds will be used to provide housing counseling services to prospective homebuyers in pre-approved jurisdictions; and

WHEREAS, this contract requires approved by County Council as the expenditure of funds to this vendor has already exceeded the threshold of \$50,000.00 in aggregate to one vendor in a fiscal year.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the contract listed on the attached Exhibit “A,” entitled “New Castle County Purchase Requisition/Justification Form,” as a valid contract in excess of \$50,000.00 pursuant to *New Castle County Code* § 2.02.004.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed contract.

Department of Community Services, Division of Community Development and Housing

Interfaith Housing Delaware Inc. \$5,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$5,000.00. Funding is included in the FY2023 Approved Grant Budget in the FY2023 Community Development Block Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Missy Moore			FISCAL YR	2023	NAME	Interfaith Community Housing of Delaware, Inc.	
DEPARTMENT	COMMUNITY_SERVICES_40			FUND	110 GRANTS	ADDRESS	613 Washington Street, Wilmington, DE 19810	
ORGANIZATION	11400601 CS - GRANTS							
PHONE	302-395-5698			REQ#	2306609			
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES		☐ NO			CONTACT NAME	Darlene Sample	
CURRENT VENDOR	☒ YES		☐ NO			PHONE	302-652-3991	EXT
VENDOR #	100683					EMAIL		FAX #

ADDITIONAL NOTES	

I. What is the purpose of the requisition or advice of change?

To provide Housing Counseling services to prospective homebuyers in pre-approved jurisdictions. Agency will assist the families by providing a greater understanding of their options, rights and responsibilities of home ownership.

To provide education on all aspects of the home buying process. This individual financial counseling will help clients become more prepared to be homeowners.

If counseling services are not provided to first time homebuyers, higher default rates on loans could occur. The result would create a negative financial impact for New Castle County.

VI. OTHER, PLEASE EXPLAIN

11/22/2022

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: January 10, 2023

RESOLUTION NO. 23-015

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH LIBRARY SYSTEMS
& SERVICES LLC TO PROVIDE TO HIRE TEMPORARY LIBRARIANS FOR THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES
IN THE AMOUNT OF \$70,000.00**

WHEREAS, *New Castle County Code* § 2.02.004 requires that all contracts involving expenditures of funds in excess of \$50,000.00 in aggregate to one vendor in a fiscal year, which are not competitively bid, be approved by Resolution of County Council; and

WHEREAS, this contract is an agreement between New Castle County and Library Systems & Services LLC in an amount not to exceed \$70,000.00; and

WHEREAS, these funds will be used to hire temporary Librarians to fill vacant positions that are expected to be filled within 4-5 months through the normal hiring process; and

WHEREAS, this supervisory level staff is needed to maintain operations including Sunday hours for the libraries.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the contract listed on the attached Exhibit "A," entitled "New Castle County Purchase Requisition/Justification Form," as a valid contract in excess of \$50,000.00 pursuant to *New Castle County Code* § 2.02.004.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed contract.

Department of Community Services, Division of Libraries

Library Systems & Services LLC \$70,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$70,000.00. Funding is included in the FY2023 Approved Grant Budget in the FY2023 State Aid to Libraries Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION			
NAME	Diana Jackson			FISCAL YR	2023	NAME	Library Systems & Services LLC
DEPARTMENT	COMMUNITY_SERVICES_40			FUND	110 GRANTS	ADDRESS	2600 Tower Oaks BLVD Suite 510
ORGANIZATION	11400601 CS - GRANTS						Rockville ,MD 20852
PHONE				REQ#	2308175		
DELIVERY LOCATION							
SEND VENDOR PO	☒ YES		☐ NO			CONTACT NAME	Joe McAvoy
CURRENT VENDOR	☒ YES		☐ NO			PHONE	443-629-7848
VENDOR #	109277					EXT	
						EMAIL	joe.mcavoy@lsslibraries.com
						FAX #	

ADDITIONAL NOTES	

I. What is the purpose of the requisition or advice of change?

Purpose is to hire Temporary Librarians to fill vacant Positions that are expected to be filled within 4 -5 months through normal hiring process.

This supervisory level staff is needed to maintain operations including Sunday hours for the Libraries.

Library Operations will not be maintained and supervised.

V. IS THIS A PASS THROUGH GRANT?		☐ YES	☒ NO	IF YES, AGENCY
----------------------------------	--	------------------------------	--	----------------

IF YES, AGENCY

--

Page 6 of 18

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: January 10, 2023

RESOLUTION NO. 23-016

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH LANDMARK
ENGINEERING INC. TO PROVIDE PROFESSIONAL SERVICES FOR ST. GEORGE'S
CROSSING FOR THE DEPARTMENT OF LAND USE, DIVISION OF PLANNING IN THE
AMOUNT OF \$11,400.00**

WHEREAS, *New Castle County Code* § 2.02.004 requires that all contracts involving expenditures of funds in excess of \$50,000.00 in aggregate to one vendor in a fiscal year, which are not competitively bid, be approved by Resolution of County Council; and

WHEREAS, this contract is an agreement between New Castle County and Landmark Engineering, Inc. in the amount of \$11,400.00; and

WHEREAS, these funds will be used to obtain a final review of constructed facilities within the St. George's Crossing Subdivision in order to complete the open space turnover to the community; and

WHEREAS, this contract requires approved by County Council as the expenditure of funds to this vendor has already exceeded the threshold of \$50,000.00 in aggregate to one vendor in a fiscal year.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the contract listed on the attached Exhibit "A," entitled "New Castle County Purchase Requisition/Justification Form," as a valid contract in excess of \$50,000.00 pursuant to *New Castle County Code* § 2.02.004.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed contract.

Department of Land Use, Division of Planning

Landmark Engineering, Inc. \$11,400.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$11,400.00. Funding is included in the FY2023 Approved Operating Budget in the Land Use LDIA Account.

Michael Smith
Chief Financial Officer

NEW CASTLE COUNTY PURCHASE REQUISITION / JUSTIFICATION FORM					EXHIBIT A			
Please complete all the blue highlighted fields. If the total is greater than \$50,000 (Non-Bid only); or if the purchase, for this vendor, in aggregate for the fiscal year exceeds \$50,000 (Non-Bid only), you must also complete items I-VI in the lower half of the form.								
REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Nicole Racine		FISCAL YR	2023		NAME	Landmark Engineering, Inc.	
DEPARTMENT	LAND_USE_50		FUND	100 GENERAL		ADDRESS	200 Continental Drive	
ORGANIZATION	10500201 LU - PLANNING						Suite 400	
PHONE	302-395-5554		REQ#	2306470			Newark, DE 19713	
DELIVERY LOCATION	Land Use							
SEND VENDOR PO	☒ YES ☐ NO					CONTACT NAME Ted C. Williams, PE, PACEC, President		
CURRENT VENDOR	☒ YES ☐ NO					PHONE	302-323-9377	
VENDOR #	105793					EXT	121	
						EMAIL	tedw@landmark-se.com	
						FAX #		
ITEM#	QTY	DESCRIPTION			UNIT PRICE	TOTAL	OBJ LEVEL	GRANT or PROJECT #/ DETAIL / LOCATION
P 8353	1	Professional services proposal for St. George's Crossing			11,400.00	\$11,400.00	22293	
						\$0.00		
						\$0.00		
						\$0.00		
						\$0.00		
						\$0.00		
						\$0.00		
						\$0.00		
						\$0.00		
					TOTAL	\$11,400.00		
ADDITIONAL NOTES		Funding is through a Bond collected. Hansen reference St. Georges's Crossing Bond Tracking 8447 Project 20031534. Munis reference 10500201-22293.						
PURCHASES > \$50,000 (Non-Bid) OR IF THE FY AGGREGATE FOR THIS VENDOR > \$50,000 (Non-Bid), PLEASE COMPLETE THE SECTION BELOW.								
I. What is the purpose of the requisition or advice of change?								
The purpose is to obtain a final review of constructed facilities within the St. George's Crossing Subdivision in order to complete the open space turnover to the community.								
II. Why is it needed?								
To complete the open space turnover to the community.								
III. What will the impact (cost) be to New Castle County if the requisition or advice of change is not processed?								
Landmark is the firm that designed the community. Utilizing them will decrease the amount of time needed to evaluate and complete the open space and stormwater management facilities to complete turnover to the maintenance association.								
IV. IS THIS A SOLE SOURCE CONTRACT?			☐ YES ☒ NO		IF YES, AGENCY			
V. IS THIS A PASS THROUGH GRANT?			☐ YES ☒ NO					
VI. OTHER, PLEASE EXPLAIN								
SIGNATURE		Nicole Racine				DATE		12/1/2022

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: January 10, 2023

RESOLUTION NO. 23-017

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH SCANNA MSC, INC. TO
PURCHASE A PORTABLE X-RAY UNIT FOR THE DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF POLICE IN THE AMOUNT OF \$57,150.00**

WHEREAS, *New Castle County Code* § 2.02.004 requires that all contracts involving expenditures of funds in excess of \$50,000.00 in aggregate to one vendor in a fiscal year, which are not competitively bid, be approved by Resolution of County Council; and

WHEREAS, this contract is an agreement between New Castle County and Scanna MSC, Inc. in the amount of \$57,150.00; and

WHEREAS, these funds will be used for the purchase of a portable x-ray unit that will allow the Explosive Ordnance Disposal (EOD) Team to better diagnose suspicious packages and improvised explosive devices and weapons in a safer manner.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the contract listed on the attached Exhibit “A,” entitled “New Castle County Purchase Requisition/Justification Form,” as a valid contract in excess of \$50,000.00 pursuant to *New Castle County Code* § 2.02.004.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed contract.

Department of Public Safety, Division of Police

Scanna MSC, Inc. \$57,150.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$57,150.00. Funding is included in the FY2023 Approved Grant Budget in the SLEAF – Portable Xray System Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION			
NAME	Porsha Lopez		FISCAL YR	2023	NAME	Scanna MSC, Inc.	
DEPARTMENT	PUBLIC_SAFETY_20		FUND	110 GRANTS	ADDRESS	2910 Hyde Park Street	
ORGANIZATION	11200801 PS - GRANTS					Sarasota, Florida 34239	
PHONE	302-395-8007		REQ#	2303459			
DELIVERY LOCATION	POLICE DEPARTMENT - RECEIVING						
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Henry Turtle	
CURRENT VENDOR	☒ YES	☐ NO			PHONE	941-925-9730	EXT
VENDOR #	106451				EMAIL	scanna@comcast.net	FAX #
							941-925-1548

ADDITIONAL NOTES	

I. What is the purpose of the requisition or advice of change?

Purchase of this portable item will allow the Explosive Ordnance Disposal (EOD) Team to better diagnose suspicious packages and improvised explosive devices and weapons in a safer manner.

The portable capability will allow the EOD Team to take the equipment downrange and more efficiently conduct operations away from support vehicles.

If this request is not processed, the EOD Team would not have the portable capability to more efficiently conduct operations from support vehicles. This would creating a more dangerous environment to conduct these types of operations in.

VI. OTHER, PLEASE EXPLAIN

12/1/2022

RESOLUTION NO. 23-018

**APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER
06-020.003-13**

WHEREAS, Miller Realty Inc. Tax Parcel Number 06-020.003-13 located in Council District 2 has submitted to County Council, through the Chief Financial Officer, an affidavit requesting a refund of taxes which they believe were paid in duplicate and which total more than \$20,000; and

WHEREAS, the Chief Financial Officer has approved the payment of said refund in the amount of \$21,377.35 on the grounds that said amount was a duplicate payment; and

WHEREAS, the Chief Financial Officer shall not, without the express approval of County Council by Resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001; and

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund taxes paid in duplicate in the amount of \$21,377.35 to Miller Realty Inc.

Adopted by County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of a duplicate tax payment on Tax Parcel Number 06-020.003-13 totaling \$21,377.35. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of a duplicate tax payment in the amount of \$21,377.35 paid in duplicate comprised of taxes.

RESOLUTION NO. 23-021

**AUTHORIZING THE FILING OF THE HOME ARPA 2021 ACTION PLAN TO THE
UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT**

WHEREAS, the 2021 Annual Action Plan is New Castle County's application and distribution plan for the U.S. Department of Housing and Urban Development, Office of Community Planning and Development Block Grant Programs (CDBG, HOME and ESG); and

WHEREAS, New Castle County received an additional funding allocation through the American Rescue Plan Act (ARPA) administered through the HOME Investment Partnership Program (HOME) to perform activities that must benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations; and

WHEREAS, on December 12, 2021, County Council approved Ordinance 21-135 which appropriated the additional funding allocation in the amount of \$3,672,176; and

WHEREAS, a requirement of the additional funding was to file a Substantial Amendment which includes the HOME ARPA Allocation Plan to the U.S. Department of Housing and Urban Development; and

WHEREAS, New Castle County, in partnership with Delaware State Housing Authority and the City of Wilmington, conducted an extensive stakeholder consultation process to identify unmet housing and service needs among qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations; and

WHEREAS, based on the data obtained through the consultation process, New Castle County identified priority needs and proposes the following eligible activities and budget:

Development of affordable rental housing	\$ 750,000
Supportive services	\$ 2,371,350
Administration and planning	<u>\$ 550,826</u>
Total Allocation	\$ 3,672,176

WHEREAS, a draft of the Substantial Amendment, which includes the HOME-ARPA Allocation Plan, was available for public comment beginning December 1, 2022 through December 19, 2022.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County:

Section 1. The Executive of New Castle County is hereby authorized to file the HOME ARPA 2021 Action Plan to the United States Department of Housing and Urban Development for

the programs indicated above with the United States Department of Housing and Urban Development, including all the understanding and assurances contained therein.

Section 2. The Executive of New Castle County is designated as the authorized representative to act in connection with this application and is directed to provide such additional information as may be required.

Adopted by the County Council of
New Castle County on:

President of County Council
New Castle County

SYNOPSIS: This Resolution authorizes the County Executive to file the 2021 Annual Action Plan with the U.S. Department of Housing and Urban Development, Office of Community Planning and Development Block Grant Programs (CDBG, HOME and ESG).

New Castle County received an additional funding allocation through the American Rescue Plan Act (ARPA) to be administered through the HOME Investment Partnership Program (HOME) to perform activities that must benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations.

FISCAL NOTE: This Resolution authorizes the County Executive to file the 2021 Annual Action Plan with the U.S. Department of Housing and Urban Development, Office of Community Planning and Development Block Grant Programs (CDBG, HOME and ESG). The Action Plan includes proposing the following eligible activities and budget:

Development of affordable rental housing	\$ 750,000
Supportive services	\$ 2,371,350
Administration and planning	<u>\$ 550,826</u>
Total Allocation	<u>\$ 3,672,176</u>

The additional allocation was appropriated through Ordinance 21-135, approved by Council on 12/14/2021; therefore, there is no fiscal impact as a result of approving this Resolution.

Introduced by: Mr. Hollins, Mr. Smiley
Date of introduction: December 13, 2022

ORDINANCE NO. 22-154

**ESTABLISHING A SUPERMAJORITY VOTE REQUIREMENT FOR THE
COUNTY COUNCIL OF NEW CASTLE COUNTY RELATING TO THE
RULES OF PROCEDURE OF COUNTY COUNCIL**

WHEREAS, State law provides that New Castle County Council shall determine its own rules and order of business (9 *Del. C.* Section 1150); and

WHEREAS, 9 *Del. C.* Section 1150 further provides that under the authority granted to the government of New Castle County, County Council may by ordinance impose upon itself a supermajority voting requirement; and

WHEREAS, consistent with the above, the Rules of Procedure of County Council similarly allow County Council to create a supermajority voting requirement; and

WHEREAS, it is best for purposes of consistency and predictability and to avoid confusion that the Rules of Procedure of County Council be suspended only where there is a compelling basis for doing so, as indicated by a supermajority vote in favor thereof; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance and are reasonably and rationally related to legitimate government interests, including promoting the health, safety, prosperity, and welfare of present and future inhabitants of New Castle County.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 2 (“Administration”), Article 2 (“County Council”) is hereby amended by adding the material that is underscored and deleting the material with strikethroughs, as set forth below.

...

Division 2.02.100. - Rules of procedure.

...

Sec. 2.02.105. – Suspension of Council Rules of Procedure.

A two-thirds (2/3) or 9 out of 13 vote of County Council is necessary to suspend any Rule of Procedure of County Council.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
of New Castle County

SYNOPSIS: This Ordinance establishes that a vote of two-thirds (2/3) or 9 out of 13 by members of Council is necessary to suspend any Rule of Procedure of County Council.

FISCAL NOTE: This Ordinance, if approved, will have no fiscal impact.

ORDINANCE NO. 22 -156

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”),
ARTICLE 3 (“MERIT SYSTEM), SECTION 26.03.1403 (“HOLIDAYS) CONVERTING
TWO EXISTING HOLIDAYS TO FLOATING HOLIDAYS AND DECLARING
JUNETEENTH AN OFFICIAL HOLIDAY**

WHEREAS, converting two holidays to floating holidays will give County employees greater flexibility; and

WHEREAS, in 2020 and 2021, County Executive Matthew Meyer declared Juneteenth a New Castle County holiday in recognition of its historical importance and in 2021, the State of Delaware designated Juneteenth a legal holiday.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:

Section 1. *New Castle County Code* Chapter 26 (“Human Resources”), Article (“Merit System”), Sec. 26.03.1403 (“Holidays”) is hereby amended by adding the language that is underscored and the deletion of the stricken text:

Sec. 26.03.1403. Holidays.

A. The following Holidays shall be holidays with pay:

1. January 1 (New Year’s Day).
2. Martin Luther King’s Birthday.
- ~~3. Lincoln’s Birthday.~~
4. President’s Day.
5. Good Friday.
6. Memorial Day.
7. Juneteenth
8. Fourth of July (Independence Day).
9. Labor Day.
- ~~10. Columbus Day.~~
11. Veterans Day.
12. Thanksgiving Day.
13. Friday following Thanksgiving.

14. December 24 (Christmas Eve Day), normal workday before Christmas holiday to end at 12:00 noon.

15. Christmas Day

16. Election Day (Every two (2) years).

B. Effective January 1, 2023, employees shall be granted two (2) floating holidays each calendar year. Floating holidays must be taken by December 31st of each calendar year. Unused floating holidays shall not carryover to the next calendar year. Employees shall be paid straight time for floating holidays.

The Office of Human Resources shall promulgate a personnel policy to establish the terms of use for floating holidays.

C. Salaried employees in pay grades 18 and below ...

D. When a holiday falls on a regularly assigned day ...

E. Whenever a holiday falls on Saturday ...

F. Holidays which occur during vacation period ...

G. Where administratively possible ...

H. In order to receive holiday pay ...

I. Employees who have holiday work assignments ...

Section 2. This ordinance shall become effective immediately upon its adoption and signature of the County Executive or as otherwise provided in 9 *Del. C.* Section 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive_____
New Castle County

SYNOPSIS: This ordinance, if approved, will amend *New Castle County Code* Chapter 26, Article 3, Section 26.03.1403, by removing two holidays and converting them to floating holidays, as well as declaring Juneteenth an official New Castle County holiday.

FISCAL NOTE: This ordinance will have a de minimus impact upon the County's operating budget.