



NEW CASTLE COUNTY COUNCIL ADMINISTRATIVE-FINANCE COMMITTEE MEETING

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

April 11, 2023

4:00 PM

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

AGENDA

A. Call To Order/Roll Call

B. Approval of Minutes- 3-28-2023

C. Review/Discussion of Resolution(s)

R23-071: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH BOYS & GIRLS CLUBS OF DELAWARE, INC., FOR THE AMOUNT OF \$25,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-072: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH GO MAKE A DIFFERENCE CORPORATION, FOR THE AMOUNT OF \$166,050.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-073: CONSENTING TO THE APPOINTMENT OF RANDOLPH VESPRY FOR THE POSITION OF ARPA FINANCE OFFICER FOR NEW CASTLE COUNTY Introduced by: Mr. Smiley, Mr. Cartier

D. Review/Discussion of Ordinance(s)

°23-038: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 10 ("REAL PROPERTY TRANSFER TAX"), SECTION 14.10.012 ("USE OF TRANSFER TAX REVENUES") TO REFLECT AMENDMENT TO 9 *DEL. C. § 8102* REGARDING REALTY TRANSFER TAX Introduced by: Mr. Smiley, Mr. Cartier

E. New Castle County Grant Requests/Community Events

4/11/23 Grant Matrix

F. Expense and Revenue Round Table

G. Other

Travel request, NACo Annual Conference, Councilman Carter

Telecommuting agreements

H. Public Comment

I. Adjournment

AGENDA POSTED: Tuesday, April 4, 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.

RESOLUTION NO. 23-071

**AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH
BOYS & GIRLS CLUBS OF DELAWARE, INC., FOR THE AMOUNT OF \$25,000.00**

WHEREAS, New Castle County, as an eligible recipient, received a total of \$108,531,220 in Coronavirus State and Local Fiscal Recovery funds under the American Rescue Plan Act of 2021, Pub. Law. No. 117-2 from the United States Department of the Treasury (“Department of the Treasury”); and

WHEREAS, Ordinance 21-129 and Ordinance 22-097 (the “Ordinances”) appropriated the full amount of these funds from the Department of the Treasury to the American Rescue Plan Act Grant for New Castle County to respond to the COVID-19 public health emergency and its negative economic impacts; and

WHEREAS, the Ordinances appropriated funding for Building Better Communities, which contemplated providing funds for Boys & Girls Clubs of Delaware, Inc. (“Boys & Girls Clubs”) to provide community violence intervention through afterschool programming for teens in the Knollwood community; and

WHEREAS, New Castle County must enter into a subaward agreement with Boys & Girls Clubs to comply with the Uniform Guidance, 2 CFR Part 200; 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

WHEREAS, the subaward agreement with Boys & Girls Clubs contemplates transfers of up to \$25,000.00 for Boys & Girls Clubs to implement the Knollwood Project, Claymont Boys & Girls Club, which provides afterschool programming for 18 teens from the Knollwood community, including targeted training and prevention, transportation to and from facility, and incentive trips to increase participation.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the subaward agreement 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 subaward agreement.

Department of Administration, Office of Finance

Boys & Girls Clubs of Delaware, Inc. \$25,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$25,000.00. Funding is included in the FY2023 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION						
NAME	Ben Morris-Levenson			FISCAL YR	2023	NAME	Boys & Girls Clubs of Delaware, Inc.			
DEPARTMENT	ADMINISTRATION_12				FUND	110 GRANTS	ADDRESS	669 S. Union St.		
ORGANIZATION	11122013 ADMIN - FIN - GRANTS							Wilmington, DE 19805		
PHONE	302-395-5126									
DELIVERY LOCATION					REQ#	2313017				
SEND VENDOR PO	☒ YES		☐ NO			CONTACT NAME		John Wellons		
CURRENT VENDOR	☒ YES		☐ NO			PHONE	302-658-1870		EXT	223
VENDOR #	100414					EMAIL	jwellons@bgclubs.org		FAX #	

ADDITIONAL NOTES	

RESOLUTION NO. 23-072

**AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH
GO MAKE A DIFFERENCE CORPORATION, FOR THE AMOUNT OF \$166,050.00**

WHEREAS, New Castle County, as an eligible recipient, received a total of \$108,531,220 in Coronavirus State and Local Fiscal Recovery funds under the American Rescue Plan Act of 2021, Pub. Law. No. 117-2 from the United States Department of the Treasury (“Department of the Treasury”); and

WHEREAS, Ordinance 21-129 and Ordinance 22-097 (the “Ordinances”) appropriated the full amount of these funds from the Department of the Treasury to the American Rescue Plan Act Grant for New Castle County to respond to the COVID-19 public health emergency and its negative economic impacts; and

WHEREAS, the Ordinances appropriated funding for Building Better Communities, which contemplated providing funds for Go Make a Difference Corporation (“GMDC”) to provide digital and multimedia skills training to youth disproportionately impacted by the COVID-19 pandemic; and

WHEREAS, New Castle County must enter into a subaward agreement with GMDC to comply with the Uniform Guidance, 2 CFR Part 200; 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

WHEREAS, the subaward agreement with GMDC contemplates transfers of up to \$166,050.00 for GMDC to implement the Upskill DE – Digital and Multimedia Training project, a program that provides training in digital and multimedia skills, and leadership and professional development, to youth in order to reduce violence and unemployment for youth disproportionately impacted by COVID-19.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the subaward agreement 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 subaward agreement.

Department of Administration, Office of Finance

Go Make a Difference Corporation \$166,050.00

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$166,050.00. Funding is included in the FY2023 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Ben Morris-Levenson			FISCAL YR	2023	NAME	Go Make a Difference Corporation	
DEPARTMENT	ADMINISTRATION_12			FUND	110 GRANTS	ADDRESS	920 N. Church St.	
ORGANIZATION	11122013 ADMIN - FIN - GRANTS						Wilmington, DE 19801	
PHONE	302-395-5126			REQ#	2313378			
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES		☐ NO			CONTACT NAME	G. Christopher Fullman	
CURRENT VENDOR	☒ YES		☐ NO			PHONE	302-740-0819	EXT
VENDOR #	109435					EMAIL	cfullman.gomad@gmail.com	FAX #

ADDITIONAL NOTES	

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

11. 11/11/2019

II. Why is it needed?

11. What will the impact (cost) be to New Castle County if the resolution and advice of change is not processed?

III. What will the impact (cost) be to New Castle County if the requisition or advice of change is not processed?

[illegible]

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[illegible]

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: April 11, 2023

RESOLUTION NO. 23-073

**CONSENTING TO THE APPOINTMENT OF RANDOLPH VESPRY FOR THE
POSITION OF ARPA FINANCE OFFICER FOR NEW CASTLE COUNTY**

WHEREAS, in March 2021, the federal American Rescue Plan Act (“ARPA”) established the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) program to provide state, local and Tribal governments with the resources needed to respond to the COVID-19 pandemic and its economic effects, prevent cuts to government services, and to build a strong and equitable recovery; and

WHEREAS, New Castle County, as an eligible recipient, received a total of \$108,531,220 in Coronavirus State and Local Fiscal Recovery funds under the American Rescue Plan Act of 2021, Pub. Law. No. 117-2 from the United States Department of the Treasury (“Department of the Treasury”); and

WHEREAS, Ordinance 21-129 and Ordinance 22-097 (the “Ordinances”) appropriated the full amount of these funds from the Department of the Treasury to the American Rescue Plan Act Grant for New Castle County to respond to the COVID-19 public health emergency and its negative economic impacts; and

WHEREAS, pursuant to Ordinance 22-012, the County Executive is authorized to appoint individuals for up to ten (10) limited-term Executive Assistant positions, through December 31, 2024, upon the advice and consent of New Castle County Council; and

WHEREAS, an ARPA Finance Officer is appropriate and necessary to the effective administration and implementation of New Castle County’s American Rescue Plan Act Grant, including the programs authorized in Ordinances 21-129 and 22-097; and

WHEREAS, the ARPA Finance Officer will carry out multiple activities to ensure successful implementation of the ARPA funding, including: Serve as key Point of Contact (POC) for the CFO and other Finance department employees to the ARPA process, serve as liaison to County Auditor for data requests concerning SLFRF, serve as Finance department point of contact for all Single Audit requests concerning SLFRF, access expenditure data and provide regular internal reports on funds encumbered and expended, review quarterly and annual reports as prepared by the county’s outside compliance partner, Guidehouse, provide legal support as needed to draft sub-award agreements, beneficiary agreements, MOUs and contracts, serve as liaison for assigned potential recipients of funds, shepherding them through the ARPA review process, including helping them apply for UElS and helping them provide necessary documentation for the review process, coordinate with other members of the internal ARPA team on the overall portfolio of projects, collaborate with team in preparing updates for County Council; and

WHEREAS, the ARPA Finance Officer Role is an Executive Assistant IV position, at pay grade 34; and

WHEREAS, the County Executive has presented for Council's advice and consent the proposed appointment of Randolph Vespy as the ARPA Finance Officer for New Castle County; and

WHEREAS, Randolph Vespy is a resident of New Castle County and most recently worked as a Deputy Attorney General in the Delaware Department of Justice Civil Division, Health Law Unit. He previously served as an Assistant County Attorney in the New Castle County Office of Law, advising the Office of Finance on various legal topics and performing various legal functions related to tax, assessment and other matters. Mr. Vespy has also worked as an Associate for the law firm of Womble Bond Dickinson in Wilmington, DE, as a Judicial Intern for the U.S. District Court for the Eastern District of Pennsylvania, and as a Legal Intern at the American Civil Liberties Union. Mr. Vespy earned a bachelor's degrees in Neuroscience & Behavior and in Psychology from Wesleyan University, a Juris Doctor Degree from the Temple University Beasley School of Law and a Master's Degree in Health Policy & Management from the Temple University College of Public Health; and

WHEREAS, New Castle County Council has considered the qualifications of Randolph Vespy in accordance with the requirements set forth in Ordinance 22-012 for the position of ARPA Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the appointment of Randolph Vespy as the ARPA Finance Officer for New Castle County.

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. Smiley, Mr. Cartier
Date of introduction: March 28, 2023

ORDINANCE NO. 23-038

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 10 (“REAL PROPERTY TRANSFER TAX”), SECTION 14.10.012 (“USE OF TRANSFER TAX REVENUES”) TO REFLECT AMENDMENT TO 9 DEL. C. § 8102 REGARDING REALTY TRANSFER TAX

WHEREAS, Article 10 of Section 14 of the *New Castle County Code* generally addresses the County’s collection of realty transfer tax (“RTT”) pursuant to 9 Del. C. § 8102; and

WHEREAS, on June 28, 2022, the Delaware General Assembly adopted, and on July 22, 2022 the Governor signed, House Bill No. 426, amending subsection (c) of 9 Del. C. § 8102 to include additional areas of expenditure for which the County may use RTT funds (*see* 83 Del. Laws, c. 360, § 1); and

WHEREAS, Section 14.10.012.A of the *New Castle County Code* describes the expenditures on which RTT funds may be used, tracking the language contained in 9 Del. C. § 8102(c), but which has not been amended to reflect the modifications contained in House Bill No. 426; and

WHEREAS, it is desirable to amend Section 14.10.012.A to authorize expenditure of RTT funds in conformity with the state law.

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

Section 1. *New Castle County Code* Chapter 14 (“Finance and Taxation”), Article 10 (Real Property Transfer tax”), Section 14.10.012 (“Use of Transfer Tax Revenues”) is hereby amended by adding the following material that is underscored and by deleting the material that is bracketed and stricken as set forth below:

- A. Any funds realized pursuant to this Article shall be segregated from the County's general fund and the funds, and all interest thereon, shall be expended solely for the [capital and operating costs of public safety services, economic development programs, public works services, capital projects and improvements, infrastructure projects and improvements, and debt reduction] purposes authorized by the Delaware Code.

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 modify *New Castle County Code* Section 14.10.012 to conform the categories of expenditure on which the County may use funds collected through realty transfer tax to include all areas of expenditure authorized by state law.

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

Grant Matrix

4/11/23

GRANT APPLICANT	AMOUNT REQUESTED / AMOUNT PROPOSED	INTENDED USE OF GRANT	Standard Accounting Practices/ Non-Discrimination Policy	PRIOR COUNCIL GRANTS IN CURRENT FISCAL YEAR	COUNCIL MEMBER
Delaware HIV Services, Inc.	\$1000/\$1000	Funds will be used to help support their WOW Awards Gala	Yes/Yes	No	Hollins
Meadowdale Maintenance Association	\$2500/\$2500	Funds will be used for the beautification of the community entrance and entire neighborhood	Yes/No	No	Kilpatrick
Epilepsy Foundation of Delaware*	\$1000/\$1000	Funds will be used to help support their upcoming 5k.	Yes/No	No	Sheldon
Roseville Park Civic Association	\$1200/	Funds will be used to help cover the cost of maintenance for their community entrance.	Yes/No	No	Sheldon

**The Epilepsy Foundation of Delaware grant is missing an explanation on questions 8 as it relates to their response regarding the non-discrimination policy. This grant will not be processed until this information is received.*

NEW CASTLE COUNTY
TRAVEL & TRAINING EXPENSE FORM

EMPLOYEE NAME

David Carter

TELEPHONE

302-395-8366

TITLE

Councilman

DEPARTMENT

County Council

DESTINATION

Austin, TX

OCA - GRANT/PROJECT

DATES

07/21/2023-07/25/2023

PURPOSE

NACo Annual Conference

	Obj								
	Lvl								
Dates	7/21	7/22	7/23	7/24	7/25			TOTALS	
TRANSPORTATION									
Airfare	\$605.81							605.81	2001
Trainfare								-	2002
Taxi & Shuttle								-	2003
Tolls								-	2005
Parking	\$20	\$20	\$20	\$20	\$20			-	2006
Total	\$625.81	\$ 20	\$ 20	\$ 20	\$ 20	\$ -	\$ -	\$705.81	
MILEAGE									
Actual miles									
Allowable Rate									
Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		2004
LODGING									
Hotel	300.00	300.00	300.00	300.00					2010
Telephone								-	2030
Total	\$ 300.00	\$ 300	\$ 300	\$ 300	\$ -	\$ -	\$ -	\$ 1200	
MEALS									
Number of days (overnight travel):		Rate per day:		Maximum meal allowance:					
Actual meal costs								-	
Less than full day:									
Breakfast								-	
Lunch								-	
Dinner								-	
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2020
MISCELLANEOUS									
Conference Fees	\$530							530	2101
Seminar Fees								-	2102
ATM Fees								-	2007
Tips								-	2007
Books, Tapes, Etc								-	4101
Auto Rental								-	2008
Other								-	
Total	\$	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	530	
SUMMARY	\$	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2435.81	
Expense Explanations:						Less Pre-payments:			
With Council Approval, the conference registration, hotel and flight charges will be placed on Council's Credit Card, and all other incidentals will be reimbursed to Councilman Carter after travel.						Less Charges paid by NCC:			
						Due Employee:		\$	
These are estimates as of 4/3/2023, actuals may vary during booking.									
Explanation continued on attachment: yes() no()									

I hereby certify that these expenses, incurred by me on official New Castle County business, are reimbursable in accordance with current policies and have not been reimbursed, except where indicated.



04/03/2023

Employee Signature

Date

Type or print legibly - - Attach approval, receipts and original brochures.
Reference Administrative Policy #1
Form updated March 2006.

REVIEW AND APPROVAL:

Supervisor's Signature

Date

I certify that all expenses are in compliance with all policies and Executive Orders.

General Manager's Signature

Date

VENDOR NUMBER:

VOUCHER NUMBER:

VE

