



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

January 24, 2023
6:30 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

- **Moment of Silence**
- **Pledge of Allegiance**
- **Roll Call**

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°23-008: AMEND THE GRANTS BUDGET: APPROPRIATE \$136,569.42 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT DIVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-009: AMEND THE GRANTS BUDGET: APPROPRIATE \$153,141.56 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT DIVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Mr. Hartley-Nagle

°23-010: AMEND THE GRANTS BUDGET: APPROPRIATE \$237,585.50 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT DIVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-011: AMEND THE GRANTS BUDGET: APPROPRIATE \$72,956.50 IN STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE STATE AID TO LOCAL LAW ENFORCEMENT (SALLE) – FY2023 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-012: AMEND THE GRANTS BUDGET: APPROPRIATE \$39,598.19 IN EMERGENCY ILLEGAL DRUG ENFORCEMENT (EIDE) FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE EIDE FY2023 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-013: AMEND THE GRANTS BUDGET: FOR FY2023, APPROPRIATE \$73,000 IN FEDERAL PASS -THROUGH FUNDS FROM THE STATE OF DELAWARE, DELAWARE STATE HOUSING AUTHORITY FOR THE COMMUNITY NAVIGATOR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-014: AMEND THE GRANTS BUDGET: APPROPRIATE \$10,816.00 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-015: AMEND THE GRANTS BUDGET: REALIGN \$252,826.76 IN FUNDS FROM THE DEPARTMENT OF STATE, DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2022 STATE AID FOR LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF LIBRARIES Introduced by: Mr. Hollins, Mr. Street

°23-016: AMEND THE GRANTS BUDGET: APPROPRIATE \$447,000 IN PROGRAM INCOME AND \$450,000 IN ANTICIPATED PROGRAM INCOME TO THE NEIGHBORHOOD STABILIZATION PROGRAM I GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-017: AMEND THE GRANTS BUDGET: APPROPRIATE \$307,000 IN PROGRAM INCOME TO THE NEIGHBORHOOD STABILIZATION PROGRAM III GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Hollins, Mr. Street

°23-018: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A DEED AND OTHER DOCUMENTS NECESSARY TO TRANSFER APPROXIMATELY 10,679 SQUARE FEET OF PROPERTY LOCATED IN NEWARK, DELAWARE AT 2199 PULASKI HIGHWAY, TAX PARCEL NO. 11-022.00-014 FOR \$28,833.30, TO BE USED TO IMPROVE DUSK RUN ROAD Introduced by: Mr. Tackett

°23-019: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMERGENCY SERVICES PERSONNEL REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3911 (NON-PARAMEDIC CLASSIFICATIONS) FOR THE POSITION OF EMERGENCY MEDICAL SERVICES OPERATIONS SUPPORT SPECIALIST Introduced by: Ms. Hartley-Nagle

E. Reports from Select and Special Committees

F. Consent Calendar

R23-022: CONSENTING TO THE RE-APPOINTMENT OF JUDITH A. TAGGART TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD Introduced by: Ms. George

R23-023: CONSENTING TO THE RE-APPOINTMENT OF SUBIRA IBRAHIM TO THE NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE DEPARTMENT OF COMMUNITY SERVICES BOARD Introduced by: Mr. Hollins

R23-024: CONSENTING TO THE REAPPOINTMENT OF ROBERT B. SNOWDEN TO THE NEW CASTLE COUNTY PLANNING BOARD Introduced by: Ms. Durham

R23-025: CONSENTING TO THE REAPPOINTMENT OF WILLIAM V. MCGLINCHEY TO THE NEW CASTLE COUNTY PLANNING BOARD Introduced by: Ms. Durham

R23-026: CONSENTING TO THE REAPPOINTMENT OF RUTH M. VISVARDIS TO THE NEW CASTLE COUNTY PLANNING BOARD Introduced by: Mr. Bell

R23-027: CONSENTING TO THE REAPPOINTMENT OF LEAH GRAY TO THE NEW CASTLE COUNTY PLANNING BOARD Introduced by: Mr. Bell

R23-028: CONSENTING TO THE REAPPOINTMENT OF LEONE CAHILL TO THE NEW CASTLE COUNTY PLANNING BOARD Introduced by: Mr. Sheldon

R23-029: CONSENTING TO THE REAPPOINTMENT OF JONATHAN COCHRAN TO THE NEW CASTLE COUNTY PLANNING BOARD Introduced by: Ms. Kilpatrick

R23-030: CONSENTING TO THE REAPPOINTMENT OF STEPHEN JOHNS TO THE NEW CASTLE COUNTY HISTORIC REVIEW BOARD Introduced by: Ms. Kilpatrick

NOTE: If an item on the Consent Calendar is objected to by a Council member, or a member of the public wishes to obtain additional information about the candidate or proposed legislation, or if a Councilmember intends to offer an amendment to a resolution, seek additional information, or state a conflict, it shall be removed from the Consent Calendar and voted upon separately.

G. Presentations

H. Consideration of Resolutions Removed from the Consent Calendar and Other Resolutions

R23-031: AUTHORIZING THE EXECUTION OF TWO PURCHASE ORDERS WITH TRUSTEES OF UNIVERSITY OF PENNSYLVANIA (NEW BOLTON CENTER) FOR VETERINARY SERVICES FOR HORSES IN THE TOTAL AMOUNT OF \$59,059.40 Introduced by: Mr. Smiley, Mr. Cartier

R23-032: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH RITA D. PORTER TO SERVE AS ADMINISTRATIVE LOGISTICS COORDINATOR FOR THE HEALTHY HOMES PRODUCTION GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$52,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-033: AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GROW AMERICA FUND, INC. (DBA NATIONAL DEVELOPMENT COUNCIL) TO ESTABLISH A COMMUNITY AND ECONOMIC DEVELOPMENT LENDING PROGRAM FOR SMALL BUSINESS LOANS WITHIN NEW CASTLE COUNTY Introduced by: Mr. Smiley, Mr. Cartier

R23-034: TO TERMINATE A DECLARATION OF RESTRICTIONS FOR 713 AND 721 VALLEY ROAD, NEW CASTLE COUNTY TAX PARCEL NOS. 08-0120.00-73 AND 08-012.00-033; APPLICATION NO. 2022-0623; COUNCIL DISTRICT 3 Introduced by: Ms. Kilpatrick

R23-035: RECOGNIZING AND CELEBRATING THE CHINESE NEW YEAR 2023 Introduced by: Ms. Kilpatrick

I. Consideration of Ordinances

°23-001: AMEND THE GRANTS BUDGET: APPROPRIATE \$75,000 FROM KENT COUNTY AS A FEDERAL PASS-THROUGH GRANT FROM THE AMERICAN RESCUE PLAN

ACT (ARPA), STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF) TO THE SUBSTANCE USE DISORDERS NEEDS ASSESSMENT Introduced by: Mr. Smiley, Mr. Cartier

°23-002: AMEND THE FY2023 APPROVED OPERATING BUDGET: TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE MATERIALS AND SUPPLIES BUDGET LINE ITEM FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS Introduced by: Mr. Smiley

°23-003: ADOPT THE PAY PLAN AND RATES OF PAY FOR FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5 CAPTAINS, MAJORS, & LIEUTENANT COLONEL Introduced by: Ms. Hartley-Nagle

°23-004: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE (FOP) LODGE NO. 5 SWORN DEPUTY SHERIFFS Introduced by: Ms. Hartley-Nagle

°23-005: AMEND THE GRANTS BUDGET: APPROPRIATE \$125,109.00 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, AGRICULTURAL MARKETING SERVICE TO THE 2022 FARMERS MARKET PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF RECREATION Introduced by: Mr. Hollins, Mr. Street

°23-006: AMEND THE ANNUAL OPERATING BUDGET TO APPROPRIATE \$525,000 FROM THE STRATEGIC ECONOMIC DEVELOPMENT FUND AND \$225,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND A \$750,000 INVESTMENT TO ESTABLISH THE GROW AMERICA FUND – NEW CASTLE COUNTY Introduced by: Mr. Smiley, Mr. Cartier, Ms. Kilpatrick

°22-128: REVISE ZONING MAP: MILL CREEK HUNDRED, EAST SIDE OF VALLEY ROAD, 850 FEET SOUTH OF EVANSON ROAD; REZONE TAX PARCELS 08-012.00-033 – 040, AND TAX PARCELS 08-012.00-073 – 075, 58.31+ ACRES, FROM S (SUBURBAN), CN (COMMERCIAL NEIGHBORHOOD), AND I (INDUSTRIAL) TO ST (SUBURBAN TRANSITION) AND A PORTION OF TAX PARCEL 08-012.00-039, 1.02+ ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION) AND H (HISTORIC OVERLAY ZONE). (The Exploratory Major Subdivision Plan for Hockessin Station proposes to rezone tax parcels 08-012.00-033 – 040, and 08-012.00-073 – 075 from “S” (Suburban), “CN” (Commercial Neighborhood), and “I” (Industrial) to “ST” (Suburban Transition) and a portion of tax parcel 08-012.00-039, 1.02+ acres from “S” (Suburban) to “ST” (Suburban Transition) and “H” (Historic Overlay Zone) and subdivide the property into 147 lots with associated site improvements, utilizing the open space planned development option, and remove existing deed restrictions from tax parcels 08-012.00-033 and 08-012.00-073. App. 2021-0695-S, Council District 3.) Introduced by: Ms. Kilpatrick

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-036: RECOGNIZING THE OBSERVANCE OF NATIONAL BLOOD DONOR MONTH IN NEW CASTLE COUNTY Introduced by: Mr. Tackett, Mr. Toole, Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: January 17, 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. Bell, Ms. Hartley-Nagle

Date of introduction: January 24, 2023

ORDINANCE NO. 23-008

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$136,569.42 IN FEDERAL FUNDING FROM THE DEPARTMENT OF
HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT
DIVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, authorization is being sought for the appropriation of \$136,569.42 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA); and

WHEREAS, grant award will be used to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program; and

WHEREAS, these funds will allow Emergency Medical Services to replenish Protective Equipment, and for Police to purchase Chemical, Biological, Radiological and Nuclear (CBRN) tactical and Explosive Ordnance Disposal (EOD) equipment in support of the Statewide Strategy; and

WHEREAS, additional allocation for travel and training costs is appropriated to allow funds to be reimbursed by DEMA; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the Department of Homeland Security Federal Emergency Management Agency (FEMA) are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit "A," which is considered to be underscored in its entirety.

Section 2. The provisions in this Ordinance shall be effective July 1, 2022.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$136,569.42 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program. Additional allocation for travel and training costs is appropriated to allow funds to be reimbursed by DEM A.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$136,569.42 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to the FY19 DHS Homeland Security Program.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$136,569.42. This increase will affect FY2023 and FY2024 since the targeted program completion date is August 31, 2023. There will be no fiscal impact beyond FY2024 as a result of this grant award.

DEPARTMENT: Public Safety

PROGRAM TITLE: FY19 DHS Homeland Security Program

EXHIBIT: "A"

Ordinance No. 23-008

Federal \$ 136,569.42

State

Program Income

Interest

Object Level	Federal		State		County		Program Income		Interest		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages	\$ 2,500.00										\$ 2,500.00	\$ -
51-Employee Benefits	\$ 1,500.00										\$ 1,500.00	\$ -
52-Training/Civic Affairs	\$ 26,000.00										\$ 26,000.00	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies											\$ -	\$ -
55-Contractual Services											\$ -	\$ -
56-Equipment Replacement	\$ 106,569.42										\$ 106,569.42	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ 136,569.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 136,569.42	\$ -

Supplemental Information

Estimated Program Initiation: 9/1/2019

Estimated Program Completion: 8/31/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

This Ordinance will appropriate a federal grant award to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program.

1/24/2023

Introduced by: Mr. Bell, Ms. Hartley-Nagle

Date of introduction: January 24, 2023

ORDINANCE NO. 23-009

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$153,141.56 IN FEDERAL FUNDING FROM THE DEPARTMENT OF
HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT
DIVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, authorization is being sought for the appropriation of \$153,141.56 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA); and

WHEREAS, grant award will be used to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program; and

WHEREAS, these funds will provide for computer upgrades for the Emergency Operations Center, protective equipment, tactical medical equipment and a utility vehicle/trailer for Emergency Medical Services and protective equipment and bomb equipment for Police; and

WHEREAS, additional allocation for travel and training costs is appropriated to allow funds to be reimbursed by DEMA; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the Department of Homeland Security Federal Emergency Management Agency (FEMA) are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit "A," which is considered to be underscored in its entirety.

Section 2. The provisions in this Ordinance shall be effective July 1, 2022.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$153,141.56 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program. Additional allocation for travel and training costs is appropriated to allow funds to be reimbursed by DEM A.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$153,141.56 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to the FY20 DHS Homeland Security Program.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$153,141.56. This increase will affect FY2023 and FY2024 since the targeted program completion date is August 31, 2023. There will be no fiscal impact beyond FY2024 as a result of this grant award.

DEPARTMENT: Public Safety

PROGRAM TITLE: FY20 DHS Homeland Security Program

EXHIBIT: "A"

Ordinance No. 23-009

Federal \$ 153,141.56

State

Program Income

Interest

Object Level	Federal		State		County		Program Income		Interest		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages	\$ 2,500.00										\$ 2,500.00	\$ -
51-Employee Benefits	\$ 1,500.00										\$ 1,500.00	\$ -
52-Training/Civic Affairs	\$ 26,000.00										\$ 26,000.00	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies	\$ 2,010.00										\$ 2,010.00	\$ -
55-Contractual Services											\$ -	\$ -
56-Equipment Replacement	\$ 121,131.56										\$ 121,131.56	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ 153,141.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 153,141.56	\$ -

Supplemental Information

Estimated Program Initiation: 9/1/2020

Estimated Program Completion: 8/31/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

This Ordinance will appropriate a federal grant award to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program.

1/24/2023

Introduced by: Mr. Bell, Ms. Hartley-Nagle

Date of introduction: January 24, 2023

ORDINANCE NO. 23-010

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$237,585.50 IN FEDERAL FUNDING FROM THE DEPARTMENT OF
HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) FOR TRAINING AND THE PURCHASE AND RECEIPT OF EQUIPMENT
DIVISIONS OF THE DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, authorization is being sought for the appropriation of \$237,585.50 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA); and

WHEREAS, grant award will be used to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program; and

WHEREAS, these funds will provide for physical security enhancements to Public Safety Building, protective equipment and cardiac monitors for Emergency Medical Services, and protective equipment, communications equipment and bomb equipment for Police; and

WHEREAS, additional allocation for travel and training costs is appropriated to allow funds to be reimbursed by DEMA; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the Department of Homeland Security Federal Emergency Management Agency (FEMA) are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit "A," which is considered to be underscored in its entirety.

Section 2. The provisions in this Ordinance shall be effective July 1, 2022.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$237,585.50 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program. Additional allocation for travel and training costs is appropriated to allow funds to be reimbursed by DEM A.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$237,585.50 in federal funding from the Department of Homeland Security Federal Emergency Management Agency (FEMA) to the FY20 DHS Homeland Security Program.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$237,585.50. This increase will affect FY2023, FY2024 and FY2025 since the targeted program completion date is September 30, 2024. There will be no fiscal impact beyond FY2025 as a result of this grant award.

DEPARTMENT: Public Safety

PROGRAM TITLE: FY21 DHS Homeland Security Program

EXHIBIT: "A"

Ordinance No. 23-010

Federal \$ 237,585.50

State

Program Income

Interest

Object Level	Federal		State		County		Program Income		Interest		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages	\$ 2,500.00										\$ 2,500.00	\$ -
51-Employee Benefits	\$ 1,500.00										\$ 1,500.00	\$ -
52-Training/Civic Affairs	\$ 26,000.00										\$ 26,000.00	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies											\$ -	\$ -
55-Contractual Services											\$ -	\$ -
56-Equipment Replacement	\$ 207,585.50										\$ 207,585.50	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ 237,585.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 237,585.50	\$ -

Supplemental Information

Estimated Program Initiation: 10/1/2021

Estimated Program Completion: 9/30/2024

The Local Match:

Found in (ORG):

Code:

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

This Ordinance will appropriate a federal grant award to properly account for the purchase and receipt of equipment and provide for the reimbursement of funds by Delaware Emergency Management Agency (DEMA) through the State's Homeland Security Grant Program.

1/24/2023

Introduced by: Mr. Bell, Ms. Hartley-Nagle
Date of introduction: January 24, 2023

ORDINANCE NO. 23-011

AMEND THE GRANTS BUDGET:

**APPROPRIATE \$72,956.50 IN STATE AID TO LOCAL LAW ENFORCEMENT (SALLE)
FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND
HOMELAND SECURITY TO THE STATE AID TO LOCAL LAW ENFORCEMENT (SALLE)
– FY2023 GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF POLICE**

WHEREAS, funding has been awarded from the State of Delaware, Department of Safety and Homeland Security to the State Aid to Local Law Enforcement (SALLE) FY2023 Grant; and

WHEREAS, the funding will be used by the Department of Public Safety for officer specialized training such as Criminal Investigations, Patrol Tactical Training, Leadership and other courses needed to maintain certifications and memberships as well as overtime for special operations as needed; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material on the attached “Exhibit A,” which shall be considered underscored in its entirety, attached hereto and made a part thereof.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 8, 2022.

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 appropriate \$72,956.50 in State Aid to Local Law Enforcement (SALLE) funds from the State of Delaware, Department of Safety and Homeland Security to the State Aid Legal Law Enforcement SALLE FY2023 Grant. Funds will be used by the Department of Public Safety for officer specialized training such as Criminal Investigations, Patrol Tactical Training, Leadership and other courses needed to maintain certifications and memberships as well as overtime for special operations as needed.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 8, 2022.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$72,956.50 in State Aid to Local Law Enforcement (SALLE) funds from the State of Delaware, Department of Safety and Homeland Security to the State in Aid to Local Law Enforcement (SALLE) FY2023 Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$72,956.50. This increase will affect FY2023 through FY2026 since the targeted program completion date is December 31, 2025. There will be no fiscal impact beyond FY2026 as a result of this grant award. The Department will provide an Operating Budget match of \$11,830.22 from the Approved Operating Budget to cover the overtime benefits.

DEPARTMENT: Public Safety

PROGRAM TITLE: SALLE FY2023

EXHIBIT: "A"

Ordinance No. 23-011

Federal

State \$ 72,956.50

Program Income

Interest

Object Level	Federal		State		County		Program Income		Interest		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages			\$ 20,020.00								\$ 20,020.00	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs			\$ 52,936.50								\$ 52,936.50	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies											\$ -	\$ -
55-Contractual Services											\$ -	\$ -
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ 72,956.50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 72,956.50	\$ -

Supplemental Information

Estimated Program Initiation: 11/8/2022

Estimated Program Completion: 12/31/2025

The Local Match: \$ 11,830.22

Found in (ORG): 10200305 - Police Patrol

Code:

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Funding will be used to cover overtime for special operations and the training needs of the Division of Police.

1/24/2023

ORDINANCE NO. 23-012

AMEND THE GRANTS BUDGET:

**APPROPRIATE \$39,598.19 IN EMERGENCY ILLEGAL DRUG ENFORCEMENT (EIDE)
FUNDS FROM THE STATE OF DELAWARE, DEPARTMENT OF SAFETY AND
HOMELAND SECURITY TO THE EIDE FY2023 GRANT, TO BE ADMINISTERED BY THE
DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE**

WHEREAS, funding has been awarded from the State of Delaware, Department of Safety and Homeland Security through the Emergency Illegal Drug Enforcement (EIDE) program to the EIDE FY2023 Grant; and

WHEREAS, this program provides critical funding for the Division of Police in its efforts to remove illegal drugs and drug dealers from the communities of New Castle County; and

WHEREAS, the funding will be used to support overtime and equipment purchases to assist the drug unit in conducting surveillance, investigations and special operations; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material on the attached "Exhibit A," which shall be considered underscored in its entirety, attached hereto and made a part thereof.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 8, 2022.

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 appropriate \$39,598.19 from the State of Delaware, Department of Safety and Homeland Security through the Emergency Illegal Drug Enforcement (EIDE) program to the EIDE FY2023 Grant. Funds will be used by the New Castle County Department of Public Safety, Division of Police to support overtime and equipment purchases to assist the drug unit in conducting surveillance, investigations and special operations.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to November 8, 2022.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$39,598.19 from the State of Delaware, Department of Safety and Homeland Security through the Emergency Illegal Drug Enforcement (EIDE) program to the EIDE FY2023 Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$39,598.19. This increase will affect FY2023 through FY2026 since the targeted program completion date is December 31, 2025. There will be no fiscal impact beyond FY2026 as a result of this grant award.

The fiscal impact on the Operating Budget will be \$17,937.38 to cover benefits for overtime not covered by the grant.

DEPARTMENT: Public Safety

PROGRAM TITLE: EIDE FY2023

EXHIBIT: "A"

Ordinance No. 23-012

Federal

State \$ 39,598.19

Program Income

Interest

Object Level	Federal		State		County		Program Income		Interest		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages			\$ 30,355.00								\$ 30,355.00	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs											\$ -	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies											\$ -	\$ -
55-Contractual Services											\$ -	\$ -
56-Equipment Replacement			\$ 9,243.19								\$ 9,243.19	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ 39,598.19	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 39,598.19	\$ -

Supplemental Information

Estimated Program Initiation: 11/8/2022

Estimated Program Completion: 12/31/2025

The Local Match: \$ 17,937.38

Found in (ORG): 10200305 - Police Patrol

Code:

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Funding will be used for overtime in the Drug Control Unit to conduct surveillance, investigations and operations. Funding will also be used to purchase needed equipment for officer protection during drug investigations to maintain officer safety.

1/24/2023

ORDINANCE NO. 23-013

**AMEND THE GRANTS BUDGET:
FOR FY2023, APPROPRIATE \$73,000 IN FEDERAL PASS -THROUGH FUNDS FROM
THE STATE OF DELAWARE, DELAWARE STATE HOUSING AUTHORITY FOR
THE COMMUNITY NAVIGATOR PROGRAM GRANT, WHICH IS ADMINISTERED
BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING**

WHEREAS, the Community Navigator Program is funded from the State of Delaware through the Delaware State Housing Authority with Federal funds from the Emergency Rental Assistance Program; and

WHEREAS, the funds are used to fund contractual community navigators to assist the NCC Hope Center guests with housing programs and other case management; and

WHEREAS, New Castle County received funds in the amount of \$365,000 covering the period of January 1-December 31, 2022; and

WHEREAS, an additional grant allocation in the amount of \$73,000 has been awarded to New Castle County to continue to support two contractual community navigators to assist the NCC Hope Center guests with housing programs and other case management; and

WHEREAS, the County Executive has determined that the federal pass-through funds anticipated to be received from the Delaware State Housing Authority will be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit "A", which shall be considered underscored in its entirety.

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 1, 2023.

Adopted by County Council of
New Castle County on:

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate federal pass-through funds of \$73,000 from the Delaware State Housing Authority with funding provided by Federal Emergency Rental Assistance program, which will be administered by the Department of Community Services, Division of Community Development and Housing.

The funding will support two contractual community navigators to continue assisting guests at the NCC HOPE Center with housing programs and other case management needs. Year one of the grant covered the period of January 1-December 31, 2022 and was funded in the amount of \$365,000.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 1, 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal pass-through funds of \$73,000 from the Delaware State Housing Authority with funding provided by the Federal Emergency Rental Assistance Program which will be administered by the Department of Community Services, Division of Community Development and Housing.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$73,000 for FY2023. This increase will affect FY2023 and FY2024, since the targeted program completion date for this grant is December 31, 2023. There is no discernible fiscal impact on the current operating budget.

DEPARTMENT: Community Services

EXHIBIT "A"

PROGRAM TITLE: Community Navigator Program

Ordinance No. 23-013
Federal pass-through \$73,000

Object Level	Federal		County		Program Income		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
11-Salaries and Wages 15-Employee Benefits 22-Training/Civic Affairs 23-Communication/Utilities 24-Materials/Supplies 25-Contractual Services 26-Equipment Replacement 27-Fixed Charges 28-Land and Structures 29-Contingencies 30-Intergovernmental Service Charge								
Total:	\$73,000						\$73,000	

Supplemental Information

Estimated Program Initiation: 1/1/2023

Estimated Program Completion: 12/31/2023

The Local Match -0-

Found in

Code #43008

Ordinance Passed:

Date Revised

PROGRAM DESCRIPTION:

The Community Navigator Program is funded with federal pass-through funds from the Delaware State Housing Authority to provide funding for two contractual community navigators to continue assisting the guests at the NCC HOPE Center with housing programs and other case management needs. Year one of the grant was funded in the amount of \$365,000 and covered the period of January 1-December 31, 2022.

01/24/2023

ORDINANCE NO. 23-014

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$10,816.00 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR
CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES**

WHEREAS, the Absalom Jones Senior Center Recreation grant was originally set up to record revenue and expenses for the programs run by New Castle County employees at the State-owned Absalom Jones Recreation Center; and

WHEREAS, authorization is being sought for the appropriation of an additional \$10,816.00 in program income to the Absalom Jones Senior Center Recreation grant; and

WHEREAS, the Absalom Jones Senior Center provides a variety of services for the elderly in the surrounding community including transportation to the center, adult programs, activities, and social services; and

WHEREAS, the County Executive has determined that the revenue to be appropriated shall be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by deleting the material bracketed and stricken and by adding the material underscored on the attached Exhibit "A."

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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
New Castle County

SYNOPSIS: Appropriate \$10,816.00 in program income to the Absalom Jones Senior Center Recreation Grant, which will be administered by the Department of Community Services, Division of Community Resources.

The Absalom Jones Senior Center provides a variety of services for the elderly in the surrounding community including transportation to the center, adult programs, activities, and social services. The revenue appropriation on this request, if approved, will be used for Tour transportation costs.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$10,816.00 in program income funds to the Absalom Jones Senior Center Recreation Grant to be administered by the Department of Community Services, Division of Community Resources. The revenue appropriation on this request, if approved, will be used for the cost of tour transportation.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$10,816.00 for FY2023. This is an ongoing grant and there is no discernible fiscal impact on the current operating budget.

DEPARTMENT: Community Services

PROGRAM TITLE: Absalom Jones Senior Center Recreation

EXHIBIT: "A"

Ordinance No. 23-014

Federal
State
Program Income
Other \$ ~~258,009.84~~ \$ 268,825.84

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 632.05		\$ 632.05	\$ -
53-Communication/Utilities									\$ 438.73		\$ 438.73	\$ -
54-Materials/Supplies									\$ 33,247.24		\$ 33,247.24	\$ -
55-Contractual Services									\$ 220,591.82	\$ 231,407.82	\$ 220,591.82	\$ 231,407.82
56-Equipment Replacement									\$ 3,100.00		\$ 3,100.00	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 258,009.84	\$ 268,825.84	\$ 258,009.84	\$ 268,825.84

Supplemental Information

Estimated Program Initiation: 10/1/1989

Estimated Program Completion: ongoing

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 22-065

Date Revised: 5/24/2022

PROGRAM DESCRIPTION:

The Absalom Jones Senior Center Recreation grant assists in providing a variety of services to the elderly population in the neighboring community including transportation to the center, adult programs, activities and social services. Major source of revenue is program income with additional revenue from donations and interest income.

5/24/2022 1/24/2023

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: January 24, 2023

ORDINANCE NO. 23-015

**AMEND THE GRANTS BUDGET:
REALIGN \$252,826.76 IN FUNDS FROM THE DEPARTMENT OF STATE,
DELAWARE DIVISION OF LIBRARIES WITHIN THE FY2022 STATE AID FOR
LIBRARIES GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF LIBRARIES**

WHEREAS, State funds, through a contract with the Department of State, Delaware Division of Libraries, are allocated to libraries to encourage the maintenance and development of proper standards, including personnel standards, hours of operation, library materials, collection standards and interlibrary resource sharing, and to provide for the development of statewide public library services; and

WHEREAS, libraries must meet, or provide evidence of attempting to meet, the minimum standards of operation as established by the Division of Libraries and approved by the State Council on Libraries; and

WHEREAS, original allocated funding in the amount of \$2,247,190 from the Department of State, Delaware Division of Libraries, was previously approved by County Council and appropriated to the FY2022 State Aid for Libraries Grant via Ordinance 21-056; and

WHEREAS, authorization is sought for the realignment of \$252,826.76 in State funds within the FY2022 State Aid for Libraries Grant for security expenditures due to Sunday hours; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibits “A” through “L” which shall be considered underscored in their entirety.

Section 2. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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
New Castle County

SYNOPSIS: This Ordinance, if approved, will realign \$252,826.76 in State funds within the FY2022 State Aid for Libraries Grant. The realignment of funds will be used for security expenditures due to Sunday hours.

State funds are allocated to libraries to encourage the maintenance and development of proper standards, including personnel standards, hours of operation, library materials, collection standards and interlibrary resource sharing, and to provide for the development of statewide public library services. Libraries must meet, or provide evidence of attempting to meet, the minimum standards of operation as established by the Division of Libraries and approved by the State Council on Libraries.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by realigning \$252,826.76 in State Funds within the FY2022 State Aid for Libraries Grant.

This Ordinance, if approved, will have no fiscal impact. The realignment will affect FY2023 and FY2024 since the targeted completion date is March 30, 2023.

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Library Administration

EXHIBIT: "A"

Ordinance No. 23-015

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	2,017,943.00	\$	2,092,503.32

Object Level	Federal		State		County		Program Income		Other		Total					
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised				
50-Salaries and Wages									\$	895,422.00	\$	895,422.00	\$	-		
51-Employee Benefits									\$	126,251.00	\$	126,251.00	\$	-		
52-Training/Civic Affairs									\$	4,060.00	\$	4,060.00	\$	4,060.00	\$	3,918.52
53-Communication/Utilities											\$	-	\$	-	\$	-
54-Materials/Supplies									\$	862,570.00	\$	862,570.00	\$	862,570.00	\$	686,875.74
55-Contractual Services									\$	9,900.00	\$	9,900.00	\$	9,900.00	\$	262,030.51
56-Equipment Replacement									\$	67,070.00	\$	67,070.00	\$	67,070.00	\$	65,835.55
57-Fixed Charges									\$	52,170.00		\$	52,170.00	\$	-	
58-Land and Structures												\$	-	\$	-	
59-Contingencies												\$	-	\$	-	
66-Operating Transfer Charges									\$	500.00	\$	500.00	\$	500.00	\$	-
67-Operating Transfer Credits												\$	-	\$	-	
Total	\$	-	\$	-	\$	-	\$	-	\$	2,017,943.00	\$	2,092,503.32	\$	2,017,943.00	\$	2,092,503.32

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Appoquinimink Library

EXHIBIT:	"B"			
Ordinance No.	23-			
Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	13,498.87	\$	11,448.55

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 900.00	\$ 617.97	\$ 900.00	\$ 617.97
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 1,857.99	\$ 89.70	\$ 1,857.99	\$ 89.70
55-Contractual Services									\$ 10,740.88	\$ 10,740.88	\$ 10,740.88	\$ 10,740.88
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,498.87	\$ 11,448.55	\$ 13,498.87	\$ 11,448.55

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Bear Library

EXHIBIT: "C"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	27,525.02	\$	16,542.68

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 500.00	\$ -	\$ 500.00	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 13,318.00	\$ 5,218.65	\$ 13,318.00	\$ 5,218.65
55-Contractual Services									\$ 10,707.02	\$ 8,390.78	\$ 10,707.02	\$ 8,390.78
56-Equipment Replacement									\$ 3,000.00	\$ 2,933.25	\$ 3,000.00	\$ 2,933.25
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 27,525.02	\$ 16,542.68	\$ 27,525.02	\$ 16,542.68

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Brandywine Library

EXHIBIT: "D"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	<u>22,670.00</u>	\$	<u>13,799.69</u>

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 1,565.00	\$ 728.35	\$ 1,565.00	\$ 728.35
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 8,655.00	\$ 4,569.67	\$ 8,655.00	\$ 4,569.67
55-Contractual Services									\$ 9,250.00	\$ 7,588.81	\$ 9,250.00	\$ 7,588.81
56-Equipment Replacement									\$ 3,200.00	\$ 912.86	\$ 3,200.00	\$ 912.86
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,670.00	\$ 13,799.69	\$ 22,670.00	\$ 13,799.69

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Claymont Library

EXHIBIT: "E"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	12,707.00	\$	4,747.28

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 500.00	\$ 298.40	\$ 500.00	\$ 298.40
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 4,207.00	\$ 1,808.00	\$ 4,207.00	\$ 1,808.00
55-Contractual Services									\$ 8,000.00	\$ 2,640.88	\$ 8,000.00	\$ 2,640.88
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,707.00	\$ 4,747.28	\$ 12,707.00	\$ 4,747.28

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Elsmere

EXHIBIT: "F"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	13,331.51	\$	7,801.34

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 875.51	\$ 790.88	\$ 875.51	\$ 790.88
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 6,656.00	\$ 5,354.58	\$ 6,656.00	\$ 5,354.58
55-Contractual Services									\$ 5,800.00	\$ 1,655.88	\$ 5,800.00	\$ 1,655.88
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,331.51	\$ 7,801.34	\$ 13,331.51	\$ 7,801.34

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Hockessin Library

EXHIBIT: "G"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	16,575.50	\$	9,512.39

Object Level	Federal		State		County		Program Income		Other		Total					
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised				
50-Salaries and Wages											\$	-	\$	-		
51-Employee Benefits											\$	-	\$	-		
52-Training/Civic Affairs									\$	3,000.00	\$	13.20	\$	3,000.00	\$	13.20
53-Communication/Utilities											\$	-	\$	-		
54-Materials/Supplies									\$	6,048.00	\$	2,573.82	\$	6,048.00	\$	2,573.82
55-Contractual Services									\$	5,627.50	\$	5,025.37	\$	5,627.50	\$	5,025.37
56-Equipment Replacement									\$	1,900.00			\$	1,900.00	\$	-
57-Fixed Charges											\$	-	\$	-		
58-Land and Structures											\$	-	\$	-		
59-Contingencies											\$	-	\$	-		
66-Operating Transfer Charges											\$	-	\$	-		
67-Operating Transfer Credits											\$	-	\$	-		
Total	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
									\$	16,575.50	\$	9,512.39	\$	16,575.50	\$	9,512.39

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Kirkwood Library

EXHIBIT: "H"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	19,150.00	\$	10,085.19

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 3,250.00	\$ 1,428.34	\$ 3,250.00	\$ 1,428.34
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 6,900.00	\$ 2,231.96	\$ 6,900.00	\$ 2,231.96
55-Contractual Services									\$ 8,000.00	\$ 6,025.89	\$ 8,000.00	\$ 6,025.89
56-Equipment Replacement									\$ 1,000.00	\$ 399.00	\$ 1,000.00	\$ 399.00
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,150.00	\$ 10,085.19	\$ 19,150.00	\$ 10,085.19

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Newark Library

EXHIBIT: "I"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	27,702.61	\$	26,233.42

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 2,000.00	\$ 795.36	\$ 2,000.00	\$ 795.36
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 7,683.96	\$ 7,683.86	\$ 7,683.96	\$ 7,683.86
55-Contractual Services									\$ 12,466.65	\$ 12,412.90	\$ 12,466.65	\$ 12,412.90
56-Equipment Replacement									\$ 5,552.00	\$ 5,341.30	\$ 5,552.00	\$ 5,341.30
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 27,702.61	\$ 26,233.42	\$ 27,702.61	\$ 26,233.42

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Route 9 Library

EXHIBIT: "J"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	9,674.49	\$	6,771.82

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 1,674.49	\$ 708.02	\$ 1,674.49	\$ 708.02
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies											\$ -	\$ -
55-Contractual Services									\$ 8,000.00	\$ 6,063.80	\$ 8,000.00	\$ 6,063.80
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,674.49	\$ 6,771.82	\$ 9,674.49	\$ 6,771.82

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Woodlawn Library

EXHIBIT: "K"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	<u>16,412.00</u>	\$	<u>8,935.22</u>

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 450.00	\$ -	\$ 450.00	\$ -
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 7,962.00	\$ 1,220.32	\$ 7,962.00	\$ 1,220.32
55-Contractual Services									\$ 8,000.00	\$ 7,714.90	\$ 8,000.00	\$ 7,714.90
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,412.00	\$ 8,935.22	\$ 16,412.00	\$ 8,935.22

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

DEPARTMENT: Community Services

PROGRAM TITLE: FY2022 State Aid for Libraries - Anchor Library Service

EXHIBIT: "L"

Ordinance No. 23-

Federal	\$	-	\$	-
State	\$	-	\$	-
Program Income	\$	-	\$	-
Other	\$	50,000.00	\$	38,809.10

Object Level	Federal		State		County		Program Income		Other		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
50-Salaries and Wages											\$ -	\$ -
51-Employee Benefits											\$ -	\$ -
52-Training/Civic Affairs									\$ 300.00	\$ 36.04	\$ 300.00	\$ 36.04
53-Communication/Utilities											\$ -	\$ -
54-Materials/Supplies									\$ 4,937.83	\$ 23.40	\$ 4,937.83	\$ 23.40
55-Contractual Services									\$ 44,762.17	\$ 38,749.66	\$ 44,762.17	\$ 38,749.66
56-Equipment Replacement											\$ -	\$ -
57-Fixed Charges											\$ -	\$ -
58-Land and Structures											\$ -	\$ -
59-Contingencies											\$ -	\$ -
66-Operating Transfer Charges											\$ -	\$ -
67-Operating Transfer Credits											\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000.00	\$ 38,809.10	\$ 50,000.00	\$ 38,809.10

Supplemental Information

Estimated Program Initiation: 7/1/2021

Estimated Program Completion: 3/30/2023

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 21-056

Date Revised: 5/17/2021

PROGRAM DESCRIPTION:

To provide for statewide public library services and to encourage proper standard regarding personnel, hours of operation, library materials, collections and interlibrary resource sharing.

3/29/2021 1/24/2023

ORDINANCE NO. 23-016

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$447,000 IN PROGRAM INCOME AND \$450,000 IN ANTICIPATED
PROGRAM INCOME TO THE NEIGHBORHOOD STABILIZATION PROGRAM I
GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY
SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING**

WHEREAS, authorization is being sought for the appropriation of \$447,000 in program income and \$450,000 in anticipated program income totaling \$897,000 to the Neighborhood Stabilization Program I Grant; and

WHEREAS, these funds will be used to acquire, rehabilitate and sell four properties in the Route 9 area, using Census tracking; and

WHEREAS, program income received, along with anticipated program income estimated to be received, is sufficient to cover the increase in the Grants Budget as hereinafter amended.

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

Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken on the attached "Exhibit A."

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
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$447,000 in program income and \$450,000 in anticipated program income, totaling \$897,000, to the Neighborhood Stabilization Program I Grant. This funding will be used to acquire, rehabilitate and sell four properties in the Route 9 area, using Census tracking.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$447,000 in program income and \$450,000 in anticipated program income, totaling \$897,000, to the Neighborhood Stabilization Program I Grant. This additional program income will be in addition to federal funding that was previously appropriated from the U.S. Department of Housing and Urban Development via the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.

These funds will continue to allow New Castle County to work with community partners to sufficiently fund the rehabilitation of homes and residential properties that have been abandoned or foreclosed upon in order to sell, rehabilitate, or redevelop such homes and properties.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$897,000. The increase will affect FY2023 and beyond since the program is now ongoing, without expiration date, until the entire grant award plus program income, has been expended.

DEPARTMENT: Community Services

PROGRAM TITLE: Neighborhood Stabilization Program I

EXHIBIT: "A"

Ordinance No. 23-016

Federal	\$	-	\$	-
State	\$	-	\$	-
County	\$	-	\$	-
Program Income	\$	167,214.50	\$	1,064,214.50
Other	\$	-	\$	-

Object Level	Federal		State		County		Program Income		Other		Total			
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised		
50-Salaries and Wages							\$	1,028.41			\$	1,028.41	\$	-
51-Employee Benefits							\$	1,987.10			\$	1,987.10	\$	-
52-Training/Civic Affairs							\$	1,884.47			\$	1,884.47	\$	-
53-Communication/Utilities							\$	2,241.29	\$	3,241.29	\$	2,241.29	\$	3,241.29
54-Materials/Supplies							\$	573.95			\$	573.95	\$	-
55-Contractual Services							\$	161,000.36	\$	605,475.36	\$	161,000.36	\$	605,475.36
56-Equipment Replacement											\$	-	\$	-
57-Fixed Charges							\$	(1,501.08)	\$	23.92	\$	(1,501.08)	\$	23.92
58-Land and Structures							\$		\$	450,000.00	\$		\$	450,000.00
59-Contingencies											\$	-	\$	-
66-Operating Transfer Charges											\$	-	\$	-
67-Operating Transfer Credits											\$	-	\$	-
Total	\$	-	\$	-	\$	-	\$	167,214.50	\$	1,064,214.50	\$	167,214.50	\$	1,064,214.50

Supplemental Information

Estimated Program Initiation: 1/1/2009

Estimated Program Completion: ongoing

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 09-005, 09-112, 10-096, 10-122, 11-056, 11-089, 12-013, 12-088, 13-035, 14-021, 14-091, 15-071, 17-113

Date Revised: 02/10/2009, 11/24/2009, 09/28/2010, 11/24/2010, 05/27/2011, 10/07/2011, 02/29/2012, 09/05/2012, 05/07/2013, 03/12/2014, 09/24/2014, 11/16/2017

PROGRAM DESCRIPTION:

The New Castle County Neighborhood Stabilization Program I (NSP1) provides funding to rehabilitate homes and residential properties that have been abandoned or foreclosed upon in order to sell, rehabilitate, or redevelop such homes and properties.

11/16/2017

1/24/2023

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: January 24, 2023

ORDINANCE NO. 23-017

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$307,000 IN PROGRAM INCOME TO THE NEIGHBORHOOD
STABILIZATION PROGRAM III GRANT, WHICH IS ADMINISTERED BY THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING**

WHEREAS, authorization is being sought for the appropriation of \$307,000 in program income to the Neighborhood Stabilization Program III Grant; and

WHEREAS, these funds will be used to acquire, rehabilitate and sell four properties in the Route 9 area, using Census tracking; and

WHEREAS, program income received, along with anticipated program income estimated to be received, is sufficient to cover the increase in the Grants Budget as hereinafter amended.

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

Section 1. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken on the attached "Exhibit A."

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
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$307,000 in program income to the Neighborhood Stabilization Program III Grant. This funding will be used to acquire, rehabilitate and sell four properties in the Route 9 area, using Census tracking.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$307,000 in program income to the Neighborhood Stabilization Program III Grant. This additional program income will be in addition to federal funding that was previously appropriated from the U.S. Department of Housing and Urban Development via the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.

These funds will continue to allow New Castle County to work with community partners to sufficiently fund the rehabilitation of homes and residential properties that have been abandoned or foreclosed upon in order to sell, rehabilitate, or redevelop such homes and properties.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$307,000. The increase will affect FY2023 and beyond since the program is now ongoing, without expiration date, until the entire grant award plus program income, has been expended.

DEPARTMENT: Community Services

PROGRAM TITLE: Neighborhood Stabilization Program III

EXHIBIT: "A"

Ordinance No. 23-017

Federal	\$	-	\$	-
State	\$	-	\$	-
County	\$	-	\$	-
Program Income	\$	315,489.12	\$	622,489.12
Other	\$	-	\$	-

Object Level	Federal		State		County		Program Income		Other		Total			
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised		
50-Salaries and Wages							\$	1,739.21			\$	1,739.21	\$	-
51-Employee Benefits							\$	503.29			\$	503.29	\$	-
52-Training/Civic Affairs											\$	-	\$	-
53-Communication/Utilities							\$	4,028.17	\$	5,028.17	\$	4,028.17	\$	5,028.17
54-Materials/Supplies											\$	-	\$	-
55-Contractual Services							\$	175,535.76	\$	456,535.76	\$	175,535.76	\$	456,535.76
56-Equipment Replacement											\$	-	\$	-
57-Fixed Charges											\$	-	\$	-
58-Land and Structures							\$	133,682.69	\$	158,682.69	\$	133,682.69	\$	158,682.69
59-Contingencies											\$	-	\$	-
66-Operating Transfer Charges											\$	-	\$	-
67-Operating Transfer Credits											\$	-	\$	-
Total	\$	-	\$	-	\$	-	\$	315,489.12	\$	622,489.12	\$	315,489.12	\$	622,489.12

Supplemental Information

Estimated Program Initiation: 8/16/2012

Estimated Program Completion: ongoing

The Local Match:

Found in (ORG):

Code:

Ordinance Passed: 12-092, 12-110, 13-030, 14-093, 15-036, 17-112

Date Revised: 09/19/2012, 11/14/2012, 05/15/2013, 09/08/2014, 04/14/2015, 11/16/2017

PROGRAM DESCRIPTION:

The New Castle County Neighborhood Stabilization Program III (NSP3) works with community partners to directly acquire properties. New Castle County and/or its partners resell, rehabilitate and/or redevelop such properties for homeownership. Partners reimburse New Castle County with the sale proceeds of the property once the property is successfully reintegrated into the market as owner occupied.

11/16/2017

1/24/2023

Introduced by: Mr. Tackett
Date of introduction: January 24, 2023

ORDINANCE NO. 23-018

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A DEED AND OTHER DOCUMENTS NECESSARY TO TRANSFER APPROXIMATELY 10,679 SQUARE FEET OF PROPERTY LOCATED IN NEWARK, DELAWARE AT 2199 PULASKI HIGHWAY, TAX PARCEL NO. 11-022.00-014 FOR \$28,833.30, TO BE USED TO IMPROVE DUSK RUN ROAD

WHEREAS, New Castle County (“County”) owns property located at 2199 Pulaski Highway, Newark, Delaware 19702, being part of Tax Parcel No. 11-022.00-014; and

WHEREAS, pursuant to 9 *Del. C.* Section 1521(g), the County may, by ordinance, transfer lands held by the County, including but not limited to surplus lands, to the State of Delaware (“State”) after written notification from the Governor or the Governor’s designee that such lands are required by the State for public purposes; and

WHEREAS, the Offices of Law and Finance, and the Chief Administrative Officer, are satisfied that the State has demonstrated that the property described below is required for the public purpose of a roadway improvement project for Dusk Run Road (as set forth in the 10/4/2022 letter from the Delaware Department of Transportation attached hereto as Exhibit “1”); and

WHEREAS, County Council has determined that the purpose of the agreement listed below substantially advances, and is reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare of the present and future inhabitants of this County and State).

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

Section 1. New Castle County Council hereby authorizes the transfer of the below-referenced property to the State of Delaware and hereby authorizes the County Executive to sign the following Deed:

The Deed attached hereto as Exhibit “2”, subsequent amendments thereto, and any other documents necessary to transfer to the State of Delaware approximately 10,679 square feet, a portion of Tax Parcel No.11-022.00-014, located at 2199 Pulaski Highway, Newark, Delaware. The consideration to be paid to the County is Twenty-Eight Thousand, Eight Hundred Thirty-Three and Thirty Cents (\$28,833.30). There will also be additional grading along Dusk Road for a path to be installed by the County in the future.

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
New Castle County

SYNOPSIS: This Ordinance, if approved, authorizes the County Executive to execute the deed and other applicable documents necessary to sell approximately 10,679 square feet, a portion of Tax Parcel No.11-022.00-014, located at 2199 Pulaski Highway, Newark, Delaware to the State of Delaware. The property will be used to facilitate road improvements to Dusk Run Road.

FISCAL NOTE: This Ordinance, if approved, may increase New Castle County's receivable balance by \$28,833.30.

Tax Parcel No. P/O 11-022.00-014

Prepared by:

Tarabicos, Grosso & Hoffman, LLP
One Corporate Commons
100 West Commons Boulevard, Suite 415
New Castle, Delaware 19720

Return to:

STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
REAL ESTATE SECTION
250 Bear-Christiana Road
Bear, Delaware 19701

DEED

THIS DEED, made this ____ day of _____, 2022,

BETWEEN, NEW CASTLE COUNTY, a political subdivision of the State of Delaware,
party of the first part,

A N D

THE STATE OF DELAWARE, acting by and through the Department of Transportation,
party of the second part,

WHEREAS, the party of the first part owns all that certain lot, piece, or parcel of land, with improvements erected thereon, situate in Pencander Hundred, New Castle County, State of Delaware, being commonly known as 2199 Pulaski Highway, and being designated on the tax maps of New Castle County, State of Delaware, as Tax Parcel Number 11-022.00-014; and

WHEREAS, the party of the first part desires to grant and convey a portion of the property in connection with certain transportation improvements to the party of the second part; and

NOW, THEREFORE WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) lawful money of the United States of America, the receipt whereof is hereby acknowledged, hereby grants and conveys unto the party of the second part, its successors or assigns, in fee:

ALL THAT CERTAIN lot, piece or parcel of land situate in Pencander Hundred, New Castle County, State of Delaware, located within the existing right-of-way, and being depicted on the Exhibit attached hereto and more particularly bounded and described as follows, to wit:

BEGINNING at a found iron rod with cap at the southeasterly terminus end of GBC Drive right-of-way and at a corner for land now or formerly of New Castle County known as Glasgow Regional Park, being located approximately 576 feet from the intersection of GBC Drive and Technology Drive; thence from the point of beginning and running with the existing right-of-way line of GBC Drive

1) North 30° 26' 31" West 5.10 feet to a point at the southwesterly terminus end of Dusk Run Road right-of-way; thence with the southerly right-of-way line of Dusk Run Road the following four courses and distances

2) along the arc of a circle curving to the left, having a radius of 855.00 feet and an arc length of 123.05 feet, chord bearing and distance of said arc being North 28° 06' 39" East 122.95 feet to a point; thence

3) North 23° 59' 16" East 34.18' feet to a point; thence

4) along the arc of a circle curving to the right, having a radius of 60.00 feet and an arc length of 76.05 feet, chord bearing and distance of said arc being North 60° 17' 48" East 71.06 feet to a point; thence

5) South 83° 23' 39" East 161.44 feet to a point; thence leaving said southerly right-of-way line of Dusk Run Road and crossing through lands of New Castle County the following three courses and distances

6) South 81° 11' 53" West 53.48 feet to a point; thence

7) along the arc of a circle curving to the left, having a radius of 350.00 feet and an arc length of 277.84 feet, chord bearing and distance of said arc being South 58° 27' 24" West 270.60 feet to a point; thence

8) South 35° 42' 56" West 13.49 feet to the point and place of beginning.

CONTAINING WITHIN said described metes and bound a total of 10,679 SF of land being the same, more or less.

SUBJECT TO all covenants, conditions, restrictions, plans and easements of record, if any, which by their terms apply to the property described above, this reference to which shall not be construed to reimpose any such covenants, conditions, restrictions, plans and easements of record which have otherwise lapsed, expired or have otherwise been terminated in accordance with their terms or otherwise as applicable.

BEING a part of the same lands which Glasgow Farms, LLC, by Deed dated January 12, 2005, and recorded in the Office of the Recorder of Deeds in and for New Castle County, Delaware as Instrument No. 20050214-0015275, did grant and convey unto New Castle County, in fee.

GRANTEE'S MAILING ADDRESS:

Delaware Department of Transportation
P.O. Box 778
Dover, Delaware 19903

[Signatures on following page]

IN WITNESS WHEREOF, the said party of the first part, by and through New Castle County, has caused this Deed to be executed and sealed the day and year aforesaid.

Signed, Sealed and Delivered in the
Presence of:

ATTEST:

NEW CASTLE COUNTY

By: _____(SEAL)

Name:

Title:

STATE OF DELAWARE

)

)SS

COUNTY OF NEW CASTLE

)

BE IT REMEMBERED that on this _____ day of _____, 20_____
personally came before me, the Subscriber, a Notary Public for the State and County aforesaid,
_____, _____ of New Castle County, party to this
Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act
and deed, that the signature of the said _____ thereto is in his/her own proper
handwriting, and that this his/her act of sealing, executing, acknowledging and delivering said
Indenture.

GIVEN under my Hand and Seal of office, the day and year first above written.

Notary Public/Attorney at Law

EXHIBIT

[illegible]

ORDINANCE NO. 23-019

**TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE
EMERGENCY SERVICES PERSONNEL REPRESENTED BY THE DELAWARE PUBLIC
EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3911
(NON-PARAMEDIC CLASSIFICATIONS) FOR THE POSITION OF
EMERGENCY MEDICAL SERVICES OPERATIONS SUPPORT SPECIALIST**

WHEREAS, the Department of Public Safety and the Office of Human Resources performed a study on the class specification for Emergency Medical Services Operations Support Specialist; and

WHEREAS, the position of Emergency Medical Services Operations Support Specialist is a vital position held within the Emergency Medical Services Division which is unmatched to any other in the Department of Public Safety due to the technical requirements; and

WHEREAS, the duties and responsibilities have evolved over time as the volume of work has increased; and

WHEREAS, it is recommended that the Pay Grade for Emergency Medical Services Operations Support Specialist be changed from Pay Grade 19 to Pay Grade 21 on the AFCME LOCAL 3911 Pay Plan.

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

Section 1. The Pay Plan and Rates of Pay for Classified Service Emergency Services Personnel Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 3911 (Non-Paramedic Classifications), effective September 1, 2022, as set forth in Exhibit "A," is hereby amended by adding the material that is underscored and deleting the matter that is stricken.

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.

Section 3. It is the intent of the County Council that the provisions of this Ordinance be effective retroactive to September 14, 2022.

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, changes the Pay Grade for the position title of Emergency Medical Services Operations Support Specialist from Pay Grade 19 to Pay Grade 21 on the Pay Plan and Rates of Pay for Classified Service Emergency Services Personnel Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 3911 (Non-Paramedic Classifications).

It is the intent of the County Council that the provisions of this Ordinance be effective retroactive to September 14, 2022.

FISCAL IMPACT: This Ordinance, if approved, changes the Pay Grade for the position title of Emergency Medical Services Operations Support Specialist from Pay Grade 19 to Pay Grade 21 on the Pay Plan and Rates of Pay for Classified Service Emergency Services Personnel Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 3911 (Non-Paramedic Classifications).

There is currently one filled position with the title of Emergency Medical Services Operations Support Specialist. The estimated fiscal impact of Salaries and Benefits for reclassifying the one employee currently in the position title of Emergency Medical Services Operations Support Specialist from Pay Grade 19 to Pay Grade 21 is \$7,538 in FY2023, \$9,733 in FY2024 and \$9,772 in FY2025. FY2023 represents a 10% increase for the one employee

EXHIBIT A
Pay Plan and Rates of Pay for
Classified Service Emergency Services Personnel
Represented by the Delaware Public Employees Council 81, AFSCME, AFL-CIO, Affiliate Local 3911 (Non-Paramedic Classifications)

23-019

CLASSIFICATION	Pay Grade	1	2	3	4	5	6	7	8	9	10	11*
Emergency Medical Technician	15	15.008 31,651	15.760 33,233	16.547 34,894	17.374 36,639	18.243 38,471	19.155 40,395	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	
Emergency Call Operator	16	15.760 33,233	16.547 34,894	17.374 36,639	18.243 38,471	19.155 40,395	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	
Emergency Call Operator Coordinator	17	16.547 34,894	17.374 36,639	18.243 38,471	19.155 40,395	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	
Public Safety Operator I	18	17.374 36,639	18.243 38,471	19.155 40,395	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	16.547 34,894
EMS Operations Support Specialist Public Safety Operator II	19	18.243 38,471	19.155 40,395	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	
Public Safety Operator III - CTO Fire/Medical Communications Specialist Police Communications Specialist Senior Public Safety Operator II	20	19.155 40,395	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	
<u>EMS Operations Support Specialist</u> Telecommunicator I - Police Telecommunicator I - Fire/Medical	21	20.114 42,415	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	31.204 65,803	
Telecommunicator II - Police Telecommunicator II - Fire/Medical	22	21.120 44,536	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	31.204 65,803	32.764 69,094	20.114 42,415
Senior Telecommunicator II - Police Senior Telecommunicator II - Fire/Medical Telecommunicator III - Police - CTO Telecommunicator III - Fire/Medical - CTO	23	22.176 46,762	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	31.204 65,803	32.764 69,094	34.404 72,549	
Telecommunicator IV - Police & Fire/EMS Communications	24	23.284 49,101	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	31.204 65,803	32.764 69,094	34.404 72,549	36.124 76,177	
Assistant Platoon Leader - Police Assistant Platoon Leader - Fire/Medical	25	24.449 51,558	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	31.204 65,803	32.764 69,094	34.404 72,549	36.124 76,177	37.930 79,985	
Emergency Communications Info & Tech Coordinator Emergency Services Team Leader Quality Assurance Coordinator Senior Assistant Platoon Leader - Police Senior Assistant Platoon Leader - Fire/Medical Telecommunications Training Officer Coordinator	26	25.671 54,136	26.954 56,843	28.302 59,685	29.719 62,670	31.204 65,803	32.764 69,094	34.404 72,549	36.124 76,177	37.930 79,985	39.826 83,984	

Effective: 07/01/2022 (Ordinance 20-133)
Revised: 05/17/2021 (Ordinance 21-064)
Revised: 09/01/2022 (Ordinance 22-108)
Revised: 09/14/2022 (Ordinance 23-xxx)

Notes: The hourly rates listed are the rates assigned to the 2-2-4 shift. Per Resolution 05-246 (effective 4/1/2007), hourly rate shall be calculated on 2108.8 hours.
*Denotes training rate

Introduced by: Ms. George
Date of Introduction: January 24, 2023

RESOLUTION NO. 23-022

**CONSENTING TO THE RE-APPOINTMENT OF JUDITH A. TAGGART TO THE
NEW CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF
THE DEPARTMENT OF COMMUNITY SERVICES BOARD**

WHEREAS, Pursuant to *New Castle County Code* § 2.05.403, the Library Advisory Board shall advise the County Library Manager, recommending programs concerning local library needs and the implementation of an effective County library system, and reviewing and making recommendations on such matters as all new and modified administrative policies; the budget; long-range plans; site selection for new libraries; conceptual plans for the construction and expansion of new and existing libraries; and material changes in the Master Plan; and

WHEREAS, the term of Judith A. Taggart's appointment to the Library Advisory Board has expired, and it has been recommended that she be reappointed to the Board; and

WHEREAS, Ms. Taggart has served as a New Castle County Library Advisory Board member for approximately 6 years and serves on the Delaware Council of Libraries and the Friends of Newark Free Library; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the re-appointment of Judith A. Taggart as a member of the New Castle County Library Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the re-appointment of Judith A. Taggart to the New Castle County Library Advisory Board for a term to begin immediately upon adoption of this resolution and to expire May 14, 2025.

Adopted by the County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

Introduced by: Mr. Hollins
Date of Introduction: January 24, 2023

RESOLUTION NO. 23-023

**CONSENTING TO THE RE-APPOINTMENT OF SUBIRA IBRAHIM TO THE NEW
CASTLE COUNTY LIBRARY ADVISORY BOARD, A SUBCOMMITTEE OF THE
DEPARTMENT OF COMMUNITY SERVICES BOARD**

WHEREAS, Pursuant to *New Castle County Code* § 2.05.403, the Library Advisory Board shall advise the County Library Manager, recommending programs concerning local library needs and the implementation of an effective County library system, and reviewing and making recommendations on such matters as all new and modified administrative policies; the budget; long-range plans; site selection for new libraries; conceptual plans for the construction and expansion of new and existing libraries; and material changes in the Master Plan; and

WHEREAS, the term of Subira Ibrahim's appointment to the Library Advisory Board has expired, and it has been recommended that she be reappointed to the Board; and

WHEREAS, Ms. Ibrahim has served as a New Castle County Library Advisory Board member for approximately 3 years, serving Council District 4 and 10; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the re-appointment of Subira Ibrahim as a member of the New Castle County Library Advisory Board.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the re-appointment of Subira Ibrahim to the New Castle County Library Advisory Board for a term to begin immediately upon adoption of this resolution and to expire May 14, 2025.

Adopted by the County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

Introduced by: Ms. Durham
Date of introduction: January 24, 2023

RESOLUTION NO. 23-024

**CONSENTING TO THE REAPPOINTMENT OF ROBERT B. SNOWDEN TO THE NEW
CASTLE COUNTY PLANNING BOARD**

WHEREAS, the New Castle County Planning Board (“Planning Board”) is composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210, County Council has the power and duty to confirm, by majority vote, members of the Planning Board appointed by the County Executive; and

WHEREAS, the Planning Board is responsible for reviewing proposed changes to zoning, subdivision regulations, deed restrictions, and the Comprehensive Development Plan; and

WHEREAS, the Planning Board also renders final decisions on subdivision variances and appeals of Land Use Department interpretations of subdivision regulations; and

WHEREAS, Planning Board Members shall be appointed by the County Executive for a term of three years; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Robert B. Snowden to the Planning Board; and

WHEREAS, Mr. Snowden has served as an active member of New Castle County’s Planning Board since 2010.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Robert B. Snowden to the New Castle County Planning Board for a term to begin immediately upon the adoption of this resolution and to expire on August 27, 2025

Adopted by the County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernable fiscal impact upon the adoption of this resolution.

Introduced by: Ms. Durham
Date of introduction: January 24, 2023

RESOLUTION NO. 23-025

**CONSENTING TO THE REAPPOINTMENT OF WILLIAM V. MCGLINCHY TO THE
NEW CASTLE COUNTY PLANNING BOARD**

WHEREAS, the New Castle County Planning Board (“Planning Board”) is composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210, County Council has the power and duty to confirm, by majority vote, members of the Planning Board appointed by the County Executive; and

WHEREAS, the Planning Board is responsible for reviewing proposed changes to zoning, subdivision regulations, deed restrictions, and the Comprehensive Development Plan; and

WHEREAS, the Planning Board also renders final decisions on subdivision variances and appeals of Land Use Department interpretations of subdivision regulations; and

WHEREAS, Planning Board Members shall be appointed by the County Executive for a term of three years; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of William V. McGlinchey to the Planning Board; and

WHEREAS, Mr. McGlinchey has served as an active member of New Castle County’s Planning Board since 2006.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of William V. McGlinchey to the New Castle County Planning Board for a term to begin immediately upon the adoption of this resolution and to expire on September 24, 2025

Adopted by the County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernable fiscal impact upon the adoption of this resolution.

Introduced by: Mr. Bell
Date of introduction: January 24, 2023

RESOLUTION NO. 23-026

**CONSENTING TO THE REAPPOINTMENT OF RUTH M. VISVARDIS TO THE NEW
CASTLE COUNTY PLANNING BOARD**

WHEREAS, the New Castle County Planning Board (“Planning Board”) is composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210, County Council has the power and duty to confirm, by majority vote, members of the Planning Board appointed by the County Executive; and

WHEREAS, the Planning Board is responsible for reviewing proposed changes to zoning, subdivision regulations, deed restrictions, and the Comprehensive Development Plan; and

WHEREAS, the Planning Board also renders final decisions on subdivision variances and appeals of Land Use Department interpretations of subdivision regulations; and

WHEREAS, Planning Board Members shall be appointed by the County Executive for a term of three years; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Ruth M. Visvardis to the Planning Board; and

WHEREAS, Ms. Visvardis has served as an active member of New Castle County’s Planning Board since 2011.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Ruth M. Visvardis to the New Castle County Planning Board for a term to begin immediately upon the adoption of this resolution and to expire on August 27, 2025.

Adopted by the County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernable fiscal impact upon the adoption of this resolution.

Introduced by: Mr. Bell
Date of introduction: January 24, 2023

RESOLUTION NO. 23-027

**CONSENTING TO THE REAPPOINTMENT OF LEAH GRAY TO THE NEW CASTLE
COUNTY PLANNING BOARD**

WHEREAS, the New Castle County Planning Board (“Planning Board”) is composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210, County Council has the power and duty to confirm, by majority vote, members of the Planning Board appointed by the County Executive; and

WHEREAS, the Planning Board is responsible for reviewing proposed changes to zoning, subdivision regulations, deed restrictions, and the Comprehensive Development Plan; and

WHEREAS, the Planning Board also renders final decisions on subdivision variances and appeals of Land Use Department interpretations of subdivision regulations; and

WHEREAS, Planning Board Members shall be appointed by the County Executive for a term of three years; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Leah Gray to the Planning Board; and

WHEREAS, Ms. Gray has served as an active member of New Castle County’s Planning Board since 2019.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Leah Gray to the New Castle County Planning Board for a term to begin immediately upon the adoption of this resolution and to expire on October 22, 2025

Adopted by the County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernable fiscal impact upon the adoption of this resolution.

Introduced by: Mr. Sheldon
Date of introduction: January 24, 2023

RESOLUTION NO. 23-028

**CONSENTING TO THE REAPPOINTMENT OF LEONE CAHILL TO THE NEW CASTLE
COUNTY PLANNING BOARD**

WHEREAS, the New Castle County Planning Board (“Planning Board”) is composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210, County Council has the power and duty to confirm, by majority vote, members of the Planning Board appointed by the County Executive; and

WHEREAS, the Planning Board is responsible for reviewing proposed changes to zoning, subdivision regulations, deed restrictions, and the Comprehensive Development Plan; and

WHEREAS, the Planning Board also renders final decisions on subdivision variances and appeals of Land Use Department interpretations of subdivision regulations; and

WHEREAS, Planning Board Members shall be appointed by the County Executive for a term of three years; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Leone Cahill to the Planning Board; and

WHEREAS, Ms. Cahill has served as an active member of New Castle County’s Planning Board since 2013.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Leone Cahill to the New Castle County Planning Board for a term to begin immediately upon the adoption of this resolution and to expire on July 9, 2025

Adopted by the County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernable fiscal impact upon the adoption of this resolution.

Introduced by: Ms. Kilpatrick
Date of introduction: January 24, 2023

RESOLUTION NO. 23-029

**CONSENTING TO THE REAPPOINTMENT OF JONATHAN COCHRAN TO THE NEW
CASTLE COUNTY PLANNING BOARD**

WHEREAS, the New Castle County Planning Board (“Planning Board”) is composed of nine (9) members. Pursuant to *New Castle County Code* § 40.30.210, County Council has the power and duty to confirm, by majority vote, members of the Planning Board appointed by the County Executive; and

WHEREAS, the Planning Board is responsible for reviewing proposed changes to zoning, subdivision regulations, deed restrictions, and the Comprehensive Development Plan; and

WHEREAS, the Planning Board also renders final decisions on subdivision variances and appeals of Land Use Department interpretations of subdivision regulations; and

WHEREAS, Planning Board Members shall be appointed by the County Executive for a term of three years; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Jonathan Cochran to the Planning Board; and

WHEREAS, Mr. Cochran has served as an active member of New Castle County’s Planning Board since 2019.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Jonathan Cochran to the New Castle County Planning Board for a term to begin immediately upon the adoption of this resolution and to expire on October 22, 2025

Adopted by the County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernable fiscal impact upon the adoption of this resolution.

RESOLUTION NO. 23-030

**CONSENTING TO THE REAPPOINTMENT OF STEPHEN JOHNS TO THE NEW
CASTLE COUNTY HISTORIC REVIEW BOARD**

WHEREAS, Pursuant to *New Castle County Code* Section 40.30.330, the Historic Review Board is vested with the responsibility to make recommendations for historic district boundaries, maintain a survey of historic properties, review permits relative to historic properties, and to make recommendations to the County Executive, County Council, and to the Department of Land Use concerning the use of grants, gifts, and budgeting appropriations to promote the preservation of historic sites, among other duties; and

WHEREAS, the Historic Review Board shall consist of nine (9) members who shall be residents of the County and who shall be appointed by the County Executive with the advice and consent of a majority of County Council. The terms of office shall be four (4) years, provided that the terms of the members other than the Chairman shall be established in a manner that two (2) shall expire each year. The County Executive shall appoint one (1) member as Chairman who shall serve at the pleasure of the County Executive. One (1) member of the Historic Review Board shall be an architect and one (1) member shall be from the field of historic preservation. Seven (7) members shall be individuals who have demonstrated a concern in the field of historic preservation, have some knowledge of the County's history, or have reasonable knowledge of historic architecture or construction techniques; and

WHEREAS, Mr. Johns has served on the Historic Review Board since 2009, and is a registered engineer in Delaware, Pennsylvania, Maryland and Virginia bringing structural knowledge to the New Castle County Historic Review Board; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council the reappointment of Stephen Johns to the Historic Review Board.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the reappointment of Stephen Johns to the New Castle County Historic Review Board for a term to begin immediately upon adoption of this resolution and expire on November 26, 2025.

Adopted by the County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There is no discernible fiscal impact upon the adoption of this legislation.

RESOLUTION NO. 23-031

**AUTHORIZING THE EXECUTION OF TWO PURCHASE ORDERS WITH
TRUSTEES OF UNIVERSITY OF PENNSYLVANIA (NEW BOLTON CENTER) FOR
VETERINARY SERVICES FOR HORSES IN THE TOTAL AMOUNT OF \$59,059.40**

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, the purchase order for \$35,000.00 is for veterinary services of the herd at Carousel Park Equestrian Center from Trustees of University of Pennsylvania (New Bolton Center) for the Department of Community Services, Division of Community Resources; and

WHEREAS, the purchase order for \$24,059.40 is for veterinary services of the Mounted Patrol Unit horses from Trustees of University of Pennsylvania (New Bolton Center) for the Department of Public Safety, Division of Police; and

WHEREAS, these purchase orders require approval 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 purchase orders.

Department of Community Services, Division of Community Resources

Trustees of University of Pennsylvania (New Bolton Center) \$35,000.00

Department of Public Safety, Division of Police

Trustees of University of Pennsylvania (New Bolton Center) \$24,059.40

FISCAL IMPACT: This Resolution authorizes the execution of two purchase orders totaling \$59,059.40. Funding is included in the FY2023 Approved Operating Budget in the Department of Community Services, Division of Community Resources \$35,000.00 and the Department of Public Safety, Division of Police \$24,059.40.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION			VENDOR INFORMATION					
NAME	Carly Thompson		FISCAL YR	2023	NAME	Trustees of University of Pennsylvania (New Bolton Center)		
DEPARTMENT	COMMUNITY_SERVICES_40		FUND	100 GENERAL	ADDRESS	382 West Broad Street		
ORGANIZATION	10400303 CS - CR - CAROUSEL PARK					Kennett Square, PA 19348		
PHONE	302-995-7670		REQ#	2300079				
DELIVERY LOCATION	Carousel Park							
SEND VENDOR PO	☐ YES	☒ NO			CONTACT NAME	New Bolton Center		
CURRENT VENDOR	☒ YES	☐ NO			PHONE	610-444-5800		EXT
VENDOR #	105951				EMAIL			FAX #

ADDITIONAL NOTES	
	Carousel Park has spent \$29,167 amount with the vendor. Anticipated spending is \$80,000. Purchase Order 23000576.

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

We are requesting consideration for the New Bolton Center a declared a sole source for veterinarian services of the herd at Carousel Park Equestrian Center. The herd includes 27 riding lesson horses and 10 mounted patrol Clydesdale horses.

New Bolton provides general, regular veterinarian services, emergency care, and medical procedures and surgery. New Bolton provides Carousel Park Equestrian Center horses with both inpatient and outpatient services. Clinical services address all of our herd's needs, field services provides on-site primary and emergency services, diagnostic laboratory services, performs ongoing necessary testing and analysis, and 24/7 emergency care is provided for those instances needing urgent and immediate care.

If the approval for the extra funds is not granted, there will be a significant impact on the health and wellbeing of the Carousel horses. New Bolton Center provides critical preventative and emergency care and is on call 365 days a year, around the clock.

IV. IS THIS A SOLE SOURCE CONTRACT?	☒ YES	☐ NO	IF YES, AGENCY
V. IS THIS A PASS THROUGH GRANT?	☐ YES	☒ NO	

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REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Amy Peters			FISCAL YR	2023	NAME	Trustees of University of Pennsylvania (New Bolton Center)	
DEPARTMENT	PUBLIC_SAFETY_20			FUND	100 GENERAL	ADDRESS	382 West Broad Street	
ORGANIZATION	10200305 PS - POLICE - PATROL						Kennett Square, PA 19348	
PHONE	302-395-8043			REQ#	2309143			
DELIVERY LOCATION	N/A							
SEND VENDOR PO	☐ YES		☒ NO			CONTACT NAME	New Bolton Center	
CURRENT VENDOR	☒ YES		☐ NO			PHONE	610-444-5800	EXT
VENDOR #	105951					EMAIL		FAX #

ADDITIONAL NOTES	
	\$25,940.60 spent to date, projecting to spend \$24,059.40 for the remainder of FY2023.

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

To increase the expenditure level for veterinary services provided by the New Bolton Center for New Castle County Mounted Patrol (MPU) horses.

Veterinary services provided by New Bolton Center for Public Safety are for the New Castle County Police Department's MPU horses for routine and emergency care.

The police horses will not receive routine and emergency care.

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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: January 24, 2023

RESOLUTION NO. 23-032

AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH RITA D. PORTER TO SERVE AS ADMINISTRATIVE LOGISTICS COORDINATOR FOR THE HEALTHY HOMES PRODUCTION GRANT FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$52,000.00

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 Rita D. Porter in the amount of \$52,000.00; and

WHEREAS, these funds will be used to hire Ms. Porter as a full time (contractual) Administrative Client Logistics Coordinator for the Healthy Homes Production Grant; and

WHEREAS, the Administrative Client Logistics Coordinator is a required position for the Healthy Homes Production Grant.

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

Rita D. Porter \$52,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$52,000.00. Funding is included in the FY2023 Approved Grant Budget in the Healthy Homes Production Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Tonya Burbage			FISCAL YR	2023	NAME	Rita D. Porter	
DEPARTMENT	COMMUNITY_SERVICES_40			FUND	110 GRANTS	ADDRESS	360 Paul Drive	
ORGANIZATION	11400601 CS - GRANTS						Smyrna, DE 19977	
PHONE	302-395-5313			REQ#	2309242			
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES		☐ NO			CONTACT NAME	Rita Poter	
CURRENT VENDOR	☒ YES		☐ NO			PHONE	302-222-2227	EXT
VENDOR #	109009					EMAIL	Ritadeepporter@gmail.com	FAX #

ADDITIONAL NOTES	

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

The \$2 million Healthy Homes Production Grant requires key personnel and the Administrative Client Logistics Coordinator is a required position for the grant.

This position is 100% grant funded with no benefits. If not granted, it would disrupt the Healthy Homes grant operation and the ability to meet HUD benchmarks.

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RESOLUTION NO. 23-033

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH GROW AMERICA FUND, INC. (DBA NATIONAL DEVELOPMENT COUNCIL) TO ESTABLISH A COMMUNITY AND ECONOMIC DEVELOPMENT LENDING PROGRAM FOR SMALL BUSINESS LOANS WITHIN NEW CASTLE COUNTY

WHEREAS, New Castle County wishes to expand economic opportunity and encourage sustainable community and economic development activities through small business lending so that economically disadvantaged neighborhoods can experience investment and job creation; and

WHEREAS, New Castle County wishes to establish a community and economic development lending program through an investment in the Grow America Fund (“GAF”), an SBA licensed Small Business Lending Company (hereinafter “SBLC”), named – the “Grow America Fund – New Castle County” (“GAF – NCC”) to achieve these goals; and

WHEREAS, GAF is recognized and certified by the U.S. Treasury Department as a Community Development Financial Institution and Community Development Entity having a primary mission of serving or providing investment capital for low-income communities or low-income persons and, as the nation’s only SBLC devoted solely to economic and community development financing and as a licensed and regulated SBLC, is entitled to make SBA 7(a) guaranteed loans to eligible small businesses; and

WHEREAS, GAF will underwrite all loans, obtain GAF and SBA approvals, close, service and collect loans, perform appropriate periodic reviews of each loan, and provide reporting as required by and in a form acceptable to NCC; and

WHEREAS, GAF – NCC will be capitalized with \$1,000,000; \$750,000 will be contributed through an investment by New Castle County and \$250,000 will be contributed by Discover Bank through the Delaware Community Foundation as a grant to GAF – NCC. It is further expected that the \$1,000,000 capitalization of GAF – NCC will be leveraged to expand total GAF - NCC revolving loan opportunities to a total of \$4,000,000; and

WHEREAS, the GAF – NCC will utilize the SBA to ensure that each borrower receives the best rates and terms available to grow and retain business in New Castle County; and

WHEREAS, the County’s investment in GAF – NCC will be effectuated through an Agreement to Establish the Grow America Fund – New Castle County (the “Agreement”), attached hereto as Exhibit “A”; and

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

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby approves the Agreement attached hereto as Exhibit “A” pursuant to *New Castle County Code* § 2.02.004.

BE IT FURTHER RESOLVED that the County Executive is hereby authorized to approve or execute the Agreement as well as any such other ancillary documents and to take such action as shall be necessary or appropriate for the execution and implementation of Agreement.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution authorizes the County Executive to execute an agreement with Grow America Fund, Inc. (DBA National Development Council) to establish a community and economic development lending program for small business loans within New Castle County and approves the execution of the listed contract.

Department of County Executive, Division of Economic Development

Grow American Fund, Inc. (DBA National Development Council) \$750,000

FISCAL NOTE: This Resolution authorizes the execution of one agreement totaling \$750,000. Funding is provided in the FY2023 Approved Operating Budget, with funds that originated from the Strategic Economic Development Fund \$525,000 and General Fund Tax Stabilization Fund \$225,000, and contingent upon the approval of Ordinance 23-006. There is no fiscal impact on future years.

Small Business Lending Investment Agreement

AGREEMENT
TO ESTABLISH THE
GROW AMERICA FUND - NEW CASTLE COUNTY

BY AND BETWEEN
GROW AMERICA FUND, INC.

and

NEW CASTLE COUNTY, DELAWARE

THIS AGREEMENT (this “Agreement”) is entered into as of the first day of February, 2023 by and between New Castle County, Delaware, a political subdivision of the State of Delaware with its principal offices at 87 Reads Way, New Castle, DE 19720 (the “Client”), and the National Development Council’s Grow America Fund, Inc. (“GAF”) a nonprofit a corporation organized and existing under the laws of the State of Delaware and having its principal office at 1111 Superior Avenue East, Suite 1114, Cleveland, OH 44114.

RECITALS

WHEREAS, the Client desires to expand economic opportunity for residents of New Castle County (the “Community”) so that these residents may become economically self-sufficient; and

WHEREAS, the Client desires to encourage sustainable community and economic development activities through small business lending so that the economically disadvantaged neighborhoods within the Community can experience investment and job creation; and

WHEREAS, the Client desires to establish a community and economic development lending program through an investment in the Grow America Fund, an SBA licensed Small Business Lending Company (hereinafter “SBLC”), named – the “Grow America Fund -New Castle County” (“GAF – New Castle County”) to achieve these goals; and

WHEREAS, GAF is recognized and certified by the U.S. Treasury Department as a Community Development Financial Institution (“CDFI”) and Community Development Entity (“CDE”) as a domestic corporation having a primary mission of serving or providing investment capital for low-income communities or low-income persons; and

WHEREAS, GAF, the nation’s only SBLC devoted solely to economic and community development financing and as a licensed and regulated Small Business Lending Company, is entitled to make SBA 7(a) guaranteed loans to eligible small businesses.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements herein contained the parties hereto, intending to be legally bound, hereby agree as follows:

A. GENERAL PROVISIONS AND RESPONSIBILITIES

1. GAF- New Castle County will be capitalized with funds provided by the Client (as described in Section C below). During the term of this Agreement these funds will be used solely for small business loans within the areas identified by the Client, which are sponsored by the Client, and which meet the purposes of New Castle County as determined by GAF and the Client.

2. GAF and Client will jointly create a Small Business Financing Program that recognizes that the purpose of bringing the GAF – New Castle County to the Community is to provide appropriately structured financing to healthy, growing small businesses, that will create and maintain living wage permanent jobs. As such, the Client's local, fully trained professional staff are essential to imbue the program with credibility in the local community and to complete the local component of the team necessary for the program's success.
3. Client staff will perform the following services:
 - a. Participate in developing a marketing program and establishing periodic performance goals;
 - b. Assist in establishing a database of potential referral sources for the GAF – New Castle County program;
 - c. Assist in preparation of marketing materials;
 - d. Disseminate the application package provided by GAF to potential borrowers;
 - e. Gather the application information and perform a review for package completeness and preliminary qualification of potential borrowers, as appropriate;
 - f. Assist GAF lending manager and staff in scheduling meetings and site visits with potential borrowers' at their places of business, as appropriate; and
 - g. Provide support to the GAF closing and servicing teams when needed and requested.
4. GAF will use its SBLC license to make SBA guaranteed loans referred by the Client and provide staff to operate the GAF – New Castle County in conjunction with the Client's local staff provided by the Client to operate the fund in a prudent and businesslike manner.
5. Staff provided by GAF will perform the following services:
 - a. Assist in marketing the GAF – New Castle County program;
 - b. Assist in originating and packaging loans, with assistance of Client staff as appropriate;
 - c. Underwrite all loans;
 - d. Obtain GAF and SBA approvals;
 - e. Close, service, and collect loans;
 - f. Perform appropriate periodic reviews of each loan; and
 - g. Provide reporting as required by the Client in a form acceptable to Client. (The parties agree that acceptable form and format for this documentation is the complete GAF quarterly and/or annual portfolio status report to the Client and for each GAF – New Castle County borrower.)

6. GAF has a fiduciary responsibility under its Small Business Lending Company License to underwrite, approve, close, service all program loans, and otherwise operate the GAF – New Castle County in a prudent, businesslike, and compliant fashion. In addition, the SBA requires all SBLCs to follow SBA regulations and to use SBA documents and procedures in making and servicing loans. These fiduciary responsibilities and SBA regulations cannot be delegated or waived and they are hereby incorporated by reference into this Agreement as if stated in full.

B. COMMENCEMENT AND COMPENSATION

1. GAF shall commence services for Client effective February 1, 2023, except as noted in Section C below.
2. GAF shall be compensated during the term of this Agreement from fee and interest income generated from loans made to eligible businesses participating in the GAF – New Castle County program, grants, or other funds as outlined herein. Included are investment income and portions of the Client's Investment that are to be earned as the performance obligations described in Section D are met. Furthermore, GAF can also earn fee and interest income from undeployed portions of the Client's Investment.

C. CAPITALIZING GROW AMERICA FUND - NEW CASTLE COUNTY FUND AND THE INVESTMENT PERIOD

1. The Parties agree that the GAF – New Castle County will be capitalized with Client funds as an investment structured as a performance-based grant (the "Investment"). During the term of this Agreement, this Investment will be used solely for funding eligible SBA-guaranteed loans within the County until such performance obligations are met as described in Section D.
2. On or by February 1, 2023, the Client shall either contribute or set-aside the funds to invest the \$1,000,000 which consists of a \$750,000 direct contribution from the Client and an additional \$250,000 received from Discover Bank through the Delaware Community Foundation as a grant to (or on behalf of) the Client required to capitalize the GAF - New Castle County program. It is anticipated that the aggregate Investment will be provided by (or on behalf of) the Client, but the actual source, disbursement, and breakdown of the capitalization of the GAF – New Castle County is at the sole discretion of the Client.
3. The Client may elect to engage the GAF to provide additional small business loan leverage in their community by making additional investments each of which will be governed under a separate Small Business Lending Agreement.

- a. The Client Investment will be applied by GAF to the “unguaranteed portion” of each outstanding loan funded under the program. The parties acknowledge that the Client Investment is therefore fully at risk of loss. It is anticipated that as principal is repaid by the small business borrowers, it will be lent under the same program guidelines to other eligible borrowers seeking access to appropriately structured and priced loan capital not otherwise available in the market.
 - b. GAF, using its SBLC license, shall fund the “guaranteed portion” of each loan funded under the program. The parties acknowledge that the intent of the Client Investment is to achieve a goal of total loans funded of \$4,000,000 (approximately 4 times the amount of the initial Client Investment).
4. The Client’s Investment Period and the term of this Agreement shall commence on the date set forth in Section B.1 above. The Investment Period and this Agreement will remain in effect until the performance obligations outlined in Section D herein are satisfied, or the receipt by GAF of the final payment of principal and interest from all outstanding loans in the Grow America Fund – New Castle County Loan Portfolio (the Termination of the Investment Period), or the termination of this Agreement, whichever occurs first.
5. No party to this Agreement may terminate this Agreement during the Client’s Investment Period earlier than 24 months from the date of the initial Investment or set-aside of funds to capitalize the GAF – New Castle County as referenced in Section C.2 above. It is agreed by all parties that this initial period will give all parties adequate time to perform under the terms of this contract. The only exceptions to the 24-month period will be as follows:
 - a. If New Castle County Council adopts a resolution or ordinance directing the termination of this Agreement.
 - b. If GAF fails to loan any portion of the Investment within 18 months of Client’s delivery of the Investment (i.e. if GAF does not make one loan).
 - c. If a loan is extended in violation of Section E.4 (Conflicts of Interest) of this Agreement.
 - d. If for any reason SBA revokes GAF’s Small Business Lending Company license.
6. After 24 months from the initial Investment or set-aside date, any party to this Agreement may terminate this Agreement by giving ninety (90) days prior written notice to the other party.

D. INVESTMENT, PREFERRED RETURN & RETURN OF INVESTMENT

1. The Client has elected, and GAF has agreed to accept, the Client's Investment of \$1,000,000 to capitalize the GAF-New Castle County allocated as follows:
 - a. \$250,000 of the Client's Investment shall be a grant to GAF and will be allocated toward 25% of the unguaranteed portion of each SBA guaranteed end loan made in the eligible lending area. The grant shall become unrestricted to GAF at a rate of 25 cents per each dollar lent for the first \$1,000,000 of GAF-New Castle SBA end loans.
 - b. \$750,000 of the Client's Investment will be used by GAF and allocated toward 75% of the unguaranteed portion of each SBA end loan made in the eligible lending area.
 - c. GAF will pay the Client a preferred return of 1% on the net Client Investment held by GAF ("Preferred Return"). At the end of each calendar quarter, the net Client Investment will be calculated as follows: the gross Client Investment minus any losses and/or allowances for doubtful accounts. Preferred Returns, if any, will be calculated on the net principal amount of the Client's Investment; prior Preferred Returns, if any, will not be included in the calculation of quarterly Preferred Returns.
 - d. At the end of each calendar year, GAF will credit GAF – New Castle County the annual Preferred Return of 1% (the earned Preferred Return) based on that year's quarterly average net Client Investment. At the written election of the Client, that Preferred Return may be remitted to the Client.
 - e. The Client shall not be obligated to make payments to GAF beyond the initial Investment into GAF, and GAF will not return the Investment and shall not be obligated to return to the Client any portion of the Investment due beyond the actual principal repayments received from the borrowers (net of any reductions in the event of allowances for loss and/or liquidations) under the GAF – New Castle County, provided, however, that upon termination as set forth in in Section C.5.a through C.5.d, GAF will immediately return the un-loaned portion of the Investment made pursuant to Section D.1.b and shall return any loaned portion of the Investment made pursuant to Section D.1.b as principal payments are received.

E. MISCELLANEOUS PROVISIONS

1. **Ownership of Material and Documents.**
 - a. All final reports and other materials prepared by GAF for the Client shall be the property of the Client, however all work papers and other source

materials not provided to the Client shall be the property of GAF. GAF shall deliver such materials to the Client in accordance with the terms and conditions of this Agreement.

- b. The Client shall not, without GAF's written consent, associate GAF's name with the report/product if a subsequent change is made in such report/product after submission to the Client.

2. Right to Audit.

GAF shall establish and maintain appropriate procedures, which will ensure the proper accounting of all funds paid to it under this Agreement. The Client or any of its duly authorized representatives shall have access to any books, documents, papers and records of GAF, which are directly pertinent to GAF - New Castle County for making an audit, examination excerpts and transcriptions. All such books and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any otherwise applicable shorter periods of retention, all books, records and supporting details shall be retained for period of at least three (3) years after the expiration of the term of this Agreement.

3. Equal Opportunity.

GAF shall comply with all provisions of Title VI of the Civil Rights Act of 1964 and of the rules, regulations and relevant orders of the Secretary of Labor regarding discrimination. In the event a party is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state, or local law, this Agreement may be cancelled, terminated or suspended in whole or in part by the Client, and that party may be declared ineligible for further Client agreements.

4. Conflicts of Interest.

- a. No elected official appointee or employee of the Client or its designees or agents, and no other public official who exercises any functions or responsibilities with respect to any requested technical assistance, shall be permitted to financially benefit from this Agreement or have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with this Agreement.
- b. No official or employee of Client, his or her spouse, child, parent, step-parent, step-child or sibling of the whole or half-blood or any business or charitable entity with which the official or employee or his or her spouse, child, parent, step-parent, step-child or sibling of the whole or half-blood is associated or has a legal or equitable ownership of more than five (5) percent (more than

one (1) percent in the case of a corporation whose stock is regularly traded on an established securities market) shall be eligible to receive a loan from the GAF – New Castle County.

- c. All borrowers must certify their compliance with Section E.4.b through execution of the certification attached hereto as Exhibit I.

5. Notices.

All notices shall be sent by certified mail, hand-delivery or overnight mail and in all events with a written acknowledgment of receipt to the following:

If to GAF:

Daniel Choi
Chief Financial Officer
1111 Superior Avenue, Suite 1114
Cleveland, OH 44114
dchoi@ndconline.org
(212)682-1106

If to Client:

Charuni Patibanda
Economic Development Director
87 Reads Way
New Castle, DE 19720
Email: Charuni.Patibanda@newcastlede.gov
Phone: 302.395.5969

-with copy to-

New Castle County Office of Law
87 Reads Way
New Castle, DE 19720

6. Responsibility for Claims.

- a. To the extent permitted by state statutes, the Client agrees to indemnify, defend and hold harmless GAF, their agents, officials, and employees from any liability, damage, expense, cause of action, suit, claim, judgment or expenses (including reasonable attorney's fees) arising from the Client's breach of its obligations under this Agreement. Provided, however, that such indemnity shall not apply to any actions, claims or damages arising as a result of GAF's bad faith, willful misconduct or gross negligence.

- b. GAF agrees to indemnify, defend and hold harmless the Client, its agents, officials and employees, from any liability, damage, expense, cause of action, suit, claim, judgment or expenses (including reasonable attorneys' fees) arising from GAF's breach of this Agreement and any injury to person, including death, or personal property or otherwise caused by or resulting from the bad faith, willful, negligent or unlawful act of GAF in its performance under this Agreement. Provided, however, that such indemnity shall not apply to any actions, claims or damages arising as a result of the Client's bad faith, willful misconduct or gross negligence.

7. Compliance with Laws, Venue.

GAF agrees to comply with all applicable federal, state and local laws in the conduct of the work hereunder. This Agreement shall be construed, interpreted and the rights of the parties determined, in accordance with the laws of the State of Delaware. The parties hereby irrevocably and unconditionally consent to submit to the jurisdiction of the courts of the State of Delaware and of the United States of America located in Delaware, which shall have the exclusive jurisdiction for any actions, suits or proceedings arising out of or relating to this Agreement and the transactions contemplated hereby. The parties agree not to commence any action, suit or proceeding relating thereto except in such courts.

8. Assignment and Amendment.

- a. Neither this Agreement or any rights, duties or obligations described herein may be assigned by either party without the prior express written consent of the other party.
- b. No amendments to this Agreement shall be binding on either party unless in writing and signed by both parties.

9. Severability.

A determination that any part of this Agreement is invalid shall not invalidate or impair the force of the remainder of this Agreement.

10. Disclaimer.

The Client is a sophisticated business enterprise and has retained GAF for the purposes set forth in this Agreement and the parties acknowledge and agree that their respective rights and obligations are contractual in nature. Each party disclaims an intention to impose fiduciary agency rights or obligations on the other by virtue of the engagement hereunder.

11. **Entire Agreement.**

This Agreement contains the final agreement between the parties regarding the matters covered and supersedes any and all other agreements, either oral or in writing regarding, the matters contained herein.

12. **Representations and Warranties**

- a. Each party represents and warrants that: (i) this Agreement constitutes the legal, valid and binding obligation of such party, enforceable against such party in accordance with its terms; (ii) the individual executing this Agreement on behalf of such party has all necessary authority to execute this Agreement and bind such party to this Agreement and does not require any additional authority to enter into this Agreement; and (iii) the execution and delivery of this Agreement and all agreements, documents and instruments executed and delivered by such party pursuant hereto and the performance of the services contemplated by this Agreement and such other agreements, documents and instruments, do not and will not violate, conflict with or result in a violation of, or constitute a default under any provision of any law, regulation or rule, or any board or governmental agency.
- b. GAF further represents and warrants that its performance under this Agreement will not violate any proprietary rights of any third party (including, without limitation, any third-party confidential relationships, patent, copyrights, trade secrets or other proprietary rights).

13. **Independent Contractor.**

It is expressly understood and agreed that GAF, in performing its obligations under this Agreement, shall be deemed an independent contractor and not an agent or employee of the Client. GAF has no authority to enter into any contracts or other agreements with any person or entity on behalf of the Client or otherwise to bind the Client. Furthermore, nothing contained in this Agreement shall be construed to mean that the Client and GAF are joint ventures, partners or the like.

14. **No Waiver of Immunity.**

The Client does not waive any immunity it may have under applicable law, including, but not limited to the Delaware County and Municipal Tort Claims Act, 10 *Del. C.* §§ 4010 *et seq.*

15. **Third-Party Beneficiaries.**

There are no intended third-party beneficiaries to this Agreement. No party other than a signatory to this Agreement may assert rights or claims under this

Agreement. For the avoidance of doubt, the Client's entry into this Agreement and delivery of the Investment does not create any right or interest of any third-party to a loan from the GAF – New Castle County program.

16. Execution in Counterparts.

This Agreement may be executed in multiple originals, any of which will be independently treated as an original document. Any electronic, faxed, scanned, photocopied or similarly reproduced signature on this Agreement or any amendment hereto will be deemed an original signature and will be fully enforceable as if an original signature.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the day and year first written above

NEW CASTLE COUNTY

GROW AMERICA FUND, INC.

Name: Matthew S. Meyer

Title: County Executive

Date: _____

Name: Daniel Marsh III, Chairman

Title: Chairman

Date: _____

Exhibit 1**Certificate Regarding Conflicts of Interest**

By signing below Borrower certifies that: (i) the Borrower is not an official or employee of New Castle County, his or her spouse, child, parent, step-parent, step-child or sibling of the whole or half-blood; and (ii) no official or employee of New Castle County, his or her spouse, child, parent, step-parent, step-child or sibling of the whole or half-blood is associated or has a legal or equitable ownership of more than five (5) percent (more than one (1) percent in the case of a corporation whose stock is regularly traded on an established securities market) of the Borrower.

SIGNATURE PAGE

Borrower Name: _____

Borrower Address: _____

Borrower Tax ID #: _____

Authorized Representative Printed Name: _____

Authorized Representative Title: _____

Authorized Representative Email Address: _____

Authorized Representative Telephone #: _____

Authorized Representative Signature: _____

Date Signed: _____

Introduced by: Ms. Kilpatrick
Date of Introduction: January 24, 2023

RESOLUTION NO. 23-034

**TO TERMINATE A DECLARATION OF RESTRICTIONS FOR
713 AND 721 VALLEY ROAD, NEW CASTLE COUNTY
TAX PARCEL NOS. 08-0120.00-73 AND 08-012.00-033;
APPLICATION NO. 2022-0623; COUNCIL DISTRICT 3**

WHEREAS, John J. McGrellis, III (the “Original Owner”) caused to be made and recorded that certain Declaration of Restrictions dated October 9, 2005, and recorded in the Office of the Recorder of Deeds in and for the New Castle County, State of Delaware (the “Recorder’s Office”), in Instrument No. 20070426-0037872 (the “Declaration”); and

WHEREAS, the Original Owner executed the Declaration to restrict the real property located on the southeast side of Valley Road (the “Property”), being New Castle County Tax Parcel Nos. 08-012.00-033 & 08-012.00-073, to certain permitted uses, for the benefit of New Castle County; and

WHEREAS, VRH2 LLC, successor-in-interest to the Original Owner (“Declarant”), desires to terminate the Declaration to remove the restriction as part of that certain Major Subdivision Plan for Hockessin Station, Application No. 2021-0695, prepared by CDA Engineering, Inc. dated October 22, 2021 (the “Plan”), said Plan to be recorded in the Recorder’s Office, to allow a subdivision of property into 149 lots on 58.31 acres and associated improvements; and

WHEREAS, the Plan will rezone the Property from its current commercial and residential zoning to Suburban Transition (“ST”); and

WHEREAS, the Declarant, as the owner of the Property, is authorized and permitted to terminate the Declaration, subject to the consent and approval of the New Castle County Council; and

WHEREAS, the Department of Land Use (the “Department”) recommends in favor of terminating the Declaration currently encumbering the Property, consistent with the purposes stated herein; and

WHEREAS, *New Castle County Code* Section 40.31.130 provides that upon receipt of a recommendation report from the Department and the Planning Board, County Council shall schedule a hearing and render a decision by resolution. A supermajority vote is required if voting contrary to a Department recommendation.

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County, that County Council hereby approves the Termination of Declaration of Restrictions, attached hereto as Exhibit “A” and hereby authorizes the Declarant to record the Termination of Declaration of Restrictions in the Recorder’s Office.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: There will be no discernible fiscal impact upon the approval of this resolution.

Tax Parcel Nos.: 08-012.00-033
08-012.00-073

Prepared By and Return To:
Barnes and Thornburg, LLP
Attn: Michael A. DeNote
222 Delaware Avenue, 10th Floor
Wilmington, Delaware 19801

TERMINATION OF DECLARATION OF RESTRICTIONS

THIS TERMINATION OF DECLARATION OF RESTRICTIONS (this “Termination”) is hereby made this ____ day of _____, 2022, by VRH2 LLC, a Delaware limited liability company (referred to herein as “Declarant”).

WHEREAS, Declarant is seized in fee simple of certain tracts of land and the improvements erected thereon, situate in Mill Creek Hundred, New Castle County, State of Delaware, located along the Southerly side of Valley Road, consisting of approximately 19 acres of land, more or less, being a portion of Tax Parcel Nos. 08-012.00-033 & -073 (the “Property”); and

WHEREAS, on October 9, 2005 John J. McGrellis, III, predecessor in interest to Declarant, caused to be made and recorded that certain Declaration of Restrictions of record in the Office of the Recorder of Deeds in and for the New Castle County, State of Delaware (the “Recorder’s Office”), in Instrument No. 20070426-0037872 (the “Declaration”); and

WHEREAS, with the consent of New Castle County pursuant to New Castle County Resolution No. _____, a copy of which is attached as Exhibit A, Declarant desires to terminate the Declaration.

NOW, THEREFORE, Declarant hereby **TERMINATES** the Declaration, and any and all right, interest, obligation or duty created thereunder are terminated and of no further force or effect.

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EXHIBIT A

New Castle County Resolution



Department of Land Use

DEPARTMENT OF LAND USE
RECOMMENDATION REPORT

Application No. 2022-0623-DRC

Deed Restriction Change for
713 and 721 Valley Road
December 20, 2022

Location: East side of Valley Road, 850 feet south of Evanson Road.

Date of Hearing: November 1, 2022

Tax Parcel No's.: 08-012.00-033 & 08-012.00-073

Applicant: VRH2 LLC

EXECUTIVE SUMMARY

Application 2022-0623-DRC proposes to terminate the Declaration of Restrictions that was recorded as part of rezoning application 2004-0472-S/Z for the subject site. The current restrictions prohibit the use of the property to specific uses, mostly relating to the auction house as proposed by the 2004 plan.

The Department of Land Use has considered the standards in Section 40.31.130.D of the New Castle County Code and other public comments. Based on this analysis, the Department is of the opinion that the proposed changes are in the best interest of the parties to the restrictions and that the proposed changes to the existing deed restrictions are consistent with the planning goals for the County. As a result, the Department recommends **APPROVAL** of the termination of the Declaration of Restrictions.

At its business meeting held on December 20, 2022, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Mr. Snowden and seconded by Ms. Visvardis, the Board voted to recommend **APPROVAL** of the termination of Declaration of Restrictions.

DESCRIPTION

Application 2022-0623-DRC proposes to terminate the Declaration of Restrictions that was recorded as part of Application 2004-0472-S/Z.

Under Application 2004-0472-S/Z, Ordinance 05-115, adopted by County Council on October 10, 2005, rezoned a portion of the subject site from S (Suburban) to CN (Commercial Neighborhood). A Declaration of Restrictions, recorded at Instrument Number 20070426-0037872, established certain

restrictions regarding the use of the property, as well as the design of any structures that could be built due to the zoning change, as part of the rezoning application.

The rezoning was necessary to facilitate the recordation of the land development plan (Application 2004-0472-S/Z), which proposed to convert an existing 24,150 square foot pole barn into an auction building and social hall. The land development plan for Valley Road Hall was recorded on January 9, 2009, as Instrument Number 20090109-0001447.

BACKGROUND

In 1995 the property was proposed for rezoning from R-2 (Agricultural and General Purpose) to C-3 (General Business) for the purpose of constructing an auction building, social hall and indoor/outdoor soccer facilities (Ordinance 95-212). The Department's position was the proposed commercial zoning district was incompatible with the surrounding residential land uses and inconsistent with the Comprehensive Plan Map designation of Low Density Residential. The Planning Board agreed with the Department's position and recommended denial of Application 1995-0408-S/Z. This application/ordinance was later withdrawn.

Under Application 2004-0472-S/Z, Ordinance 04-102 was a rezoning proposal similar to the 1995 application. Ordinance 04-102 and a draft Declaration of Restrictions were presented at the August 4, 2004, Planning Board public hearing, where there was an abundance of public comment both for and against the proposal. Like the previous proposal, both the Department and Planning Board recommended denial of Ordinance 04-102 using the same rationale as the 1995 application. Ordinance 04-102 was later withdrawn by the applicant.

Ordinance 05-115 was later introduced on September 27, 2005, under Application 2004-0472-S/Z. The proposal was identical to that of Ordinance 04-102. Ordinance 05-115 was approved by County Council despite the negative recommendations of the Department of Land Use and the Planning Board. As part of Application 2004-0472-S/Z, a Declaration of Restrictions (as presented at the August 4, 2004, Planning Board public hearing) was recorded at Instrument Number 20070426-0037872, which imposed certain restrictions regarding the use of the property, as well as the design of any structures that could be built.

The associated land development plan (Valley Road Hall) under Application 2004-0472-S/Z was recorded on January 9, 2009, at Instrument Number 20090109-0001447.

Proposed Change

The existing Declaration of Restrictions restricts the property to the following uses:

- Auction gallery and/or exhibit hall and uses customarily associated therewith
- Social hall; reception hall; place of assembly or gathering, and similar uses
- Retail sales of antiques
- Day care – child and/or adult
- Indoor sports arena for basketball, soccer, volleyball, etc.; tennis, racquet ball or handball courts; sports performance training center educational institutions
- Bed and breakfast facility

- Funeral home
- Religious institution; place of assembly and worship
- Uses which are accessory and/or ancillary to any of the foregoing uses such as a snack bar, café, food service facilities, pro shop, gift shop, etc.

The Declaration of Restrictions also impose restrictions on lighting, sound, commercial deliveries/trash pick-ups, hours of operation for the auction hall/gallery, outside storage, signage, building appearance of the auction house/social hall, and restrictions for the protection of the existing wooded area near the rear of the property.

Application 2022-0623-DRC proposes to terminate the Declaration of Restrictions in its entirety. The current land development plan application proposes to rezone the subject site to ST, a residential zoning classification. The existing restrictions do not allow for the housing types proposed by the current land development plan application, as the prior zoning did not permit residential uses. The removal of the existing restrictions is required for the recordation of Application 2021-0695-S/Z, which proposes 15 single-family detached homes, 42 two-story townhomes, 64 three-story townhomes, and 26 twin homes.

Public Hearing – November 1, 2022

Shawn Tucker, Esq. of Barnes & Thornburg LLP gave a combined presentation for the Hockessin Station projects for the rezoning as well as for the elimination of deed restrictions.

Mr. Tucker provided the Board with a description of the proposed applications, including the rezoning request, the residential development patterns in the surrounding area of the subject application, and how this project fits within the character of the surrounding community. He addressed Section 40.31.130.D of the New Castle County Code which sets the standards for the evaluation of changes of deed restrictions.

Mr. Tucker stated that the restrictions were created as a result of the McGrellis Auction House rezoning application to Commercial Neighborhood (CN). However, the auction house has been demolished and with the adoption of the Suburban Transition (ST) zoning there is no longer a need to maintain the current restrictions.

Mark Blake, who is with Greater Hockessin Area Development Association (GHADA), expressed that this project was one of the longest focus group projects that GHADA has ever held – primarily due to the pandemic. Mr. Blake stated that there were over 27 members participating including homeowners, nearest neighbors, neighboring communities, etc. taking part in a process that has taken over four years which included 15 meetings. Mr. Blake explained that this is a site that GHADA has been looking at for over 20 years as a potential site for development. He explained that this plan will eliminate one of the troublesome zoning districts within the Hockessin area that was seen as out of place, namely the I (Industrial) zoning district. Mr. Blake stated that GHADA supports this plan and asks that the termination of the Deed Restrictions be approved as they pertain only to the rezoning that was approved for the McGrellis Auction House.

No other comments or questions were offered by the public or Planning Board members.

Department Analysis

In considering whether to support a change to a deed restriction to which the County is a party, Section 40.31.130.D of the UDC identifies two (2) areas of evaluation; (1) are the proposed changes in the best interests of the parties to the restrictions and (2) are they consistent with the planning goals of the County.

When evaluating whether a change to a deed restriction is appropriate, it is important to understand the context under which the agreements were made. The subject site had long served in a residential and farmland capacity from 1961 until 1990, which was when John McGrellis, III purchased the property from Susan Conway. As the new property owner, Mr. McGrellis sought to rezone the property in order to create an auction house and social hall on the subject site.

The existing deed restrictions sought to provide the surrounding community with a level of comfort and predictability regarding the rezoning and future development of the subject site. Recognizing that potential nuisances created by the future development and rezoning of the subject site would most impact the adjacent residential communities, the restrictions specified the uses that would be permitted.

Since the recordation of the original Declaration of Restrictions, the auction house has been demolished and the commercial use of the property has been discontinued. In January of 2018 the property was purchased by VHR2 LLC, who has worked extensively with the Greater Hockessin Area Development Association (GHADA) and the surrounding communities on the design of the plan.

The Department believes that the proposed termination of the Declaration of Restrictions that limited the property to specific commercial uses is in the best interest of the parties to the restrictions. The proposed residential use of the property is more in keeping with the character of the surrounding community.

The Department believes that the proposed termination of the Declaration of Restrictions is consistent with the Planning Goals of the County as set forth by the 2012 New Castle County Comprehensive Plan. Objective 12 of Chapter 3 calls for projects to incorporate “design guidelines to complement and enhance the area and surrounding community”. The use of the property is consistent with the character of Valley Road which is primarily residential. Along with the removal of the deed restrictions for the existing commercial zoning district, the project proposes rezoning the site to ST which will remove the commercial neighborhood zoning that is inconsistent with the suburban context along Valley Road. Additionally, Code requirements will provide protections for the existing wooded area near the rear of the property.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the standards in Section 40.31.130.D of the New Castle County Code and other public comments. Based on this analysis, the Department is of the opinion that the proposed changes are in the best interest of the parties to the restrictions and that the proposed changes to the existing deed restrictions are consistent with the planning goals for the County. As a result, the Department recommends **APPROVAL** of the termination of the Declaration of Restrictions.

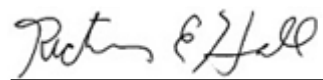
PLANNING BOARD RECOMMENDATION

At its business meeting held on December 20, 2022, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Mr. Snowden and seconded by Ms. Visvardis, the Board voted to recommend **APPROVAL** of the termination of the Declaration of Restrictions. The motion was adopted by a vote of 8-0-0-1 (Yes: Cahill-Krout, Daigle, Drake, Gray, McGlinchey, Peterson, Snowden, Visvardis; No: none; Abstain: none; Absent: Cochran).

There was no discussion preceding the vote.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603 (a), the Department of Land Use finds that this termination of Declaration of Restrictions would promote the convenience, order, and welfare of the present and future inhabitants of this state.

 12/21/2022

Richard E. Hall, AICP date
General Manager
Department of Land Use

 12/21/2022

Karen Peterson date
Chair
Planning Board

Introduced by: Ms. Kilpatrick
Date of introduction: January 24, 2023

RESOLUTION NO. 23-035

**RECOGNIZING AND CELEBRATING
THE CHINESE NEW YEAR 2023**

WHEREAS, the Chinese New Year or Spring Festival, indicates the celebration of the start of a new life, and is celebrated for 15 days. The Chinese New Year is based on the lunisolar calendar; and

WHEREAS, the Chinese New Year will usher in the 4th of all zodiac animals, the rabbit will be taking over starting from January 22, 2023, and lasting until February 9, 2024. In Chinese culture the rabbit represents the moon; and

WHEREAS, the Chinese New Year celebration ends when there is a full moon with a Lantern Festival where the people release flying lanterns into the sky celebrating reconciliation, peace, and forgiveness.

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby recognizes and celebrates The Chinese New Year 2023. Guo Nian Hao (Happy New Year)!

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL IMPACT: There is no discernible impact upon the adoption of this resolution.

ORDINANCE NO. 23-001

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$75,000 FROM KENT COUNTY AS A FEDERAL PASS-THROUGH
GRANT FROM THE AMERICAN RESCUE PLAN ACT (ARPA), STATE AND LOCAL
FISCAL RECOVERY FUNDS (SLFRF) TO THE SUBSTANCE USE DISORDERS
NEEDS ASSESSMENT**

WHEREAS, in August of 2021, New Castle County, in collaboration with Kent and Sussex Counties, issued an RFP to identify a consultant to perform a substance use disorder needs assessment to determine service gaps for those experiencing substance use disorders and gather and analyze data to help inform potential American Rescue Plan Act (“ARPA”), State and Local Fiscal Recovery Funds (“SLFRF”) expenditures; and

WHEREAS, New Castle County signed a contract with Health Management Associates (“HMA”) in September of 2021 to complete a statewide substance use disorder needs assessment in collaboration with Kent and Sussex Counties; and

WHEREAS, the statewide assessment data, allocated by county, will assist in understanding the gravity and persistence of COVID-19 pandemic-related substance use increases on communities throughout the three counties and guide the allocation of future spending on substance use disorder-related initiatives within the counties, including the use of SLFRF funds toward such initiatives; and

WHEREAS, Kent County has awarded \$75,000 in federal pass-through grant funds from SLFRF funds received by Kent County to New Castle County to be allocated to funding the needs analysis being prepared by HMA; and

WHEREAS, New Castle County has entered into a subaward agreement with Kent County regarding the grant funds; and

WHEREAS, the County Executive has determined that grants received will be sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached Exhibit “A,” which is considered to be underscored in its entirety, attached hereto and made a part thereof.

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.

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to September 23, 2021.

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 appropriate \$75,000 in federal pass-through funds from the American Rescue Plan Act (ARPA), State and Local Fiscal Recovery Funds from Kent County to the Substance Use Disorders Needs Assessment Grant. Funding is intended to provide for a statewide substance use disorders needs assessment.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to September 23, 2021.

FISCAL NOTE: The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$75,000. This increase will impact FY2022 only since the targeted program completion date is May 31, 2022.

EXHIBIT "A"

DEPARTMENT: Executive

PROGRAM TITLE: Substance Use Disorders Needs Assessment

Ordinance No. 23-001

Other: \$75,000.00

Object Level	Federal		County		State		Total	
	Initial	Revised	Initial	Revised	Initial	Revised	Initial	Revised
11-Salaries and Wages								
15-Employee Benefits								
22-Training/Civic Affairs								
23-Communication/Utilities								
24-Materials/Supplies								
25-Contractual Services	75,000.00	150,000.00					75,000.00	150,000.00
26-Equipment Replacement								
27-Fixed Charges								
28-Land and Structures								
29-Contingencies								
Total:	75,000.00	150,000.00					75,000.00	150,000.00

Supplemental Information

Estimated Program Initiation: 9/23/2021

Estimated Program Completion: 5/31/2022

The Local Match:

Found in:

Code #

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

Provide funding for a statewide substance use disorders needs assessment. This statewide assessment data, allocated by county, will assist in understanding the gravity and persistence of COVID-19 pandemic-related substance use increases on communities throughout the three counties and guide the allocation of future spending on substance use disorder-related initiatives within the counties, including the use of American Rescue Plan Act, State and Local Fiscal Recovery Funds toward such initiatives

1/10/2023

ORDINANCE NO. 23-002

**AMEND THE FY2023 APPROVED OPERATING BUDGET:
TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM
OF COUNTY COUNCIL TO THE MATERIALS AND SUPPLIES BUDGET LINE ITEM FOR
THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY
COMMUNICATIONS**

WHEREAS, the Department of Public Safety, Division of Communication provides New Castle County with a computer aided emergency communications center that is easily accessible to all residents and is responsive to all emergency 911 and non-emergency call requests for police, fire, and emergency medical services, regardless of callers' location; and

WHEREAS, County Council has budgeted funding available in the Grants and Fixed Charges Budget Line Item; and

WHEREAS, County Council would like to contribute \$5,000 to enable the Department of Public Safety, Division of Emergency Communications to reach out to the community by offering a training course and certification as an Emergency Telecommunicator for up to twenty-five participants; and

WHEREAS, successful completion of the training program will assist future, interested job applicants who apply for 911 system positions in meeting minimum and/or preferred qualifications during the application process; and

WHEREAS, the revenue measures heretofore adopted by the County Council, together with any General Fund Tax Stabilization Reserves are, in the opinion of the County Executive, estimated to yield sums at least sufficient to balance the proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.

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

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2022 is hereby amended by deleting the material bracketed and stricken and adding the material underscored on the attached Exhibit "A."

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2022 and shall be effective as though incorporated initially in the Annual Operating Budget.

Section 3. 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
New Castle County

SYNOPSIS: This Ordinance, if approved, will transfer \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Public Safety – Materials and Supplies Budget Line Item to enable the Department of Public Safety, Division of Emergency Communications to reach out to the community by offering a training course and certification as an Emergency Telecommunicator for up to twenty-five participants.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2023 Approved Operating Budget by transferring \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Public Safety – Materials and Supplies Budget Line Item to enable the Department of Public Safety, Division of Emergency Communications to reach out to the community by offering a training course and certification as an Emergency Telecommunicator for up to twenty-five participants.

The FY2023 Approved Operating Budget for the Department of Public Safety will be revised from \$119,246,338 to \$119,251,338. This legislation will result in no increase to the FY2023 Approved Operating Budget as the legislation is a transfer of funds between Departments. There is no fiscal impact for FY2024 and FY2025.

COUNTY COUNCIL

Salaries and Wages		\$	2,384,822
Benefits			1,419,731
Training and Civic Affairs			79,138
Communication and Utilities			19,506
Materials and Supplies			61,107
Contractual Services			257,837
Equipment			3,653
Grants and Fixed Charges	297,726		292,726
Operating Transfer Charges			144,715
Total	4,668,235	\$	<u>4,663,235</u>
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,620,891
Benefits			957,820
Training and Civic Affairs			31,904
Communication and Utilities			15,280
Materials and Supplies			22,236
Contractual Services			148,991
Equipment			1,000
Grants and Fixed Charges			943,000
Contingency			55,000
Operating Transfer Charges			75,861
Total		\$	<u>3,871,983</u>
Total Authorized Full-Time Positions	14		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,042,398
Benefits			7,020,831
Training and Civic Affairs			126,825
Communication and Utilities			6,958,723
Materials and Supplies			155,767
Contractual Services			6,406,666
Equipment			437,900
Grants and Fixed Charges			3,850,289
Operating Transfer Charges			1,021,948
Operating Transfer Credits			(11,775,518)
Total		\$	<u>26,245,829</u>
Total Authorized Full-Time Positions	166		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,542,855
Benefits		14,385,376
Training and Civic Affairs		44,445
Communication and Utilities		24,783,805
Materials and Supplies		4,396,885
Contractual Services		9,343,418
Equipment		763,124
Grants and Fixed Charges		1,213,757
Land and Structures		35,000
Operating Transfer Charges		4,402,788
Operating Transfer Credits		(7,359,063)
Total	\$	76,552,390
Total Authorized Full-Time Positions	379	

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,547,554
Benefits		5,025,008
Training and Civic Affairs		68,665
Communication and Utilities		112,975
Materials and Supplies		97,377
Contractual Services		1,557,591
Equipment		55,175
Grants and Fixed Charges		31,500
Operating Transfer Charges		1,111,742
Operating Transfer Credits		(800,651)
Total	\$	15,806,936
Total Authorized Full-Time Positions	118	

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,407,432
Benefits		5,184,613
Training and Civic Affairs		20,085
Communication and Utilities		951,179
Materials and Supplies		1,377,617
Contractual Services		2,289,087
Equipment		28,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,220,165
Operating Transfer Credits		(188,230)
Total	\$	25,400,997
Total Authorized Full-Time Positions	161	

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	62,634,574	\$	62,636,850
Benefits	36,578,078		36,579,423
Training and Civic Affairs			159,742
Communication and Utilities			1,022,743
Materials and Supplies	1,250,237		<u>1,251,616</u>
Contractual Services			2,049,917
Equipment			1,515,785
Grants and Fixed Charges			6,458,350
Operating Transfer Charges			7,576,912
Total	119,246,338	\$	<u>119,251,338</u>
Total Authorized Full-Time Positions	711		

REGISTER OF WILLS

Salaries and Wages		\$	1,108,686
Benefits			642,551
Training and Civic Affairs			35,150
Communication and Utilities			12,266
Materials and Supplies			9,062
Contractual Services			24,770
Equipment			1,950
Operating Transfer Charges			80,523
Total		\$	<u>1,914,958</u>
Total Authorized Full-Time Positions	19		

RECORDER OF DEEDS

Salaries and Wages	\$	1,268,310
Benefits		737,299
Training and Civic Affairs		43,170
Communication and Utilities		33,977
Materials and Supplies		12,898
Contractual Services		81,446
Equipment		8,000
Grants and Fixed Charges		15,000
Operating Transfer Charges		150,152
Total	\$	2,350,252
Total Authorized Full-Time Positions	24	

SHERIFF

Salaries and Wages	\$	1,246,585
Benefits		732,842
Training and Civic Affairs		29,452
Communication and Utilities		16,181
Materials and Supplies		20,684
Contractual Services		56,398
Equipment		5,000
Operating Transfer Charges		158,555
Total	\$	2,265,697
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	461,658
Benefits		272,804
Training and Civic Affairs		14,130
Communication and Utilities		5,256
Materials and Supplies		5,424
Contractual Services		23,593
Operating Transfer Charges		30,639
Total	\$	813,504
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	46,374,026
Total	\$	46,374,026
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,950
Training and Civic Affairs		10,500
Communication and Utilities		2,223
Materials and Supplies		2,450
Contractual Services		291,116
Equipment		500
Operating Transfer Charges		6,066
Total	\$	354,805
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	200,000
Total	\$	200,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,924,511)
Personal Services - Employee Benefits	\$	(2,910,011)
Total	\$	(7,834,522)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	567,756
Total	\$	567,756

NEW CASTLE COUNTY

Salaries and Wages	122,379,254	\$	122,381,530
Benefits	70,050,892		70,052,237
Training and Civic Affairs			663,206
Communication and Utilities			33,934,114
Materials and Supplies	7,411,744		<u>7,413,123</u>
Contractual Services			22,530,830
Equipment			2,820,987
Grants and Fixed Charges	15,919,771		<u>15,914,771</u>
Debt Service			46,374,026
Land and Structures			35,000
Contingency			1,527,756
Operating Transfer Charges			15,980,066
Operating Transfer Credits			(20,123,462)
<i>Sub-Total New Castle County</i>		\$	319,504,184
<i>Total Authorized Full-Time Positions</i>	1,655		

RESERVE ACCOUNTS AS OF DECEMBER 13, 2022

Tax Stabilization Reserve Account (Unaudited)	72,139,951
Sewer Rate Stabilization Reserve Account (Unaudited)	10,809,217
General Fund Budget Reserve Account	44,845,412
Sewer Fund Budget Reserve Account	18,362,788
<i>Total Reserves:</i>	146,157,368

ORDINANCE NO. 23-003

**ADOPT THE PAY PLAN AND RATES OF PAY FOR FRATERNAL ORDER OF
POLICE, NEW CASTLE COUNTY LODGE NO. 5 CAPTAINS, MAJORS, &
LIEUTENANT COLONEL**

WHEREAS, *New Castle County Code* Section 26.01.009 – Uniform Pay Plans, requires that all persons employed by the County or by any of its boards, whether as officers or otherwise, shall be compensated only in accordance with pay plans adopted by the County Council; and

WHEREAS, Police Officers in the ranks of Captain, Major, and Lieutenant Colonel previously were paid pursuant to the Pay Plan and Rates of Pay for Non-Union Classified Police Executive Staff; and

WHEREAS, the Fraternal Order of Police, New Castle County Lodge No. 5 petitioned the Public Employment Relations Board in 2021, to create a new bargaining unit to represent New Castle County Police Officers in the ranks of Captain, Major, and Lieutenant Colonel by Representation Petition No. 21-03-1262; and

WHEREAS, the County Executive successfully negotiated a collective bargaining agreement with the Fraternal Order of Police, New Castle County Lodge No. 5, Captains, Majors, and Lieutenant Colonel; and

WHEREAS, the County Executive has recommended adoption of a Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel to reflect wage increases agreed to during contract negotiations.

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

Section 1. The Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel for the period July 1, 2022 through June 30, 2023 as set forth in Exhibit “A,” is hereby adopted in its entirety.

Section 2. The Pay Plan and Rates of Pay for the Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel for the period July 1, 2023 through June 30, 2024 as set forth in Exhibit “B,” is hereby adopted in its entirety.

Section 3. The Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel for the period July 1, 2024 through June 30, 2025 as set forth in Exhibit “C,” is hereby adopted in its entirety.

Section 4. The Pay Plan and Rates of Pay for Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel, effective July 1, 2025 as set forth in Exhibit “D,” is hereby adopted in its entirety.

Section 5. This Ordinance shall be effective upon adoption by New Castle County

Council and approval of the County Executive.

Adopted by County Council of
New Castle County on:

President of County Council
New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, adopts a new pay plan and puts into effect wage increases resulting from the County's negotiations with the Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel. The four-year contract which is retroactive to July 1, 2022, provides for a 2.5% increase in each year of the contract.

FISCAL NOTE: This Ordinance, if approved, adopts a new pay plan and rates of pay for Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors, and Lieutenant Colonel. The estimated fiscal impacts (Salaries/Wages and Employee Benefits) of the Collective Bargaining agreement for the period July 1, 2022 through June 30, 2026 are as follows:

FY2023	\$145,601
FY2024	\$200,839
FY2025	\$263,531
FY2026	\$321,757

**PAY PLAN AND RATES OF PAY FOR
FRATERNAL ORDER OF POLICE, NEW CASTLE COUNTY LODGE NO. 5
CAPTAINS, MAJORS, AND LIEUTENANT COLONEL**

EXHIBIT A

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	107,192	117,912	123,807	129,997	136,497	143,323	150,488	155,003	159,653
POLICE MAJOR	2	117,912	123,807	129,997	136,497	143,323	150,488	158,012	162,752	167,635
DEPUTY CHIEF OF POLICE	3	123,807	129,997	136,497	143,323	150,488	158,012	165,913	170,890	176,017

Effective: 07/01/2022 - 6/30/2023

EXHIBIT B

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	109,872	120,860	126,902	133,247	139,910	146,906	154,251	158,878	163,645
POLICE MAJOR	2	120,860	126,902	133,247	139,910	146,906	154,251	161,962	166,821	171,826
DEPUTY CHIEF OF POLICE	3	126,902	133,247	139,910	146,906	154,251	161,962	170,060	175,162	180,417

Effective: 07/01/2023 - 6/30/2024

EXHIBIT C

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	112,619	123,881	130,074	136,578	143,407	150,578	158,107	162,850	167,736
POLICE MAJOR	2	123,881	130,074	136,578	143,407	150,578	158,107	166,011	170,992	176,121
DEPUTY CHIEF OF POLICE	3	130,074	136,578	143,407	150,578	158,107	166,011	174,312	179,541	184,928

Effective: 07/01/2024 - 6/30/2025

EXHIBIT D

CLASSIFICATION	PAY GRADE								Completion of	
		1	2	3	4	5	6	7	Year 18	Year 21
POLICE CAPTAIN	1	115,435	126,978	133,326	139,992	146,993	154,343	162,060	166,921	171,929
POLICE MAJOR	2	126,978	133,326	139,992	146,993	154,343	162,060	170,162	175,266	180,524
DEPUTY CHIEF OF POLICE	3	133,326	139,992	146,993	154,343	162,060	170,162	178,670	184,030	189,551

Effective: 07/01/2025

Ordinance 22-XXX

Introduced by: Ms. Hartley-Nagle
Date of Introduction: January 10, 2023

ORDINANCE NO. 23-004

**AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE
EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE (FOP)
LODGE NO. 5 SWORN DEPUTY SHERIFFS**

WHEREAS, the County Executive has recommended amendments to the Pay Plans and Rates of Pay for Classified Service Employees represented by Fraternal Order of Police (FOP) Lodge No. 5 Sworn Deputy Sheriffs to reflect wage increases agreed to during contract negotiations.

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

Section 1. The Pay Plan and Rates of Pay for the Sworn Deputy Sheriffs represented by Fraternal Order of Police, New Castle County Lodge No. 5 for the period July 1, 2022 through June 30, 2023 as set forth in Exhibit “A,” all of which shall be considered underscored, is hereby adopted in its entirety.

Section 2. The Pay Plan and Rates of Pay for the Sworn Deputy Sheriffs represented by Fraternal Order of Police, New Castle County Lodge No. 5 for the period July 1, 2023 through June 30, 2024 as set forth in Exhibit “B,” all of which shall be considered underscored, is hereby adopted in its entirety.

Section 3. The Pay Plan and Rates of Pay for the Sworn Deputy Sheriffs represented by Fraternal Order of Police, New Castle County Lodge No. 5, for the period July 1, 2024 through June 30, 2025 as set forth in Exhibit “C,” all of which shall be considered underscored, is hereby adopted in its entirety.

Section 4. The Pay Plan and Rates of Pay for the Sworn Deputy Sheriffs represented by Fraternal Order of Police, New Castle County Lodge No. 5, effective July 1, 2025 as set forth in Exhibit “D,” all of which shall be considered underscored, is hereby adopted in its entirety.

Section 5. This Ordinance shall be effective upon adoption by New Castle County Council and approval of the County Executive.

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, puts into effect wage increases resulting from the County's negotiations with the Sworn Deputy Sheriffs represented by the Fraternal Order of Police, New Castle County Lodge No. 5. The four-year contract, which is retroactive to July 1, 2022, provides for a 2.5% increase in each year of the contract.

FISCAL NOTE: This Ordinance, if approved, amends the Pay Plans and Rates of Pay for Classified Service Employees represented by Fraternal Order of Police (FOP) Lodge No. 5 Sworn Deputy Sheriffs. The estimated fiscal impacts (Salaries/Wages and Employee Benefits) of the collective bargaining agreement for the period July 1, 2022 through June 30, 2026 are as follows:

FY2023	\$16,718
FY2024	\$32,758
FY2025	\$49,199
FY2026	\$66,051

**PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL
ORDER OF POLICE (FOP) LODGE #5 SWORN DEPUTY SHERIFFS**

EXHIBIT A

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
DEPUTY SHERIFF	19	39,447	41,421	43,492	45,666	47,948	50,347	52,863	55,508	58,285	61,199
CHIEF DEPUTY SHERIFF	25	52,863	55,508	58,285	61,199	64,259	67,473	70,845	74,388	78,107	82,012

Effective: 07/01/2022-06/30/23 (Ordinance 22-xxx)

EXHIBIT B

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
DEPUTY SHERIFF	19	40,433	42,457	44,579	46,808	49,147	51,606	54,185	56,896	59,742	62,729
CHIEF DEPUTY SHERIFF	25	54,185	56,896	59,742	62,729	65,865	69,160	72,616	76,248	80,060	84,062

Effective: 07/01/2023-06/30/24 (Ordinance 22-xxx)

EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
DEPUTY SHERIFF	19	41,444	43,518	45,693	47,978	50,376	52,896	55,540	58,318	61,236	64,297
CHIEF DEPUTY SHERIFF	25	55,540	58,318	61,236	64,297	67,512	70,889	74,431	78,154	82,062	86,164

Effective: 07/01/2024-06/30/25 (Ordinance 22-xxx)

EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
DEPUTY SHERIFF	19	42,480	44,606	46,835	49,177	51,635	54,218	56,929	59,776	62,767	65,904
CHIEF DEPUTY SHERIFF	25	56,929	59,776	62,767	65,904	69,200	72,661	76,292	80,108	84,114	88,318

Effective: 07/01/2025 (Ordinance 22-xxx)

ORDINANCE NO. 23-005

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$125,109.00 FROM THE UNITED STATES DEPARTMENT OF
AGRICULTURE, AGRICULTURAL MARKETING SERVICE TO THE
2022 FARMERS MARKET PROGRAM GRANT, WHICH IS ADMINISTERED BY THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF RECREATION**

WHEREAS, funding has been awarded from the United States Department of Agriculture (USDA), Agricultural Marketing Service to the 2022 Farmers Market Program Grant, which is administered by the Department of Community Services, Division of Recreation; and

WHEREAS, the 2022 Farmers Market Program Grant will develop, coordinate, and expand direct producer to consumer markets, increase producers' economic opportunity and expand access and availability of locally and regionally produced agricultural products through the Bellevue Farmers Market and the Readers' Café Farm to Table Farm Fresh Initiative; and

WHEREAS, this award will support low-income and low-access communities in making healthy choices by providing opportunities and access to fresh, healthy agricultural food; and

WHEREAS, the County Executive has determined that funds received are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, Council has determined that the provisions of this Ordinance substantially advance, and are reasonably and rationally related to, legitimate government interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or welfare of the present and future inhabitants of this State).

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

Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby amended by adding the material on the attached "Exhibit A."

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to September 30, 2022.

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 appropriate federal funding of \$125,109.00 to the 2022 Farmers Market Program Grant which is administered by the Department of Community Services, Division of Recreation. This funding will be used to support low-income and low-access communities in making healthy choices by providing opportunities and access to fresh, healthy agricultural food.

The 2022 Farmers Market Program Grant will develop, coordinate, and expand direct producer to consumer markets, increase producers' economic opportunity and expand access and availability of locally and regionally produced agricultural products through the Bellevue Farmers Market and the Readers' Café Farm to Table Farm Fresh Initiative

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to September 30, 2022.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal funding of \$125,109.00 to the 2022 Farmers Market Program Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$125,109.00. This increase will affect FY2023 through FY2026 since the targeted program completion date of this award is September 29, 2025. In addition, the Department will provide an Operating Budget match of \$62,513.10 from Approved Operating Budget funds in the Department of Community Services. There will be no fiscal impact beyond FY2026 as a result of this grant award.

DEPARTMENT: Community Services

EXHIBIT "A"

PROGRAM TITLE: 2022 Farmers Market Program

Ordinance No. 23-005

Federal: \$125,109.00

Object Level	Federal		County		Program Income		Total	
	<i>Initial</i>	<i>Revised</i>	<i>Initial</i>	<i>Revised</i>	<i>Initial</i>	<i>Revised</i>	<i>Initial</i>	<i>Revised</i>
11-Salaries and Wages								
15-Employee Benefits								
22-Training/Civic Affairs	1,367.00						1,367.00	
23-Communication/Utilities								
24-Materials/Supplies	4,497.00						4,497.00	
25-Contractual Services	119,245.00						119,245.00	
26-Equipment Replacement								
27-Fixed Charges								
28-Land and Structures								
29-Contingencies								
Total:	125,109.00						125,109.00	

Supplemental Information

Estimated Program Initiation: 09/30/2022

Estimated Program Completion: 9/29/2025

In-Kind Match: \$62,513.10

Found in: Adult Activity Center (10400305);
Administration (10400101)

Code #

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

The 2022 Farmers Market Program Grant will develop, coordinate, and expand direct producer to consumer markets, increase producers' economic opportunity and expand access and availability of locally and regionally produced agricultural products through the Bellevue Farmers Market and the Readers' Café Farm to Table Farm Fresh Initiative.

01/10/2023

Introduced by: Mr. Smiley, Mr. Cartier,
Ms. Kilpatrick
Date of Introduction: January 10, 2023

ORDINANCE NO. 23-006

AMEND THE ANNUAL OPERATING BUDGET TO APPROPRIATE \$525,000 FROM THE STRATEGIC ECONOMIC DEVELOPMENT FUND AND \$225,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND A \$750,000 INVESTMENT TO ESTABLISH THE GROW AMERICA FUND – NEW CASTLE COUNTY

WHEREAS, New Castle County wishes to expand economic opportunity and encourage sustainable community and economic development activities through small business lending so that economically disadvantaged neighborhoods can experience investment and job creation; and

WHEREAS, New Castle County wishes to establish a community and economic development lending program through an investment in the Grow America Fund (“GAF”), an SBA licensed Small Business Lending Company (hereinafter “SBLC”), named – the “Grow America Fund – New Castle County” (“GAF – NCC”) to achieve these goals; and

WHEREAS, GAF is recognized and certified by the U.S. Treasury Department as a Community Development Financial Institution and Community Development Entity having a primary mission of serving or providing investment capital for low-income communities or low-income persons and, as the nation’s only SBLC devoted solely to economic and community development financing and as a licensed and regulated SBLC, is entitled to make SBA 7(a) guaranteed loans to eligible small businesses; and

WHEREAS, GAF will underwrite all loans, obtain GAF and SBA approvals, close, service and collect loans, perform appropriate periodic reviews of each loan, and provide reporting as required by and in a form acceptable to NCC; and

WHEREAS, GAF – NCC will be capitalized with \$1,000,000; \$750,000 will be contributed through an investment by New Castle County and \$250,000 will be contributed by Discover Bank through the Delaware Community Foundation as a grant to GAF – NCC. It is further expected that the \$1,000,000 capitalization of GAF – NCC will be leveraged to expand total GAF - NCC revolving loan opportunities to a total of \$4,000,000.

WHEREAS, the GAF – NCC will utilize the SBA to ensure that each borrower receives the best rates and terms available to grow and retain business in New Castle County; and

WHEREAS, the New Castle County Strategic Economic Development Fund (the “SEF”), established under *New Castle County Code* § 14.01.016 serves as a source to, among other things, retain and/or create jobs within New Castle County and currently contains \$525,000; and

WHEREAS, County Council has determined that the appropriation of \$525,00 from the SEF to GAF – NCC is an appropriate use of the funds contained within the SEF and in the public interest.

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

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2022 is hereby amended by deleting the material bracketed and stricken and adding the material underscored on the attached Exhibit “A.”

Section 2. An appropriation of \$525,000 from the Strategic Economic Development Fund and of \$225,000 from the General Fund Tax Stabilization Reserve are hereby approved in order to provide an initial investment in the Grow America Fund – New Castle County.

Section 2. The foregoing amendment shall be considered a part of the Annual Operating Budget for the fiscal year beginning July 1, 2022, and shall be effective retroactively as though incorporated initially in the Annual Operating Budget.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 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
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2023 Approved Operating Budget by appropriating \$525,000 from the Strategic Economic Development Fund and \$225,000 from the General Fund Tax Stabilization Reserve to the Department of County Executive Grants and Fixed Charges Budget Line Item. These funds will be used to fund a \$750,000 investment to establish the Grow America Fund – New Castle County.

FISCAL NOTE: This Ordinance, if approved, amends the FY2023 Approved Operating Budget by appropriating \$525,000 from the Strategic Economic Development Fund and \$225,000 from the General Fund Tax Stabilization Reserve to the Department of County Executive Grants and Fixed Charges Budget Line Item.

The revised FY2023 Approved Operating Budget will be \$320,254,184. The Strategic Economic Development Fund balance (unaudited) upon passage of this Ordinance will be \$0. The General Fund Tax Stabilization Reserve balance (unaudited) upon passage of this Ordinance will be \$71,914,951. There is no fiscal impact on future years.

COUNTY COUNCIL

Salaries and Wages		\$	2,384,822
Benefits			1,419,731
Training and Civic Affairs			79,138
Communication and Utilities			19,506
Materials and Supplies			61,107
Contractual Services			257,837
Equipment			3,653
Grants and Fixed Charges			297,726
Operating Transfer Charges			144,715
Total		\$	4,668,235
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,620,891
Benefits			957,820
Training and Civic Affairs			31,904
Communication and Utilities			15,280
Materials and Supplies			22,236
Contractual Services			148,991
Equipment			1,000
Grants and Fixed Charges	943,000		<u>1,693,000</u>
Contingency			55,000
Operating Transfer Charges			75,861
Total	3,871,983	\$	<u>4,621,983</u>
Total Authorized Full-Time Positions	14		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,042,398
Benefits			7,020,831
Training and Civic Affairs			126,825
Communication and Utilities			6,958,723
Materials and Supplies			155,767
Contractual Services			6,406,666
Equipment			437,900
Grants and Fixed Charges			3,850,289
Operating Transfer Charges			1,021,948
Operating Transfer Credits			(11,775,518)
Total		\$	26,245,829
Total Authorized Full-Time Positions	166		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,542,855
Benefits		14,385,376
Training and Civic Affairs		44,445
Communication and Utilities		24,783,805
Materials and Supplies		4,396,885
Contractual Services		9,343,418
Equipment		763,124
Grants and Fixed Charges		1,213,757
Land and Structures		35,000
Operating Transfer Charges		4,402,788
Operating Transfer Credits		(7,359,063)
Total	\$	76,552,390
Total Authorized Full-Time Positions		379

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,547,554
Benefits		5,025,008
Training and Civic Affairs		68,665
Communication and Utilities		112,975
Materials and Supplies		97,377
Contractual Services		1,557,591
Equipment		55,175
Grants and Fixed Charges		31,500
Operating Transfer Charges		1,111,742
Operating Transfer Credits		(800,651)
Total	\$	15,806,936
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,407,432
Benefits		5,184,613
Training and Civic Affairs		20,085
Communication and Utilities		951,179
Materials and Supplies		1,377,617
Contractual Services		2,289,087
Equipment		28,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,220,165
Operating Transfer Credits		(188,230)
Total	\$	25,400,997
Total Authorized Full-Time Positions		161

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	62,634,574
Benefits		36,578,078
Training and Civic Affairs		159,742
Communication and Utilities		1,022,743
Materials and Supplies		1,250,237
Contractual Services		2,049,917
Equipment		1,515,785
Grants and Fixed Charges		6,458,350
Operating Transfer Charges		7,576,912
Total	\$	119,246,338
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,108,686
Benefits		642,551
Training and Civic Affairs		35,150
Communication and Utilities		12,266
Materials and Supplies		9,062
Contractual Services		24,770
Equipment		1,950
Operating Transfer Charges		80,523
Total	\$	1,914,958
Total Authorized Full-Time Positions		19

RECORDER OF DEEDS

Salaries and Wages	\$	1,268,310
Benefits		737,299
Training and Civic Affairs		43,170
Communication and Utilities		33,977
Materials and Supplies		12,898
Contractual Services		81,446
Equipment		8,000
Grants and Fixed Charges		15,000
Operating Transfer Charges		150,152
Total	\$	2,350,252
Total Authorized Full-Time Positions	24	

SHERIFF

Salaries and Wages	\$	1,246,585
Benefits		732,842
Training and Civic Affairs		29,452
Communication and Utilities		16,181
Materials and Supplies		20,684
Contractual Services		56,398
Equipment		5,000
Operating Transfer Charges		158,555
Total	\$	2,265,697
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	461,658
Benefits		272,804
Training and Civic Affairs		14,130
Communication and Utilities		5,256
Materials and Supplies		5,424
Contractual Services		23,593
Operating Transfer Charges		30,639
Total	\$	813,504
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	46,374,026
Total	\$	46,374,026
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,950
Training and Civic Affairs		10,500
Communication and Utilities		2,223
Materials and Supplies		2,450
Contractual Services		291,116
Equipment		500
Operating Transfer Charges		6,066
Total	\$	354,805
Total Authorized Full-Time Positions		0

COUNCIL CONTINGENCY

Contingency	\$	250,000
Total	\$	250,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	200,000
Total	\$	200,000
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	455,000
Total	\$	455,000
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	(4,924,511)
Personal Services - Employee Benefits	\$	(2,910,011)
Total	\$	(7,834,522)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	567,756
Total	\$	567,756

NEW CASTLE COUNTY

Salaries and Wages		\$	122,379,254
Benefits			70,050,892
Training and Civic Affairs			663,206
Communication and Utilities			33,934,114
Materials and Supplies			7,411,744
Contractual Services			22,530,830
Equipment			2,820,987
Grants and Fixed Charges	15,919,771		<u>16,669,771</u>
Debt Service			46,374,026
Land and Structures			35,000
Contingency			1,527,756
Operating Transfer Charges			15,980,066
Operating Transfer Credits			(20,123,462)
<i>Sub-Total New Castle County</i>	<i>319,504,184</i>	\$	<u>320,254,184</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,655</i>		

RESERVE ACCOUNTS AS OF DECEMBER 13, 2022

Tax Stabilization Reserve Account (Unaudited)	72,139,951		<u>71,914,951</u>
Sewer Rate Stabilization Reserve Account (Unaudited)			10,809,217
General Fund Budget Reserve Account			44,845,412
Sewer Fund Budget Reserve Account			18,362,788
<i>Total Reserves:</i>	<i>146,157,368</i>		<u>145,932,368</u>

Introduced by: Ms. Kilpatrick
Date of introduction: October 25, 2022

ORDINANCE NO. 22-128

REVISE ZONING MAP: MILL CREEK HUNDRED, EAST SIDE OF VALLEY ROAD, 850 FEET SOUTH OF EVANSON ROAD; REZONE TAX PARCELS 08-012.00-033 – 040, AND TAX PARCELS 08-012.00-073 – 075, 58.31± ACRES, FROM S (SUBURBAN), CN (COMMERCIAL NEIGHBORHOOD), AND I (INDUSTRIAL) TO ST (SUBURBAN TRANSITION) AND A PORTION OF TAX PARCEL 08-012.00-039, 1.02± ACRES FROM S (SUBURBAN) TO ST (SUBURBAN TRANSITION) AND H (HISTORIC OVERLAY ZONE).

(The Exploratory Major Subdivision Plan for **Hockessin Station** proposes to rezone tax parcels 08-012.00-033 – 040, and 08-012.00-073 – 075 from “S” (Suburban), “CN” (Commercial Neighborhood), and “I” (Industrial) to “ST” (Suburban Transition) and a portion of tax parcel 08-012.00-039, 1.02± acres from “S” (Suburban) to “ST” (Suburban Transition) and “H” (Historic Overlay Zone) and subdivide the property into 147 lots with associated site improvements, utilizing the open space planned development option, and remove existing deed restrictions from tax parcels 08-012.00-033 and 08-012.00-073. App. **2021-0695-S**, Council District 3.)

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

Section 1. The Zoning Map of New Castle Hundred, as amended, is hereby further amended by changing the zoning classification of the land shown on attached Exhibits “A” and “L” dated October 7, 2022, as set forth therein.

Section 2. The 2012 Comprehensive Development Plan Update for New Castle County, as shown amended, is hereby further amended, by changing the land use designation shown on Exhibit “E” dated October 7, 2022, as set forth herein, so as to make such land consistent with the amendment of the zoning map, as per Section 1 above.

Section 3. This Ordinance shall become effective immediately upon passage by New Castle County Council and approval of 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
New Castle County

SYNOPSIS: Same as Title.

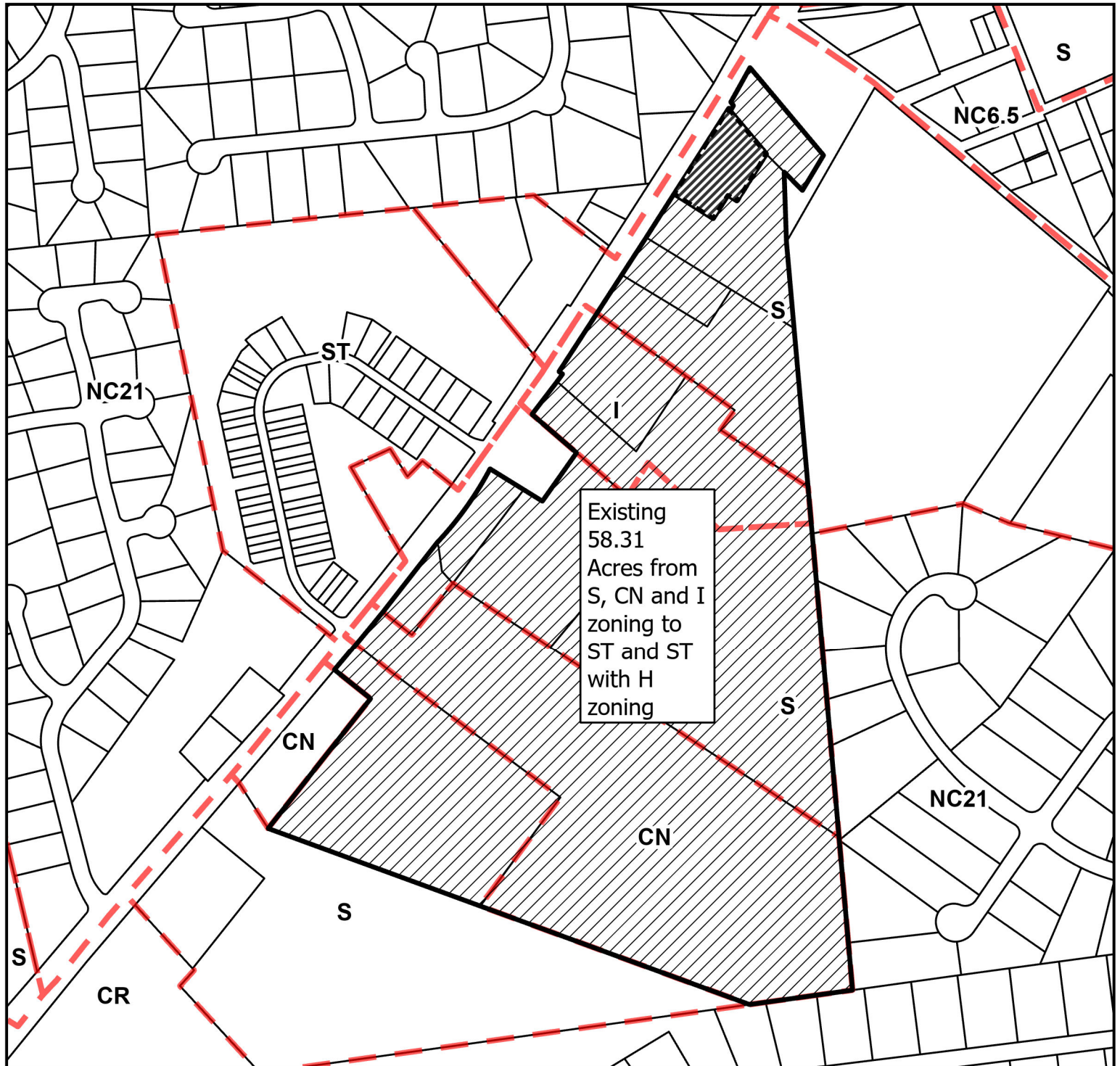
FISCAL IMPACT: This rezoning ordinance will have no immediate discernable fiscal impact on the County, but if the parcel(s) rezoned is (are) developed in accordance with the new rezoning, there may be one or more indirect fiscal effects on New Castle County government, including, but not limited to, an increase in the assessed value of the property with a resultant increase in taxes collectible thereon, and an increased demand for county services.

PROPERTY MAP

EXHIBIT "A"
ZONING ORDINANCE AS INTRODUCED

APPLICANT: VRH2 LLC
PROPOSED REZONING: EXISTING S, CN AND I ZONING
TO ST AND ST WITH H ZONING

APPLICATION NO. 2021-0695-S/Z
TAX PARCEL NO. 08-012.00-033, -034, -035, 036,
-037, -038, -039, -040, -073, -074, AND -075



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000

Prepared by: property.munsaka

Date: 10/7/2022



ST

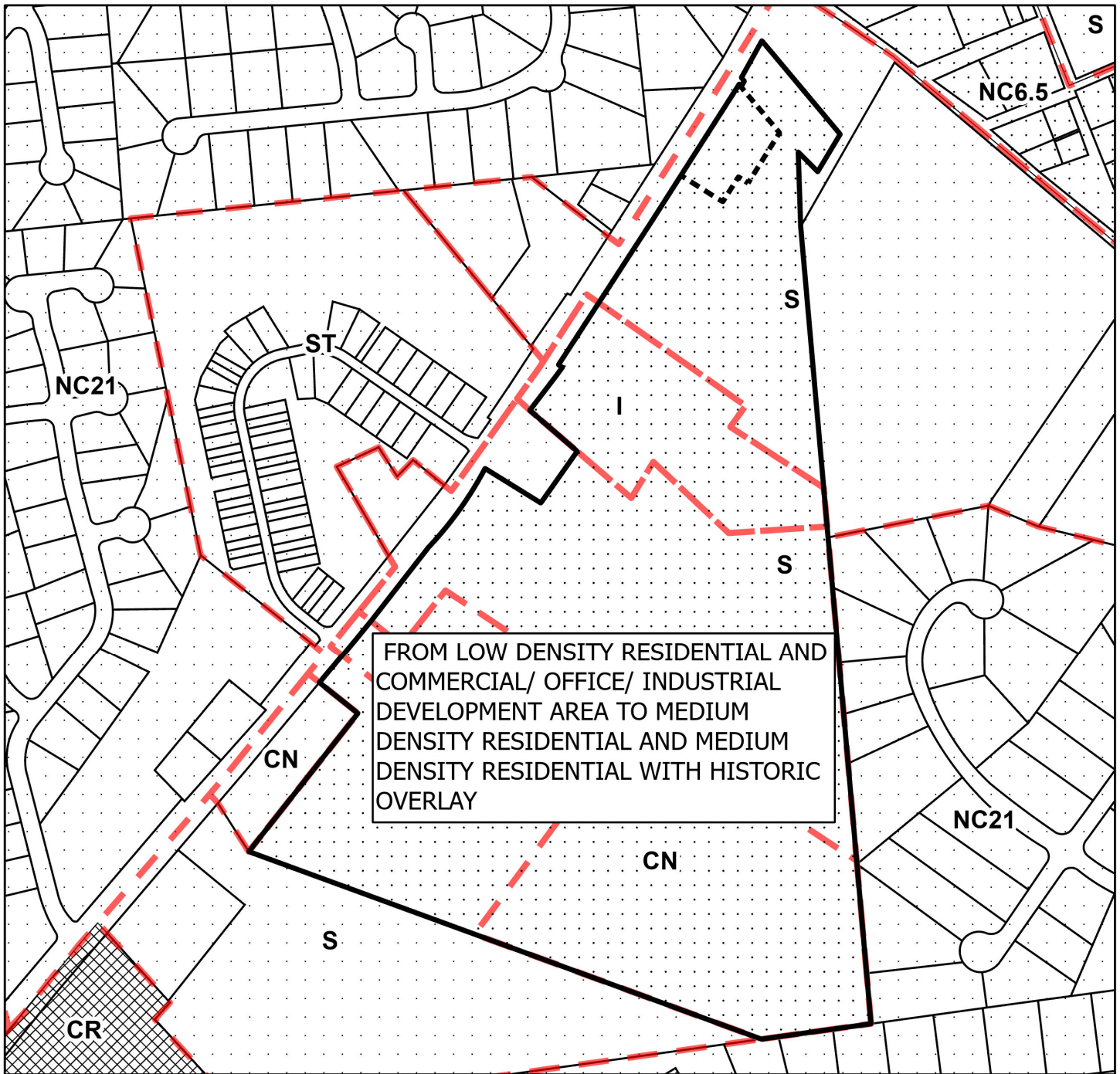


ST with H

PERMANENT ORDINANCE NO. 22- 128

Date Adopted by County Council _____

Date Approved by County Executive _____



AMENDMENT TO THE 2012 COMPREHENSIVE DEVELOPMENT PLAN
NEW CASTLE COUNTY, DELAWARE



Ordinance No.22-128

Exhibit E

App. No. 2021-0695-S/Z

Date: 10/7/2022

Scale: 1:5,000

Residential	Commercial/Office/Industrial Development Area	Resource & Rural Preservation
Very Low Density	New Community Development	Hometown (HT) Overlay
Low Density	HI Zoned Land	Historic Overlay (H)
Medium Density	Municipal Land	
High Density		

PROPERTY MAP

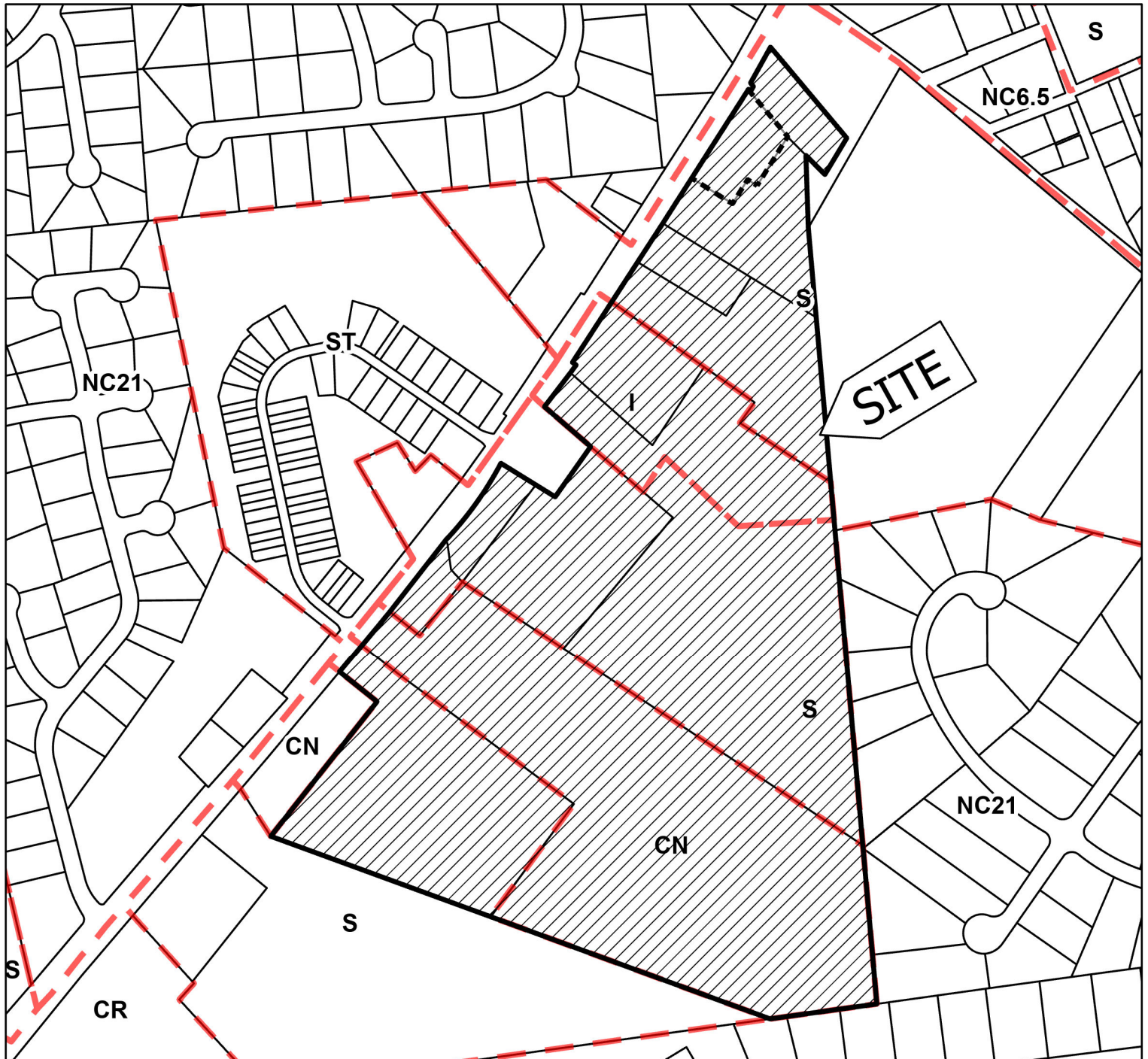
EXHIBIT "L"
ZONING ORDINANCE AS INTRODUCED

APPLICANT: VRH2 LLC

APPLICATION NO. 2021-0695-S/Z

PROPOSED REZONING: EXISTING S, CN AND I ZONING
TO ST AND ST WITH H ZONING

TAX PARCEL NO. 08-012.00-033, -034, -035, 036,
-037, -038, -039, -040, -073, -074, AND -075



HUNDRED: MILL CREEK HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000

Prepared by: property.munsaka

Date: 10/7/2022



PERMANENT ORDINANCE NO. 22- 128

Date Adopted by County Council _____

Date Approved by County Executive _____

**DEPARTMENT OF LAND USE
RECOMMENDATION REPORT**

**Ordinance 22-128
Application 2021-0695-S/Z
Major Subdivision Plan for Hockessin Station**

December 20, 2022

Location: East side of Valley Road, 850 feet south of Evanson Road.

Sponsor: Councilwoman Janet Kilpatrick, District 3

Description: Rezone 58.31± acres from Suburban (S), Commercial Neighborhood (CN), and Industrial (I) to Suburban Transition (ST); and 1.02± acres from Suburban (S) to Suburban Transition (ST) and Historic Overlay Zone (H) to subdivide the property into 147 lots with associated site improvements, utilizing the open space planned development option.

Applicant: VRH2 LLC

EXECUTIVE SUMMARY

The proposed major land development plan along Valley Road south of the village of Hockessin seeks to rezone 58.31± acres from Suburban (S), Commercial Neighborhood (CN), and Industrial (I) to Suburban Transition (ST); and 1.02± acres from Suburban (S) to Suburban Transition (ST) and Historic (H) overlay zoning district to construct an Open Space Planned development, known as Hockessin Station. The 147-lot proposed development consists of several housing types, including single-family homes, two-story and three-story townhomes, and twin homes. The subject site also contains an historic dwelling known as the Robinson House that is proposed to be preserved as part of the plan.

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E, the proposed plan, and the comments received from the outside agencies and the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal.

The Department of Land Use recommends **CONDITIONAL APPROVAL** of the subject application with the following conditions:

1. Comply with the recommendations made by the Historic Review Board at the May 3, 2022, Business Meeting:
 - A. Provide an interpretive sign (a minimum of 2'x2' in size) along the shared use pathway adjacent to Valley Road that is accessible to the public regarding the historic significance of the site as it relates to the Belton (Bulah) v. Gebhart case.

- B. The owner is encouraged to refurbish the barn structure. If the barn structure is demolished and an accessory structure is to be constructed, it shall be required to be built with similar location, materials and design to the Phase I Block of the existing barn. In addition, the spigot shall be placed in its original position, which is at the barn.
 - C. Provide measured drawings and documentation of the existing complex structures, including the dwelling interior, in accordance with the Historic American Buildings Survey (HABS) as required by Section 40.15.310.B.2 of the New Castle County Code.
 - D. Provide a schedule for long term maintenance that includes the frequency of inspections to be completed by the property owner as required by Section 40.15.310.B.3.c of the New Castle County Code.
 - E. Provide a landscape design that provides an open view of the house and site from the shared use pathway and the road.
2. To provide architectural elevations consistent with what was presented by the Applicant at the November 1, 2022, Planning Board public hearing.

At its business meeting held on December 20, 2022, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Ms. Cahill-Krout and seconded by Mr. Snowden, the Board voted to recommend **CONDITIONAL APPROVAL** of Ordinance 22-128 subject to the condition made by the Department of Land Use.

DESCRIPTION

The subject site is located on the east side of Valley Road, 850 feet south of Evanson Road. The proposed development is situated just south of the Village of Hockessin roughly at the center of Valley Road between Limestone Road (SR 7) and Old Lancaster Pike. The application and accompanying rezoning ordinance (22-128) propose to rezone the subject site from S (Suburban), CN (Commercial Neighborhood), and I (Industrial) to ST (Suburban Transition) to enable the development of 147 residential lots. The application also proposes to rezone approximately 1.02+/- acres (Lot 146 as shown on the plan), containing the historic Robinson House, to an Historic overlay zoning district. The Historic overlay rezoning is accompanied by a Preservation Plan for the Robinson House, which memorializes the long-term preservation and maintenance of the historic resources on the 1.02+/- acre lot.

ZONING & DEVELOPMENT PATTERN

Valley Road is developed primarily with residential subdivisions constructed in the 1980s containing single family detached housing. Abutting this property to the east are the medium density developments of the Manley Subdivision and Hockessin Valley Falls, both of which are zoned NC21 (Neighborhood Conservation). Directly across Valley Road is the ST (Suburban Transition) subdivision of Valley Grove, which is currently under construction. Several parks are also along Valley Road including Swift Memorial Park, Roser Park, and Tweeds Park, which are S (Suburban) zoned County parks. In 2005, part of the subject property was rezoned to CN (Commercial Neighborhood) to facilitate the recordation of the plan for the McGrellis auction house and social hall.

Valley Road serves as a connector between the commercial uses located in two concentrated nodes; Lantana Square Shopping Center to the south, and the core of the Village of Hockessin along Lancaster Pike and Old Lancaster Pike to the north, both of which are zoned CR (Commercial Regional). In 2021, the neighboring property along the southeast side of Valley Road, just west of the subject property, was rezoned through Ordinance 18-129 to CN (Commercial Neighborhood) to facilitate the recordation of Hockessin Commons to construct a medical office building. The pattern of development along Valley Road remains primarily residential.

BACKGROUND

Historically, Hockessin was an agricultural area with farms and scattered mushroom growing operations. Today the development pattern in the Hockessin area is strongly residential with few farms and few remnants of the mushroom industry remaining.

The communities in the immediate vicinity generally feature single family detached dwellings. However, attached units are not uncommon in the area. Examples of attached housing in the Hockessin area include Valley Grove, Valley Pointe, Gateway, and Walker Farm Estates.

Application 2021-0695-S/Z

The applicant proposes an Open Space Planned subdivision with a total of 147 dwelling units. These units will consist of several housing types, 15 single-family homes, 42 two-story townhomes, 64 three-story townhomes, and 26 twin homes at a total gross density of 2.6 dwelling units per acre. As the application proposes a rezoning, 10% of the dwelling units must be Moderately Priced Dwelling Units (MPDUs) to meet the requirements of Section 40.07.510 of the UDC.

The current proposal for Hockessin Station provides two entrances off Valley Road. The southern entrance will accommodate 132 dwelling units, while the northern entrance will accommodate the remaining 15 dwelling units, including the residual lot that contains the

historic dwelling. These two areas of the project will not be connected to limit the amount of disturbance to protected resources, which includes floodplain and wetlands. The development proposes 38.31 acres of open space.

The project is spread across 11 existing parcels with a total area of 58.31 acres. The subject project site contains three zoning districts; CN (Commercial Neighborhood), I (Industrial), and S (Suburban). The I zoned piece of property is the remnant of the mushroom growing operations that were a common element in the Hockessin area. The 19-acre portion which is currently zoned CN is the former site of the McGrellis auction house, which was rezoned under Application SLD 2004-0472 - Valley Road Hall. The project required a rezoning from S to CN and received County Council approval in 2005. The application included deed restrictions to provide the surrounding community with a level of comfort and predictability regarding the rezoning and future development of the subject site.

A separate current application to the Department (2022-0623-DRC) proposes to terminate deed restrictions that were recorded as part of a previous application and rezoning. Ordinance 05-115, which rezoned the subject site from S (Suburban) to CN (Commercial Neighborhood), was adopted by County Council on October 10, 2005. A Declaration of Restrictions was recorded at Instrument Number 20070426-0037872 which established certain restrictions regarding the use of the property, as well as the design of any structures that could be built due to the zoning change, as part of the rezoning application. The rezoning was necessary to facilitate the recordation of the subsequent land development plan SLD 2004-0472 S/Z, which proposed to convert an existing 24,150 square foot pole barn into an auction building and social hall. The land development plan for Valley Road Hall was recorded on January 9, 2009, at Instrument Number 20090109-0001447.

Application 2022-0209-H (Robinson House (H) overlay rezoning & Preservation Plan)

Pursuant to the requirements of Section 40.15.310 of the *Unified Development Code*, the subject application calls for the preservation of the historic Robinson House, constructed ca. 1895.

Historic Overlay Zoning Eligibility & Major Land Development Plans

Given the historic value of the Robinson House, App. 2021-0695-S/Z is subject to recently adopted legislation that requires all major land development plans with historic resources to take appropriate measures to ensure the long-term maintenance of the County's valuable historic resources. UDC provisions require that an historic resource be rezoned to an Historic overlay zoning district prior to the plan's recordation.

As part of the Historic overlay rezoning, applicants are required to complete a Preservation Plan, a recorded document that describes existing conditions, measures to be taken for rehabilitation, restoration, and/or preservation, and a provide a performance guarantee. The proposed draft of the Preservation Plan is reviewed and approved by the Historic Review Board prior to the major

land development application proceeding to the Planning Board and subsequently County Council. The final draft of the Preservation Plan is recorded at the Recorder of Deeds Office and is referenced on the record plan.

The Robinson House was determined eligible for Historic overlay zoning by the Historic Review Board at the May 3, 2022, Business Meeting. Shown as proposed Lot #146, the existing Robinson House site is situated along Valley Road and includes an early twentieth century barn.

Historic Background – Robinson House

Located at 863 Valley Road, the Robinson House was constructed ca. 1895, by the heirs of Hockessin farmer Ephraim Wilson. The farm was utilized for kaolin mining in the mid to late nineteenth century. Based on research conducted by the University of Delaware's Center of Historic Architecture and Design (UD CHAD), the house was likely utilized as a tenant house through 1921.¹

In 1921, Spotsylvania, Virginia natives Bert and Matilda Robinson purchased 4.06± acres of land, containing the tenant house and its grounds. According to the history compiled by UD CHAD, the Robinson's immigration to Hockessin can be understood as part of the earliest years of the Great Migration, a decades-long period during the early- to mid-twentieth century when African Americans in the south moved north in large numbers seeking freedom from racial violence and access to better educational and work opportunities during the onslaught of Jim Crow laws. Their home and farm located on Valley Road was situated in a racially mixed crossroad of renters and owners in close proximity to the center of Hockessin's Black community, which included Chippy Chapel, the African Union Methodist Church, and Hockessin Colored School. Bert Robinson remained an active community member in the 1920s and 1930s, serving as a trustee of the segregated school, a site which would later play a significant role in the US Supreme Court decision *Brown v. Board of Education*.

While the exact date range of the Robinson's occupation of the house located at 863 Valley Road is unclear, during their ownership the subject property was a main stopping point of African American children who walked great distances to school without bus service. The subject site was situated at an approximate halfway point along the route travelled by the Bulah children, who were at the center of the *Bulah* action that ultimately became a part of the *Brown v. Board of Education* ruling. According to an interview with Hilda O. (Bulah) Morris, granddaughter of the Bulahs, children would often stop at the Robinson's property to rest and drink from the spigot on the side of the existing barn. To this day, the Robinson house and its barn remain in the built environment as a resource significant to the local Black history of Hockessin and New Castle County.

¹ [Determination of Eligibility Report – University of Delaware Center for Historic Architecture & Design](#)

Historic Review Board Review & Recommendation

The Robinson House was initially evaluated by the Historic Review Board at its May 3, 2022, business meeting (App. 2022-0209-H). At the meeting, the Historic Review Board determined that the Robinson House met the following Criteria for Designation for Historic overlay zoning pursuant to Section 40.15.110 of the *Unified Development Code*:

- B. Has significant character, interest, or value as an example of the development, heritage or cultural characteristics of the County, the State or the United States.*
- C. Is the site of a significant historic event.*
- D. Exemplifies the cultural, political, economic, social or historical heritage of the community.*

The Preservation Plan for the Robinson House was presented to the Historic Review Board at the May 17, 2022, Historic Review Board public hearing. During the hearing, there was discussion regarding the existing barn on the subject site, as well as the importance of the preservation of the spigot located adjacent to the barn. At their June 7, 2022, business meeting, the Historic Review Board recommended **conditional approval** of the proposed Preservation Plan, with the following conditions:

1. Provide an interpretive sign a minimum of 2'x2' in size along the shared use pathway adjacent to Valley Road that is accessible to the public regarding the historic significance of the site as it relates to the Belton (Bulah) v. Gebhart case.
2. The owner is encouraged to refurbish the barn structure. If the barn structure is demolished and an accessory structure is to be constructed, it shall be required to be built with similar location, materials and design to the Phase I Block of the existing barn. In addition, the spigot shall be placed in its original position, which is at the barn.
3. Provide measured drawings and documentation of the existing complex structures, including the dwelling interior, in accordance with the Historic American Buildings Survey (HABS) as required by Section 40.15.310.B.2 of the New Castle County Code.
4. Provide a schedule for long term maintenance that includes the frequency of inspections to be completed by the property owner as required by Section 40.15.310.B.3.c of the New Castle County Code.

5. Provide a landscape design that provides an open view of the house and site from the shared use pathway and the road.

The final draft of the Preservation Plan, with landscape plan, will require review and approval by the Department of Land Use prior to its recordation at the Recorder of Deeds and memorialization on the record plan for Hockessin Station (App. 2021-0695-S/Z).

PRELIMINARY LAND USE SERVICE (PLUS) REVIEW

The subject application was reviewed at a PLUS meeting held on February 23, 2022. The PLUS Review Letter dated March 18, 2022, notes the site is located within State Investment Level 2 and 3. Investment Level 2 reflects areas where growth is anticipated by local, county, and state plans in the near-term future. Level 3 reflects areas where growth is anticipated by local, county, and state plans in the longer-term future, or areas that may have environmental or other constraints to development. State investments will support growth in these areas.

The review letter also includes commentary from other State agencies including the following:

DelDOT made comments that were general in nature regarding the Development Coordination Manual requirements and that the TIS process was on-going.

DNREC made comments regarding the treatments of natural resources that exist on-site, including wetlands and floodplain. They noted that the former McGrellis Auction house site has been identified as a Brownfield Site and cited requirements for developing a Brownfield. DNREC also made comments about stormwater management and the requirements per the Delaware Sediment and Stormwater Regulations.

Delaware Emergency Management Agency (DEMA) identifies that this project has a community risk level of 1 and suggests a minor risk from flooding due to the floodplain found on the project site. DEMA also made recommendation on utilities utilized, storage of electric vehicles, and encourages renewable energies and green infrastructure such as green roofs.

Comments were also received from the State Fire Marshal, and the State Historic Preservation Office however, these comments were general in nature.

PLANNING BOARD PUBLIC HEARING – November 1, 2022

Shawn Tucker, Esq. of Barnes & Thornburg LLP gave a combined presentation for Hockessin Station projects for the rezoning as well as for the elimination of deed restrictions.

Mr. Tucker provided the Board with a description of the proposed applications, including the rezoning request from S, I, and CN to ST. Mr. Tucker described the residential development patterns in the surrounding area of the subject application and how this project fits within the

character of the surrounding community. He addressed the Standards for Zoning Map Amendments pursuant to the UDC and stated the proposed application is consistent with the goals and intent of the 2012 update to the Comprehensive Plan. Mr. Tucker noted the site is consistent with uses in the surrounding area.

Mr. Tucker also explained that the application had extensive public outreach, specifically coordinating with GHADA (Greater Hockessin Area Development Association). He stated that the plan had changed since the start of the process of creating this plan; however, the plan that is before the Planning Board is consistent with the plan that had been supported by the community.

Ms. Gray asked about the Traffic Study, and if there was any recommendation to add a traffic light or an additional entrance to the southern entrance along Valley Road, citing concerns regarding quality of life and life safety. Mr. Tucker responded stating that if they met a “warrant” regarding DelDOT code for traffic, then the project would require a traffic signal – however, this project did not meet this “warrant” and DelDOT will not allow for the installation of a traffic signal unless that warrant is met. Ted Williams of Landmark Engineering, the Engineer for this application, spoke about the Traffic Impact Study that included traffic counts and existing Level of Service (LOS), which concluded that a warrant was not met to require the installation of a traffic signal.

Mr. Snowden asked about the design of the plan, if the southwest corner of the property, which is shown as open space, could instead be an area for reforestation. Mr. Tucker explained that he believed the plan met the requirement for reforestation. Mr. Snowden stated that he was looking at this as an “above and beyond” addition to the plan. Mr. Tucker thanked Mr. Snowden for his suggestions and explained that this is something that he and his team will consider.

Jerry Rose, son in law of John Foskey whose property abuts the subject project, thanked the project team for taking everyone’s thoughts and comments into consideration, and that the design exceeded everyone’s expectation.

Mark Blake, who is with Greater Hockessin Area Development Association (GHADA), expressed that this project was one of the longest focus group projects that GHADA has ever held – primarily due to the pandemic. Mr. Blake stated that there were over 27 members participating including homeowners, nearest neighbors, neighboring communities, etc. taking part in a process that has taken over four years which included 15 meetings. Mr. Blake explained that this is a site that GHADA has been looking at for over 20 years as a potential site for development. He explained that this plan will eliminate one of the trouble some zoning districts within the Hockessin area that was seen as out of place, namely the I (Industrial) zoning districts. Mr. Blake stated that GHADA appreciates the additional buffering this plan affords to the surrounding residential communities and asked that the Planning Board support this project allowing for the rezoning to ST.

No other Board members or members of the public had any other comments or questions for the project team.

Written Testimony

Roger Reinicker, a resident of Wellington South, provided written comment that opposed the rezoning and the project. He focused on the loss of open space in the community which reduces the quality of life, and how the additional housing will add more traffic and pollution to Delaware. He shared his concern about the loss of mature forests and explained how these mature trees are often used as part of mulch which adds to greenhouse gasses that get released into the atmosphere. He explained that the County should have a no net loss of biomass goal which should be included as a calculation when there is potential disturbance to mature forests. Mr. Reinicker explained that the County should also adopt a “green” building policy, and highlighted examples in his comments. He also shared concerns for the preservation of the historic structure and that it needs to be protected.

Julie Bruno, a resident of Hickory Hill, provided written comments that opposed the project. She expressed concerns over the increased traffic that will occur as a result of this property being developed. She also explains that Valley Road needs to be widened into a 2-lane road in each direction and that there needs to be a traffic light at Evanson Road. Ms. Bruno expressed concerns with the public advertising as required by County Code. She stated that the News Journal is not effective and that the County needs to use email, Facebook, Instagram, and Twitter instead.

Mr. Tucker provided supplemental written testimony addressing points of concern identified by the public which included protected resources and how this project achieves the protection as required by the New Castle County Code as well as how it will improve these resources, and the historic resource which the applicant agreed to save and rehabilitate with an additional of the historic overlay for continued protection. He addressed how this project meets the goals of the 2012 comprehensive plan. Mr. Tucker also spoke about the traffic study and expressed that DelDOT has approved the Traffic Impact Study (TIS). A copy of the approval letter as well as the TIS was included for ease of access.

ANALYSIS

In accordance with Title 9, Chapter 26, Subchapter II, Section 2659 (The Quality of Life Act) of the Delaware Code, because this project was submitted prior to the adoption of the 2022 update to the New Castle County Comprehensive Plan, it is therefore required to be processed and evaluated under the 2012 update to the New Castle County Comprehensive Plan, which was in effect when the application was accepted for review.

Section 2659. Legal status of comprehensive plan.

(c) Any application for a development permit filed or submitted prior to adoption or amendment under this subchapter of a comprehensive plan or element thereof shall be processed under the comprehensive plan, ordinances, standards, and procedures existing at the time of such application...

Standards for Zoning Map Amendment – Section 40.31.410 of the New Castle County Code

A. Consistency with the Comprehensive Development Plan and the purposes of this Chapter.

The proposed rezoning requires a change to the 2012 New Castle County Comprehensive Plan's Future Land Use Map, from Low Density Residential and Commercial/Office/Industrial to the Medium Density Residential future land use category. Objective 11 of Chapter 3 is to "Continue to encourage redevelopment and infill projects that complement and enhance existing neighborhood...". The proposed development consists of residential infill of reduced density that is compatible with the surrounding residential development in the area that will serve a residential market that is in high demand and incorporate moderately priced dwelling units.

The plan also includes interconnecting walking paths within the development which allows for walkable access between this neighborhood to nearby residential communities, parkland and commercial hubs such as Lantana Square which supports the goals of Chapter 3 of the New Castle County 2012 update to the Comprehensive Plan.

The 2012 update to the New Castle Comprehensive Plan also views historic resources as significant contributors to community character, sustainable development, and livable communities. The plan encourages the use of Historic overlay zoning to promote the preservation of historic properties.

B. Consistency with the character of the neighborhood.

The Hockessin area has already transitioned from a rural to suburban landscape, and this property is one of the last remaining infill parcels on the east side of Valley Road. The surrounding neighborhoods are predominately low density residential. Recognizing that this project is within reasonable walking and biking distance to existing commercial centers in either direction, the slightly higher density is appropriate.

C. Consistency with zoning and use of nearby properties.

The project is consistent with the County's goals for infill parcels, which is to make adequate use of the property while also respecting the character of surrounding

communities. The surrounding residential area is largely zoned in varying densities of Neighborhood Conservation, indicating this suburban pattern was established before 1998.

D. Suitability of the property for the uses for which it has been proposed or restricted.

The design for this development succeeds in preserving the site's natural resources and places them into the open space and part of a conservation easement.

Pursuant to Section 40.15.110 of the New Castle County Code, the HRB has determined the subject property meets Criteria for Designation as an historic zoning district. Based on these criteria, and the property's significations on the local level, the Robinson House site is suitable for historic overlay zoning.

E. Effect on nearby properties.

The project requires a large amount of open space 38.18 acres (65.47%) which is designed on the site in such a way that provides a substantial landscape buffer for adjoining residential properties.

Properties that are zoned H (Historic) are required to go through an additional design review process as prescribed in Article 15 of the New Castle County Code. Nearby properties will have minimal to no impact from this design review process. Additionally, the site is not proposed for adaptive reuse as pervaded in Article 15 of the New Castle County Code.

DEPARTMENT OF LAND USE RECOMMENDATION

The Department of Land Use has considered the Standards for Zoning Map Amendment in Section 40.31.410, A through E, the proposed plan, and the comments received from the outside agencies and the public. Based on this analysis, the Department is of the opinion that the standards are met by this proposal.

The Department of Land Use recommends **CONDITIONAL APPROVAL** of the subject application with the following conditions:

1. Comply with the recommendations made by the Historic Review Board at the May 3, 2022, Business Meeting:
 - A. Provide an interpretive sign a minimum of 2'x2' in size along the shared use pathway adjacent to Valley Road that is accessible to the public regarding the historic significance of the site as it relates to the Belton (Bulah) v. Gebhart case.

- B. The owner is encouraged to refurbish the barn structure. If the barn structure is demolished and an accessory structure is to be constructed, it shall be required to be built with similar location, materials and design to the Phase I Block of the existing barn. In addition, the spigot shall be placed in its original position, which is at the barn.
 - C. Provide measured drawings and documentation of the existing complex structures, including the dwelling interior, in accordance with the Historic American Buildings Survey (HABS) as required by Section 40.15.310.B.2 of the New Castle County Code.
 - D. Provide a schedule for long term maintenance that includes the frequency of inspections to be completed by the property owner as required by Section 40.15.310.B.3.c of the New Castle County Code.
 - E. Provide a landscape design that provides an open view of the house and site from the shared use pathway and the road.
2. To provide architectural elevations consistent with what was presented by the Applicant at the November 1, 2022, Planning Board public hearing.

PLANNING BOARD RECOMMENDATION

At its business meeting held on December 20, 2022, the Planning Board considered the recommendation offered by the Department of Land Use. On a motion made by Ms. Cahill-Krout and seconded by Mr. Snowden, the Board voted to recommend **CONDITIONAL APPROVAL** of Ordinance 22-128 subject to the conditions made by the Department of Land Use. The motion was adopted by a vote of 8-0-0-1 (Yes: Cahill-Krout, Daigle, Drake, Gray, McGlinchey, Peterson, Snowden, Visvardis; No: none; Abstain: none; Absent: Cochran).

In discussion preceding the vote, the following comments were offered:

Mr. McGlinchey asked if the applicant had been made aware of the conditions. Mr. Gibbons responded that the conditions were made at the Historic Review Board meeting, so they have been aware of these conditions for a while. Mr. McGlinchey also asked who is considered the “owner” as referenced in the condition regarding the long-term maintenance plan. Ms. Vinc responded that the long-term maintenance plan will be created by the current owner which is the developer and then at the time that the property is bought, the long-term maintenance plan will then be turned over to the new owners. Ms. Peterson asked if this would then become a private dwelling. Ms. Vinc responded that the property is intended to be sold as a private dwelling.

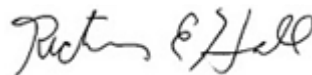
Ms. Visvardis asked if the new owners will be responsible for the long-term maintenance plan. Ms. Vinc stated that at the time of sale, the new owners will be made aware of the maintenance

plan. Ms. Visvardis explained that sometimes when maintenance documents are handed over from developers to the community, the responsibilities get lost over time. Ms. Cahill-Krout asked if the long-term maintenance plan will be recorded at the Recorder of Deeds, and if so, will show up in a title search as deed restrictions. Ms. Vinc responded that the long-term maintenance plan is required to be recorded at the Recorder of Deeds. Ms. Peterson asked if the restoration of the barn along with the restoration of the spigot is required as part of the maintenance plan. Ms. Vinc explained that if the owners choose to refurbish the barn or build a new accessory structure, it shall be built according to the preservation plan. Ms. Peterson asked where the spigot will be located. Ms. Vinc responded that the spigot will be located close to the right-of-way to allow the public to see the spigot as well as read the required interpretive signage.

No other questions or comments were made by the Board.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code Section 2603 (a), the Department of Land Use finds that this rezoning would promote the convenience, order, and welfare of the present and future inhabitants of this state.

 12/21/2022

Richard E. Hall, AICP date
General Manager
Department of Land Use

 12/21/2022

Karen Peterson date
Chair
Planning Board

RESOLUTION NO. 23-036

RECOGNIZING THE OBSERVANCE OF NATIONAL BLOOD DONOR MONTH IN NEW CASTLE COUNTY

WHEREAS, New Castle County residents can donate blood locally at the Blood Bank of Delmarva in Christiana and nationally at the American Red Cross in Wilmington; and

WHEREAS, New Castle County residents may also donate at any number of mobile blood drives held in residential, church, and commercial zones; and

WHEREAS, according to America's Blood Centers, 62 percent of U.S. residents are eligible to donate blood, yet only 3 percent of them actually commit the charitable act; and

WHEREAS, local and national blood shortages have persisted chronically since the onslaught of the pandemic of 2020; and

WHEREAS, on December 31, 1969 - President Richard Nixon signed a proclamation designating January as National Blood Donor Month to honor voluntary blood donors and to encourage more people to give blood at a time when more blood is needed; and

WHEREAS, President Richard Nixon proclaimed January 1970 as the first National Blood Donor Month on December 31, 1969, as requested by Senate Joint Resolution 154, to pay tribute to voluntary blood donors and encourage new donors to join; and

WHEREAS, winter is "one of the most difficult times of the year to collect enough blood products to meet patient needs" because of busy holiday schedules, inclement weather often resulting in canceled blood drives, and seasonal illnesses such as the flu force potential donors to forgo their blood donations, among other things; and

WHEREAS, hospitals and patients rely upon a steady flow of volunteer donors to receive life-saving blood donations, but the past two years have brought chronic blood shortages nationwide; and

WHEREAS, New Castle County donors include, among others, U.S. Senator Thomas Carper, County Executive Matthew Meyer, Councilman David Tackett, and Councilman George Smiley.

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby approves the recognition locally of National Blood Donor Month and that County residents take advantage of the opportunities to donate blood.

BE IT FURTHER RESOLVED that the County Executive is hereby authorized to approve or execute the observance of National Blood Donor Month.

Adopted by County Council of
New Castle County on: 1/24/2023

President of County Council
of New Castle County

SYNOPSIS: Same as title.

FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this resolution.