



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

April 25, 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

°23-047: TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607, TO ADOPT THE CLASS SPECIFICATION FOR THE POSITION TITLE OF PAYROLL ASSISTANT II AND UPDATE THE CLASS SPECIFICATION FOR PAYROLL SUPERVISOR Introduced by: Ms. Hartley-Nagle

°23-048: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"), SECTION 2.03.004 ("FEES FOR RECORDER OF DEEDS") RELATING TO CERTAIN CHANGES TO FEES OF THE OFFICE OF THE RECORDER OF DEEDS Introduced by: Mr. Smiley, Mr. Cartier

°23-049: AMEND THE GRANTS BUDGET: APPROPRIATE \$94,727.52 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR WITH FUNDS PROVIDED BY THE DELAWARE WORKFORCE INVESTMENT BOARD TO THE 2023/2024 STATE YEAR-ROUND YOUTH EMPLOYMENT PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-050: AMEND THE GRANTS BUDGET: APPROPRIATE \$107,945.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING, TO THE 2023 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – CITY OF WILMINGTON; THE GRANT WILL BE ADMINISTERED BY THE DEPARTMENT OF

COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-051: AMEND THE GRANTS BUDGET: APPROPRIATE \$119,303.26 IN FUNDING FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING TO THE 2023 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – SUBURBAN NEW CASTLE COUNTY GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-052: REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR STONEGATES RETIREMENT COMMUNITY DIVERSIFIED PLANED UNIT DEVELOPMENT (DPUD); CHRISTIANA HUNDRED; EAST SIDE OF KENNETT, NORTH OF BARLEY MILL ROAD; TAX PARCEL NUMBER 07-026.00-090 (4031 KENNETT PIKE); [APPLICATION NO. 2023-0085-S/Z](#)) COUNCIL DISTRICT 2 (The revised plan for Stonegates Retirement Community proposes to revise the previously approved subdivision to construct 25,554 SF of additional gross floor area, and decrease the open space by 15,000 sf. This new plan will supersede the previously approved preliminary plan and rezoning. UDC Section 40.31.712 requires a new zoning ordinance for revisions to a DPUD plan that result in a decrease of open space. County Council adopted Ordinance 82-148 on December 21, 1982. NCPUD (Neighborhood Conservation Planned Unit Development) zoning district. App. 82-198, MF6681). Introduced by: Ms. Durham

°23-053: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 5 (“SITE CAPACITY AND CONCURRENCY CALCULATIONS”), ARTICLE 8 (“NONCONFORMING SITUATIONS”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), ARTICLE 26 (“MODIFICATION OF STANDARDS”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”), REGARDING DEVELOPMENT, REDEVELOPMENT AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN Introduced by: Ms. Kilpatrick, Mr. Tackett

E. Reports from Select and Special Committees

F. Consent Calendar

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

R23-078: CONGRATULATING AND COMMENDING VINCE JACONO, JR. ON HIS RETIREMENT AFTER 34 YEARS OF SERVICE TO DELMARVA POWER Introduced by: Mr. Smiley, Mr. Bell, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Ms. Hartley-Nagle, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Street, Mr. Tackett, Mr. Toole

R23-079: APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER 06-049.000-14 Introduced by: Mr. Smiley, Mr. Cartier

R23-080: APPROVING THE REFUND OF SEWER FEES PAID IN ERROR DUE TO OVERPAYMENT ON TAX PARCEL NUMBER 06-111.000-27 Introduced by: Mr. Smiley, Mr. Cartier

R23-081: AUTHORIZING ENTRY INTO ACCOUNT TERMS WITH JPMORGAN CHASE BANK, N.A. RELATED TO BANKING SERVICES Introduced by: Mr. Smiley, Mr. Cartier

R23-082: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH GRACE TRANSPORTATION TO PROVIDE TRANSPORTATION SERVICES FOR HOPE CENTER RESIDENTS FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$20,000.00 Introduced by: Mr. Smiley, Mr. Cartier

I. Consideration of Ordinances

°23-039: (STATUS: TO BE TABLED) THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2024 BEGINNING JULY 1, 2023 Introduced by: Mr. Smiley, Mr. Cartier

°23-040: (STATUS: TO BE TABLED) CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2023 FOR FISCAL YEAR 2024 Introduced by: Mr. Smiley, Mr. Cartier

°23-041: (STATUS: TO BE TABLED) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2024 CAPITAL BUDGET Introduced by: Mr. Smiley, Mr. Cartier

°23-042: (STATUS: TO BE TABLED) THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 Introduced by: Mr. Smiley, Mr. Cartier

°23-043: (STATUS: TO BE TABLED) ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 Introduced by: Mr. Smiley, Mr. Cartier

°23-044: AMEND THE GRANTS BUDGET: APPROPRIATE NEW CASTLE COUNTY FUNDING OF \$64,800 FROM THE DEPARTMENT OF COMMUNITY SERVICES FY2023 APPROVED OPERATING BUDGET AND APPROPRIATE ACTUAL AND ANTICIPATED PROGRAM INCOME OF \$188,803.66 TO THE SUMMER RECREATION CAMPS GRANT Introduced by: Mr. Hollins , Mr. Street

°23-045: AMEND THE ANNUAL OPERATING BUDGET: APPROPRIATE \$64,800 FROM THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF COMMUNITY SERVICES TO THE SUMMER RECREATION CAMPS GRANT Introduced by: Mr. Hollins, Mr. Street

°23-046: AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET: INCREASE AUTHORIZATIONS FROM THE STATE OF DELAWARE IN THE AMOUNT OF \$5,000,000 TO THE DEPARTMENT OF PUBLIC SAFETY, POLICE RANGE / EVOC CAPITAL PROJECT Introduced by: Mr. Bell, Ms. Hartley-Nagle

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-076: RECOGNIZING AND SUPPORTING NATIONAL YOUTH VIOLENCE PREVENTION WEEK FROM APRIL 24 TO 28, 2023 Introduced by: Ms. Hartley-Nagle, Mr. Street, Mr. Bell, Mr. Tackett, Mr. Toole, Ms. George

R23-077: CONGRATULATING AND COMMENDING THE CHURCH OF EXODUS ON ITS SECOND PASTORAL ANNIVERSARY Introduced by: Ms. Hartley-Nagle

R23-083: SUPPORTING THE DELAWARE GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES BILL NO. 124 AMENDING THE DELAWARE CODE REGARDING LAWS RELATING TO PROTECTION, CONTROL AND NOISE OF ANIMALS, INCLUDING DOGS Introduced by: Mr. Smiley, Mr. Carter, Mr. Toole

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: April 18, 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.

ORDINANCE NO. 23-047

**TO AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE
EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES
COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607, TO ADOPT THE CLASS
SPECIFICATION FOR THE POSITION TITLE OF PAYROLL ASSISTANT II AND UPDATE
THE CLASS SPECIFICATION FOR PAYROLL SUPERVISOR**

WHEREAS, the Department of Administration has determined that it is necessary to make organizational changes to operate most effectively; and

WHEREAS, the Department submitted a new class specification for a Payroll Assistant II that will perform a variety of para-professional and technical tasks associated with all aspects of payroll activities for County employees; and

WHEREAS, the Human Resources Advisory Board at its meeting on February 2, 2023, recommended that the class specification for the new position title of Payroll Assistant II (Pay Grade 26) be added to the Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607; and

WHEREAS, the Chief Human Resources Officer concurs with the recommendation of the Human Resources Advisory Board; and

WHEREAS, the Department recommends that the class specification for Payroll Supervisor be updated to include a more focused description of responsibilities of duties; and

WHEREAS, the Department of Administration also recommends that the job title for Payroll Assistant be changed to Payroll Assistant I to create a career ladder for Payroll Assistants in the Payroll division.

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

Section 1. The Class Specification for Payroll Assistant II is adopted as set forth in Exhibit "A."

Section 2. The Class Specifications for Payroll Supervisor is amended as set forth in Exhibit "B."

Section 3. The Class Specification for Payroll Assistant I is adopted as set forth in Exhibit "C."

Section 3. The Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607, effective July 1, 2022 is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit "D."

Section 4. 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, adds the position title of Payroll Assistant II (Pay Grade 26) to the Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607, and adopts the class specification of Payroll Assistant II, as recommended by the Human Resources Advisory Board. This Ordinance also amends the class specifications for Payroll Supervisor and Payroll Assistant I.

FISCAL IMPACT: There will be no discernible fiscal impact upon the adoption of this Ordinance.

EXHIBIT A

NEW CASTLE COUNTY GOVERNMENT CLASS SPECIFICATION	Number XXXX Page 1 of 2 Date
Title: PAYROLL ASSISTANT II	Approved:

GENERAL STATEMENT OF DUTIES: Performs para-professional and technical work related to the County's centralized payroll operation; performs vital functions related to the Payroll and Human Resources Information System; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs a variety of para-professional and technical tasks associated with all aspects of payroll activities for County employees. Under general supervision, this employee performs accounting functions in the preparation, processing, maintenance, verification, and reconciliation of payroll records for County personnel in the Payroll and Human Resources Information System. Work involves the exercise of judgement in the application of prescribed policies, procedures, laws, and regulations. This is a confidential position dealing with sensitive payroll-related matters. This employee is supervised by the Payroll Supervisor.

EXAMPLES OF WORK: (Illustrative only)

- Collects, analyzes, updates, and reconciles information to the payroll system on a weekly, monthly, quarterly, and annual basis;
- Supervises and instructs the daily activities of the Payroll Assistant I;
- Provides technical assistance and advice to payroll timekeepers and fiscal personnel in other departments;
- Updates and maintains various payroll tables within the Payroll and Human Resources Information System;
- Backup processor for Federal, State and Local tax payments in the absence of the Payroll Supervisor;
- Processes payroll calculations and confirmations for weekly and biweekly payrolls, and for the monthly pension payroll;
- Examines and processes various payroll deductions and adjustments for accuracy, appropriateness, and documentation;
- Oversees department-level payroll changes and updates;
- Sets up and maintains garnishments in the Payroll and Human Resources Information System;
- Reviews, audits, reconciles, and balances wages, taxes, and deductions for the County payroll;
- Serves as liaison to management, employees, and human resources relating to payroll records, leave and attendance, and similar matters;
- Assists in maintaining security for all employees, former employees and pensioners in the Payroll and Human Resources Information System;
- Assists employees with the employee self-service module in the Payroll and Human Resources Information System;
- Prepares and processes manual checks;
- Responds to requests for salary and payroll information;
- Collects, reviews, verifies, and calculates data and prepares related reports;

EXHIBIT A

NEW CASTLE COUNTY GOVERNMENT

Number XXXX

CLASS SPECIFICATION

Page 2 of 2

Date

Title: PAYROLL ASSISTANT II**Approved:**

- Maintains payroll records and other related files in the Payroll and Human Resources Information System;
- Performs varied research and participates in special projects;
- Serves as a subject matter expert as it relates to the Payroll and Human Resources Information System with the testing of payroll system changes, upgrades and enhancements;
- Conducts user acceptance testing and participates in configuration and set-up within the Payroll and Human Resources Information System;
- Research problems and makes recommendations to resolve such matters;
- Works closely with the Office of Information Technology to resolve issues that arise during the payroll process;
- Answers inquiries and prepares correspondence in accordance with established procedures;
- Assists in developing new procedures and maintaining current standard operating procedures and policies to strengthen internal controls;
- Carries out federal regulations relating to taxes, garnishments, attendance and leave, and other payroll functions and ensures compliance with such regulations;
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service;
- Operates a personal computer and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Knowledge of the principles and practices of payroll administration, payroll and tax regulations and of office management practices and procedures; demonstrated skill and proficiency in the use of the Payroll Software System payroll and human resources information system and spreadsheet programs; ability to understand and follow complex oral and written directions; ability to research, analyze and retrieve data to prepare and maintain payroll records, summaries and reports; ability to make decisions in accordance with laws, ordinances, regulations, and established policies; ability to prepare clear, concise reports; ability to communicate courteously and effectively, both verbally and in writing; ability to maintain confidentiality in all aspects of the work; ability to establish and maintain courteous and effective working relationships with management, employees, vendors and outside agencies.

MINIMUM QUALIFICATIONS At least five (5) years of experience in clerical accounting functions to include at least three (3) years in the payroll field using a Payroll and Human Resources Information System and possession of a high school diploma or GED; or an equivalent combination of education, experience or training directly related to the required knowledge, skills, and abilities.

ADDITIONAL REQUIREMENTS: Must pass a Class III County physical examination and background check.

HISTORY OF REVISIONS:
Established:

EXHIBIT B

NEW CASTLE COUNTY GOVERNMENT

Number 0214

CLASS SPECIFICATION

Page 1 of 2

Date 08/04/17DRAFT

Title: PAYROLL SUPERVISOR

Approved:

GENERAL STATEMENT OF DUTIES: Performs professional supervisory work related to the County's centralized payroll operation; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs a variety of professional and supervisory tasks associated with all aspects of payroll activities for County employees. This employee supervises accounting functions in the preparation, processing, maintenance, verification and reconciliation of payroll records for County personnel. Work involves the exercise of judgement in the application of prescribed policies, procedures, laws and regulations. This is a confidential position dealing with sensitive payroll-related matters. This employee is supervised by an Accounting and Fiscal Manager or other designated supervisor.

EXAMPLES OF WORK: (Illustrative only)

- Supervises the daily activities of the payroll unit with adherence to personnel and administrative policies, collective bargaining agreements, County Code, Federal and State laws and other financial regulations;
- Conducts research, prepares reports and makes recommendations regarding fiscal activities as they relate to the centralized payroll and human resource information system;
- Supervises, trains, and instructs employees;
- Monitors and evaluates personnel performance, prepares performance evaluations and conducts performance appraisal discussions;
- Recommends training for subordinates;
- Reviews and approves employee leave requests;
- Recommends appropriate progressive discipline as necessary;
- Provides technical assistance and advice to payroll timekeepers and fiscal personnel in other departments;
- Responsible for enrolling and maintaining time reporter records and security access;
- Monitors all phases of payroll calculations each week;
- Reviews gross-to-net transactions, reconciliations and analysis;
- Reviews all final payroll registers and participates in the verification of the general ledger interface;
- Develops monthly statistical reports and schedules used to maintain the integrity of the data stored in the Payroll and Human Resources Information System~~PeopleSoft~~ for management use;
- Updates and maintains various payroll tables within the Payroll and Human Resources Information System~~PeopleSoft~~;
- Assists Information Systems with Payroll and Human Resources Information System~~PeopleSoft~~ updates, upgrades and enhancements by performing parallel tests and analyzing results;
- Formulates and updates written procedures and guidelines for the payroll staff used as training tools and to strengthen internal controls for the department and County-wide;
- Reconciles the payroll clearing account and liability accounts on a monthly basis;
- Promotes an ongoing attitude of dedication to excellent public service and ensures that

EXHIBIT B

external and internal customers are provided with the highest quality of service;

NEW CASTLE COUNTY GOVERNMENT

Number 0214

Page 2 of 2

CLASS SPECIFICATION

Date 08/04/17

Title: PAYROLL SUPERVISOR

Approved:

- Operates a personal computer and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Thorough knowledge of the principles and practices of payroll operations and tax regulations; thorough knowledge of accounting principles and practices; a strong understanding of an automated payroll system; a strong working knowledge of financial databases, information systems and electronic payment systems; ability to supervise the work of others; good knowledge of government organization, procedures and system analysis; good knowledge of office management practices and procedures; ability to understand and follow complex oral and written directions; ability to conduct research, draw conclusions and make recommendations to management; ability to make decisions in accordance with laws, ordinances, regulations, and established policies; ability to prepare clear, concise reports; ability to communicate courteously and effectively, both verbally and in writing; ability to maintain confidentiality in all aspects of the work; ability to establish and maintain courteous and effective working relationships with management, employees, vendors and outside agencies.

MINIMUM QUALIFICATIONS: At least three (3) years of experience in payroll operations; and possession of a Bachelor's Degree from an accredited college or university with major course work in business, accounting or finance; or an equivalent combination of education, experience and training directly related to the required knowledge, skills, and abilities.

PREFERRED QUALIFICATIONS: Three (3) years of experience working with the [Payroll and Human Resources Information System](#). ~~PeopleSoft payroll system.~~

ADDITIONAL REQUIREMENTS: Ability to pass a Class III County physical examination and background check.

HISTORY OF REVISIONS:

Established: 11/02/12
Revised: 08/04/17

EXHIBIT C

NEW CASTLE COUNTY GOVERNMENT

Number 0215

CLASS SPECIFICATION

Page 1 of 2

Date ~~06/09/16~~ DRAFT

Title: PAYROLL ASSISTANT I

Approved:

GENERAL STATEMENT OF DUTIES: Performs para-professional and technical work related to the County's centralized payroll operation; performs vital functions related to the Payroll and Human Resources Information System ~~PeopleSoft payroll and human resources information system~~; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs a variety of para-professional and technical tasks associated with all aspects of payroll activities for County employees. Under general supervision, this employee performs accounting functions in the preparation, processing, maintenance, verification and reconciliation of payroll records for County personnel in the Payroll and Human Resources Information System ~~PeopleSoft payroll and human resources information system~~. Work involves the exercise of judgement in the application of prescribed policies, procedures, laws and regulations. This is a confidential position dealing with sensitive payroll-related matters. This employee is supervised by the Payroll Assistant II, a Payroll Supervisor or other designated supervisor.

EXAMPLES OF WORK: (Illustrative only)

- Collects, analyzes, updates and reconciles information to the payroll system on a weekly, bi-weekly, and monthly basis ~~monthly, quarterly and annual basis~~;
- Processes payroll calculations and confirmations for weekly and biweekly payrolls, ~~and for the monthly pension payroll~~;
- Examines and processes various payroll deductions and adjustments for accuracy, appropriateness and documentation;
- ~~Oversees department level payroll changes and updates~~;
- Sets up and maintains garnishments in the Payroll system ~~PeopleSoft automated garnishment module~~;
- ~~Reviews, audits, reconciles and balances wages, taxes and deductions for the County payroll~~;
- ~~Serves as liaison to management, Responds to calls from~~ employees, ~~and human resources~~ relating to payroll records, leave and attendance, and similar matters;
- ~~Assists in maintaining PeopleSoft~~ Serves as liaison with IS as it relates to security for all employees, former employees and pensioners security access within the Payroll system;
- Assists employees with the employee self-service module in ~~PeopleSoft~~ the Payroll system;
- ~~Prepares and processes manual checks~~;
- ~~Responds to requests for salary and payroll information~~;
- Collects, reviews, verifies, and calculates data and prepares related reports;
- Maintains payroll records and other related files on a computerized payroll/human resources system for data integrity and accuracy;
- ~~Performs varied research and participates in special projects~~;
- ~~Assists with the testing of payroll system changes, upgrades and enhancements~~;
- ~~Researches problems and makes recommendations to resolve such matters~~;
- ~~Works closely with the Office of Information Technology to resolve issues that arise during the payroll process~~;

EXHIBIT C

- ~~Answers inquiries and prepares correspondence in accordance with established procedures;~~
- ~~Assists in developing new procedures and maintaining current standard operating procedures and policies to strengthen internal controls;~~

NEW CASTLE COUNTY GOVERNMENT

Number 0215

CLASS SPECIFICATION

Page 2 of 2

Date 06/09/16 DRAFT

Title: PAYROLL ASSISTANT I

Approved:

- Notifies Payroll Assistant II of any items or problems requiring research;
- Complies with ~~Carries out~~ federal regulations relating to taxes, garnishments, attendance and leave, and other payroll functions ~~and ensures compliance with such regulations;~~
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service;
- Operates a personal computer and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Some knowledge of the principles and practices of payroll administration; some knowledge of payroll and tax regulations; some knowledge of office management practices and procedures; demonstrated skill and proficiency in the use of the PeopleSoft payroll and human resources information system and spreadsheet programs; ability to understand and follow complex oral and written directions; ability to research, analyze and retrieve data to prepare and maintain payroll records, summaries and reports; ability to make decisions in accordance with laws, ordinances, regulations, and established policies; ability to prepare clear, concise reports; ability to communicate courteously and effectively, both verbally and in writing; ability to maintain confidentiality in all aspects of the work; ability to establish and maintain courteous and effective working relationships with management, employees, vendors and outside agencies.

MINIMUM QUALIFICATIONS: At least three (3) years of experience in clerical accounting functions to include at least one (1) year in the payroll field using PeopleSoft software Payroll and Human Resources Information System and possession of a high school diploma or GED; or an equivalent combination of education, experience or training directly related to the required knowledge, skills, and abilities.

ADDITIONAL REQUIREMENTS: Must pass a Class III County physical examination and background check.

HISTORY OF REVISIONS:
Established: 11/24/09

EXHIBIT C

Revised: 06/09/16
Revised: DRAFT

EXHIBIT D
PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
CLERK	12	27,354	28,721	30,157	31,664	33,245	34,908	36,654	38,486	40,411	42,432
SURVEYOR ASSISTANT	12										
ADMINISTRATIVE SERVICES TECHNICIAN	14	30,157	31,664	33,245	34,908	36,654	38,486	40,411	42,432	44,553	46,780
AUTOMOTIVE PARTS CLERK	14										
CLERK TYPIST	14										
COMPUTER OPERATOR I	14										
JUNIOR ADMINISTRATIVE AIDE	14										
KEY OPERATOR	14										
MICROFILM TECHNICIAN	14										
PUBLIC SAFETY AIDE	14										
ACCOUNT CLERK I	15	31,664	33,245	34,908	36,654	38,486	40,411	42,432	44,553	46,780	49,121
CUSTOMER SERVICES COORDINATOR	15										
DRAFTING TECHNICIAN I	15										
INTERLIBRARY LOAN ASSISTANT	15										
LIBRARY ASSISTANT	15										
STOREKEEPER	15										
COMPUTER OPERATOR II	16	33,245	34,908	36,654	38,486	40,411	42,432	44,553	46,780	49,121	51,578
SURVEY INSTRUMENT OPERATOR	16										
ACCOUNT CLERK II	17	34,908	36,654	38,486	40,411	42,432	44,553	46,780	49,121	51,578	54,157
COURT CLERK	17										
DEPUTY I	17										
PRINCIPAL LIBRARY ASSISTANT	17										
SECRETARY	17										
PUBLIC WORKS DATA TECHNICIAN	17										
DISPATCHER	18	36,654	38,486	40,411	42,432	44,553	46,780	49,121	51,578	54,157	56,864
GRAPHIC ARTS DESIGNER	18										
MAINTENANCE PROGRAM TECHNICIAN	18										
RADIO COMMUNICATOR	18										
SANITARY MAINTENANCE TECHNICIAN	18										
TREASURY CUSTOMER SERVICE REPRESENTATIVE	18										
ACCOUNT CLERK III	19	38,486	40,411	42,432	44,553	46,780	49,121	51,578	54,157	56,864	59,707
ADMINISTRATIVE AIDE	19										
ASSESSMENT TECHNICIAN	19										
ASSESSOR I	19										
BUDGET OFFICE ASSISTANT	19										
LIBRARY SPECIALIST	19										
PARTY CHIEF	19										
PERMIT PROCESS TECHNICIAN	19										
ASSISTANT PROCUREMENT AGENT	20	40,411	42,432	44,553	46,780	49,121	51,578	54,157	56,864	59,707	62,694
CERTIFIED ASSESSOR I	20										
CODE INSPECTOR	20										
COMMUNITY DEVELOPMENT HOUSING INSPECTOR	20										
CUSTOMER INFORMATION & ASSISTANCE SPECIALIST	20										
CUSTOMER SERVICE AND INFORMATION TECHNICIAN	20										
DELINQUENT ACCOUNT COLLECTOR	20										
DEPUTY II	20										
DRAFTING TECHNICIAN II	20										
GRAPHIC ARTS DESIGNER II	20										
HOUSING PROGRAM ASSISTANT	20										
MAINTENANCE OFFICE ADMINISTRATOR	20										
PAYROLL ASSISTANT I	20										
PLAN EXAMINER	20										
PUBLIC WORKS INSPECTOR	20										
SANITARY SEWER INFORMATION SPECIALIST	20										
SENIOR OFFICE ASSISTANT	20										
SENIOR SANITARY MAINTENANCE TECHNICIAN	20										
VICTIM'S ASSISTANCE OFFICER	20										
CERTIFIED PERMIT PROCESS TECHNICIAN	21	42,432	44,553	46,780	49,121	51,578	54,157	56,864	59,707	62,694	65,828
CODE ENFORCEMENT OFFICER	21										
CONSTRUCTION INSPECTOR	21										
DRAFTING TECHNICIAN III	21										
ENVIRONMENTAL ANALYST	21										
PLUMBING AND MECHANICAL CODE SUPERVISOR	21										
RIGHT-OF-WAY AGENT	21										

**PAY PLANS AND RATES OF PAY FOR CLASSIFIED SERVICE EMPLOYEES
REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 1607**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ACCOUNTANT I	22	44,553	46,780	49,121	51,578	54,157	56,864	59,707	62,694	65,828	69,122
ASSESSOR II	22										
GEOGRAPHIC INFORMATION SYSTEMS TECHNICIAN	22										
HOUSING REHABILITATION SPECIALIST I	22										
OPERATIONS SPECIALIST	22										
SCHOOL CROSSING GUARD SUPERVISOR	22										
ACCOUNTING OPERATIONS ASSISTANT	23	46,780	49,121	51,578	54,157	56,864	59,707	62,694	65,828	69,122	72,577
CENTRAL RECEIVING SUPERVISOR	23										
CENTRAL SERVICES TECHNICIAN	23										
CERTIFIED ASSESSOR II	23										
CERTIFIED BUILDING AND SITE INSPECTOR	23										
CERTIFIED PLAN EXAMINER	23										
CERTIFIED PLUMBING & MECHANICAL PLAN EXAMINER	23										
CERTIFIED PROPERTY MAINTENANCE & HOUSING INSPECT	23										
COMPLAINTS SPECIALIST	23										
CONSTRUCTION INSPECTION SUPERVISOR	23										
EQUESTRIAN PROGRAM COORDINATOR	23										
HOUSING REHABILITATION SPECIALIST II	23										
SURVEY PARTIES SUPERVISOR	23										
TREASURY ASSOCIATE	23										
CHIEF RIGHT-OF-WAY AGENT	24	49,121	51,578	54,157	56,864	59,707	62,694	65,828	69,122	72,577	76,206
CUSTOMER SERVICES SPECIALIST	24										
GEOGRAPHIC INFORMATION SYSTEMS SPECIALIST	24										
PUBLIC WORKS CONTRACTS OFFICER	24										
SITE INSPECTIONS SUPERVISOR	24										
STAFF ENGINEER	24										
ACCOUNTANT II	25	51,578	54,157	56,864	59,707	62,694	65,828	69,122	72,577	76,206	80,015
CHIEF CONSTRUCTION INSPECTOR	25										
CHIEF FIELD SUPERVISOR	25										
EQUESTRIAN PROGRAM SUPERVISOR	25										
PROCUREMENT AGENT	25										
SUPERINTENDENT OF WASTEWATER TREATMENT	25										
CIVIL ENGINEER I	26	54,157	56,864	59,707	62,694	65,828	69,122	72,577	76,206	80,015	84,017
DRAFTING AND DESIGN SUPERVISOR	26										
GEOGRAPHIC INFORMATION SYSTEMS ANALYST	26										
PAYROLL ASSISTANT II	26										
PROGRAMMER ANALYST	26										
ARCHITECT	28	59,707	62,694	65,828	69,122	72,577	76,206	80,015	84,017	88,217	92,627
CIVIL ENGINEER II	28										
SENIOR PROCUREMENT AGENT	28										
SEWER MANAGEMENT ENGINEER	28										
SENIOR APPLICATION ENGINEER	28										
CHIEF OF FACILITY MAINTENANCE	30	65,828	69,122	72,577	76,206	80,015	84,017	88,217	92,627	97,260	102,125
CHIEF OF PROJECT MANAGEMENT	30										
CIVIL ENGINEER III	30										
PUBLIC WORKS PROJECT ADMINISTRATOR	30										
CHIEF OF DRAINAGE OPERATIONS	32	72,577	76,206	80,015	84,017	88,217	92,627	97,260	102,125	107,231	112,592
CHIEF OF SITE MANAGEMENT	32										

Effective: 07/01/2022 (Ordinance 20-072)

Revised: 03/09/2021 (Ordinance 21-016)

Revised: 07/25/2022 (Ordinance 22-093)

Revised: xx/xx/2023 (Ordinance 23-xxx)

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: April 25, 2023

ORDINANCE NO. 23- 048

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 (“ADMINISTRATION”),
SECTION 2.03.004 (“FEES FOR RECORDER OF DEEDS”) RELATING TO
CERTAIN CHANGES TO FEES OF THE OFFICE OF THE RECORDER OF DEEDS**

WHEREAS, it is appropriate and necessary to amend certain fees of the Office of the Recorder of Deeds.

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

Section 1. *New Castle County Code* Chapter 2 (“Administration”), Section 2.03.004 (“Fees for Recorder of Deeds”) is hereby amended by adding the language that is underscored and deleting the language that is stricken, as follows.

Sec. 2.03.004. - Fees for Recorder of Deeds.

The following fees are hereby established for services rendered by the Recorder of Deeds in the County:

A. Documents evidencing land transactions.

1. Conditional sales agreement, per page.....\$13.00
2. Deed, per page.....13.00
Plus each parcel description listed therein, per parcel.....3.00
3. Federal tax lien, each
 - a. For a lien on real estate, 20.00
 - b. For a certificate of discharge or subordination, 5.00
 - c. For all other notices, including a certificate of release or non-attachment, 3.00
4. Financing statement:
 - a. Original (husband/wife shall be construed as one (1) name), per debtor name 20.00
 - b. Assignment within original statement5.00
 - c. Assignment, amendment and continuation, per debtor name.....20.00
 - d. Termination statement, per debtor name.....10.00
 - e. Information search10.00
And copy1.00
 - f. Partial release, per debtor name.....5.00
5. Lease or assignment of lease, per page.....13.00
6. Mortgage, per page.....13.00
 - a. Assignment, per page.....13.00

- Plus each additional assignment mentioned therein, each.....5.00
- b. Modification, subordination or release, per page.....13.00
- c. Satisfaction piece, court order to satisfy, attorney's affidavit, first page
20.00
Each additional page.....13.00
- d. Court order to strike satisfaction, first page.....20.00
Each additional page.....13.00
- e. Notation of Prothonotary's certificate on writ of levavi facias, each.....3.00
- f. Notation of Prothonotary's certificate on writ of scire facias, each.....3.00
- 7. Plot plans.
 - a. Major subdivision plans, major land plans, record conversion plans, initial declaration plans, each.....300.00
 - b. Minor subdivision plans, minor land plans, resubdivision plans, declaration amendments, street plans, utility plans, each.....50.00
 - c. Copy of any plot plan, subdivision plan, et al. Cost of each page shall be
6.00
- B. *Other documents.*
 - 1. Certified copies of any record.
 - a. If recorded copies furnished to Recorder's office, per page.....3.00
 - b. If copies furnished by Recorder's office, per page.....6.00
 - c. Certificate for certified copies, each.....1.00
 - 2. Commissions, each.....10.00
 - 3. Contract of marriage, per page.....13.00
 - 4. Miscellaneous documents, proper for recordation, per page.....13.00
 - 5. Power of attorney (general), per page.....13.00
 - 6. Receipt showing date and time document received, each.....1.00
- C. *Technology fee*, per document to be applied to each document recorded with the Recorder of Deeds of which three dollars (\$3.00) will be allocated to the Recorder of Deeds Technology Fund and two dollars (\$2.00) will be allocated to a New Castle County Technology Fund 5.00
- D. *State document fee*, per document.....30.00

Pursuant to 9 Del. C. § 9607 (Collection of recording fees), a State document fee must be applied to all documents recorded with the Recorder of Deeds.

~~E. Microfilm purchase of land records, per roll.....60.00~~

~~Monthly indexing/imaging by whatever media needs necessary.....1,000.00~~

F. *Collection fees for returned payments.*

1. The Recorder of Deeds shall assess and collect from the presenter a fee of thirty-five dollars (\$35.00) whenever it is presented with a payment that is returned for any reason by the financial institution upon which it was drawn.
2. If the Recorder of Deeds incurs any costs in the collection of a returned payment, the Recorder of Deeds shall levy a charge in the full amount of those costs, plus a fee of ten dollars (\$10.00) to cover direct and indirect costs of administration.
3. In addition to these charges, the presenter shall be responsible for the payment of all costs or other fees charged by the County Sheriff, the Prothonotary, or the clerk of any court for the filing, service, satisfaction, or other activity in any legal action relating to the collection of returned payments.

~~G. Sending of long distance faxes from library, per page0.25~~

~~H. Sending of local faxes from library, per page (first page)0.25~~

~~Each page after0.10~~

I. *Website subscriber fee (per page).....1.00*

or

Unlimited copies (per month).....100.00

J. *Exemption for common interest communities and homeowners' association portal.*

1. The Recorder of Deeds shall not charge a recording or technology fee for any common interest communities: maintenance declaration, bylaws, covenants, declaration of restrictions, contact information, or document memorializing election of officers. The term "common interest community" shall have the meaning set forth in 25 Del. C. § 81-103, and shall also include for the purposes of this subsection, but shall not be limited to, maintenance organizations, civic associations, and condominium associations.
2. The Recorder of Deeds shall not charge any fee to access the Homeowners' Association Portal.

K. *Other Fees*

1. Copies printed or copied by individual 0.50 per page
2. Copy Cards0.50 per page
3. Copies printed by Recorder of Deeds staff 1.00 per page
4. Copies requested and sent by mail, fax or email 2.00 per page
5. Plat Copy 6.00 per page

6. Plat Copy requested and sent by mail, fax or email 7.00 per page
7. Microfilm copy 1.00 per page
8. Microfilm copy requested and sent by mail, fax or email 2.00 per page
9. Tax printout 1.00 per parcel
10. Tax printout requested and sent by mail, fax or email 2.00 per parcel
11. Notary 3.00
12. Judgement copies 2.00 per page
13. Access Card (New) 10.00
14. Access Card (Replacement) 10.00

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 reflects housekeeping changes to eliminate certain fees of the Office of the Recorder of Deeds of New Castle County Council that are no longer used.

FISCAL IMPACT: There will be no discernible fiscal impact upon the adoption of this Ordinance.

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: April 25, 2023

ORDINANCE NO. 23-049

AMEND THE GRANTS BUDGET:

**APPROPRIATE \$94,727.52 IN FUNDING FROM THE STATE OF DELAWARE,
DEPARTMENT OF LABOR WITH FUNDS PROVIDED BY THE DELAWARE WORKFORCE
INVESTMENT BOARD TO THE 2023/2024 STATE YEAR-ROUND YOUTH EMPLOYMENT
PROGRAM GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY
SERVICES, DIVISION OF COMMUNITY RESOURCES**

WHEREAS, the 2023/2024 State Year-Round Youth Employment Program Grant provides employment experiences for socially and economically disadvantaged high school youth in New Castle County that will promote responsibility, teamwork, and a good work ethic; and

WHEREAS, these funds will be used to continue the employment of approximately 20 high school youth with worksite partners that support their career path and/or area of interest; and

WHEREAS, these youth will work 12-15 hours per week through the 2023-2024 school year; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the State of Delaware Department of Labor through funding provided by the Delaware Workforce Investment Board, 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.

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. The provisions of this Ordinance shall become effective on August 28, 2023.

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 \$94,727.52 in funding from the State of Delaware, Department of Labor with funds provided by the Delaware Workforce Investment Board, to the 2023/2024 State Year-Round Youth Employment Program Grant to be administered by the Department of Community Services, Division of Community Resources.

The 2023/2024 State Year-Round Youth Employment Program Grant will provide employment experiences for socially and economically disadvantaged high school youth in New Castle County that will promote responsibility, teamwork, and a good work ethic. Funds will be used for the employment of approximately 20 youths with worksite partners that support their career path and/or area of interest. This program will run through the 2023-2024 school year.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$94,727.52 in funding from the State of Delaware, Department of Labor with funds provided by the Delaware Workforce Investment Board to the 2023/2024 State Year-Round Youth Employment Program Grant to be administered by the Department of Community Services, Division of Community Resources.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$94,727.52. The increase will affect FY2024 only since the estimated expiration date of this grant is June 14, 2024.

DEPARTMENT: Community Services

GRANT TITLE: 2023/2024 State Year-Round Youth Employment

PROGRAM TITLE: 2023/2024 State Year-Round Youth Employment

EXHIBIT: "A"

Ordinance No. 23-049

Expense	Current	Change	Revised
Salaries and Wages	\$ 84,881.54	\$ -	\$ -
Benefits	\$ 9,845.98	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 94,727.52	\$ -	\$ -

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 94,727.52	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 94,727.52	\$ -	\$ -

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 8/28/2023 **Estimated Program Completion:** 6/14/2024

The Local Match: \$ - **Found in (ORG):**

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

The 2023/2024 State Year-Round Youth Employment Program will provide employment experiences for socially and economically disadvantaged high school youths in New Castle County to promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 20 youths with New Castle County worksite partners. This program will run through the 2023-2024 school year.

4/25/2023

ORDINANCE NO. 23-050

AMEND THE GRANTS BUDGET:

APPROPRIATE \$107,945.00 FROM THE STATE OF DELAWARE, DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING, TO THE 2023 STATE SUMMER YOUTH EMPLOYMENT PROGRAM – CITY OF WILMINGTON; THE GRANT WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES

WHEREAS, the State Summer Youth Employment Program provides employment experiences for low-income youth in the City of Wilmington between the ages of 14 and 21 to promote responsibility, teamwork, and a work ethic; and

WHEREAS, these funds will be used to employ approximately 40 youth through the summer of 2023; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the State of Delaware, Department of Labor – Division of Employment and Training, are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

WHEREAS, County 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. The provisions of this Ordinance shall be effective June 19, 2023.

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 \$107,945.00 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2023 State Summer Youth Employment Program – City of Wilmington Grant to be administered by the Department of Community Services, Division of Community Resources.

The State Summer Youth Employment Program will provide employment experiences for low-income youth in the City of Wilmington between the ages of 14 and 21 that will promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 40 youths. This program will run through the summer of 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$107,945.00 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2023 State Summer Youth Employment Program – City of Wilmington Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$107,945.00. The increase will affect FY2023 and FY2024, since the estimated expiration date of this grant is August 27, 2023. The Department of Community Services FY2023 Approved Operating Budget includes \$6,816.00 to offset the difference between the reimbursable hourly rate of the grant and the actual hourly rate paid by the County and the associated part-time wage benefit rate.

DEPARTMENT: Community Services

GRANT TITLE: 2023 State Youth Employment-Wilmington

PROGRAM TITLE: 2023 State Youth Employment-Wilmington

EXHIBIT: "A"

Ordinance No. 23-050

Expense	Current	Change	Revised
Salaries and Wages	\$ 96,725.20	\$ -	\$ -
Benefits	\$ 11,219.80	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 107,945.00	\$ -	\$ -

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 107,945.00	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 107,945.00	\$ -	\$ -

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 6/19/2023 **Estimated Program Completion:** 8/27/2023

The Local Match: \$ 6,816.00 **Found in (ORG):** 10400304

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

The State Summer Youth Employment Program will provide employment experiences for low income youth in the City of Wilmington between the ages of 14 and 20 that will promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 40 youths. This program will run through August 27, 2023.

4/25/2023

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: April 25, 2023

ORDINANCE NO. 23-051

AMEND THE GRANTS BUDGET:

**APPROPRIATE \$119,303.26 IN FUNDING FROM THE STATE OF DELAWARE,
DEPARTMENT OF LABOR – DIVISION OF EMPLOYMENT AND TRAINING TO THE 2023
STATE SUMMER YOUTH EMPLOYMENT PROGRAM – SUBURBAN NEW CASTLE
COUNTY GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY
SERVICES, DIVISION OF COMMUNITY RESOURCES**

WHEREAS, the 2023 State Summer Youth Employment Program provides employment experiences for low income youth in the New Castle suburban areas between the ages of 14 and 21 that will promote responsibility, teamwork, and a good work ethic; and

WHEREAS, these funds will be used to employ approximately 40-50 youth through the summer of 2023; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the State of Delaware Department of Labor – Division of Employment and Training 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.

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. The provisions of this Ordinance shall become effective on June 19, 2023.

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 \$119,303.26 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2023 State Summer Youth Employment Program – Suburban New Castle County Grant to be administered by the Department of Community Services, Division of Community Resources.

The State Youth Employment Program will provide employment experiences for low income youth in the New Castle County suburban areas between the ages of 14 and 21 that will promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 40-50 youth in the summer employment program. This summer youth program will run through the summer of 2023.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$119,303.26 in funding from the State of Delaware, Department of Labor – Division of Employment and Training to the 2023 State Summer Youth Employment Program – Suburban New Castle County Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$119,303.26. The increase will affect FY2023 and FY2024, since the estimated expiration date of this grant is August 27, 2023. The Department of Community Services FY2023 Approved Operating Budget includes \$7,533.00 to offset the difference between the reimbursable hourly rate of the grant (summer youth only) and the actual hourly rate paid by the County and the associated part-time benefit rate.

DEPARTMENT: Community Services

GRANT TITLE: 2023 State Youth Employment-Suburban

PROGRAM TITLE: 2023 State Youth Employment-Suburban

EXHIBIT: "A"

Ordinance No. 23-051

Expense	Current	Change	Revised
Salaries and Wages	\$ 106,902.88	\$ -	\$ -
Benefits	\$ 12,400.38	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 119,303.26	\$ -	\$ -

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 119,303.26	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 119,303.26	\$ -	\$ -

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 6/19/2023 **Estimated Program Completion:** 8/27/2023

The Local Match: \$ 7,533.00 **Found in (ORG):** 10400304

Ordinance Passed: **Date Revised:**

PROGRAM DESCRIPTION:

The 2023 State Summer Youth Employment Program will provide employment experiences for low income youth in the New Castle County suburban areas between the ages of 14 and 20 that will promote responsibility, teamwork, and a good work ethic. Funds will be used to employ approximately 40-50 summer youth. This program will run through the August 27,2023.

4/25/2023

ORDINANCE NO. 23-052

**REVISE PREVIOUSLY APPROVED PRELIMINARY MAJOR LAND DEVELOPMENT
PLAN WITH REZONING FOR STONEGATES RETIREMENT COMMUNITY
DIVERSIFIED PLANNED UNIT DEVELOPMENT (DPUD); CHRISTIANA HUNDRED;
EAST SIDE OF KENNETT, NORTH OF BARLEY MILL ROAD;
TAX PARCEL NUMBER 07-026.00-090 (4031 KENNETT PIKE);
APPLICATION NO. 2023-0085-S/Z) COUNCIL DISTRICT 2**

(The revised plan for **Stonegates Retirement Community** proposes to revise the previously approved subdivision to construct 25,554 SF of additional gross floor area, and decrease the open space by 15,000 sf. This new plan will supersede the previously approved preliminary plan and rezoning. UDC Section 40.31.712 requires a new zoning ordinance for revisions to a DPUD plan that result in a decrease of open space. County Council adopted Ordinance 82-148 on December 21, 1982. NCPUD (Neighborhood Conservation Planned Unit Development) zoning district. App. 82-198, MF6681).

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

Section 1. The revised plan for Stonegates Retirement Community (area shown on Exhibits A and L) is approved and shall supersede the previously approved preliminary plan associated with the rezoning that was approved on December 21, 1982, by Ordinance 82-148.

Section 2. This Ordinance shall become effective immediately upon passage by New Castle 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:

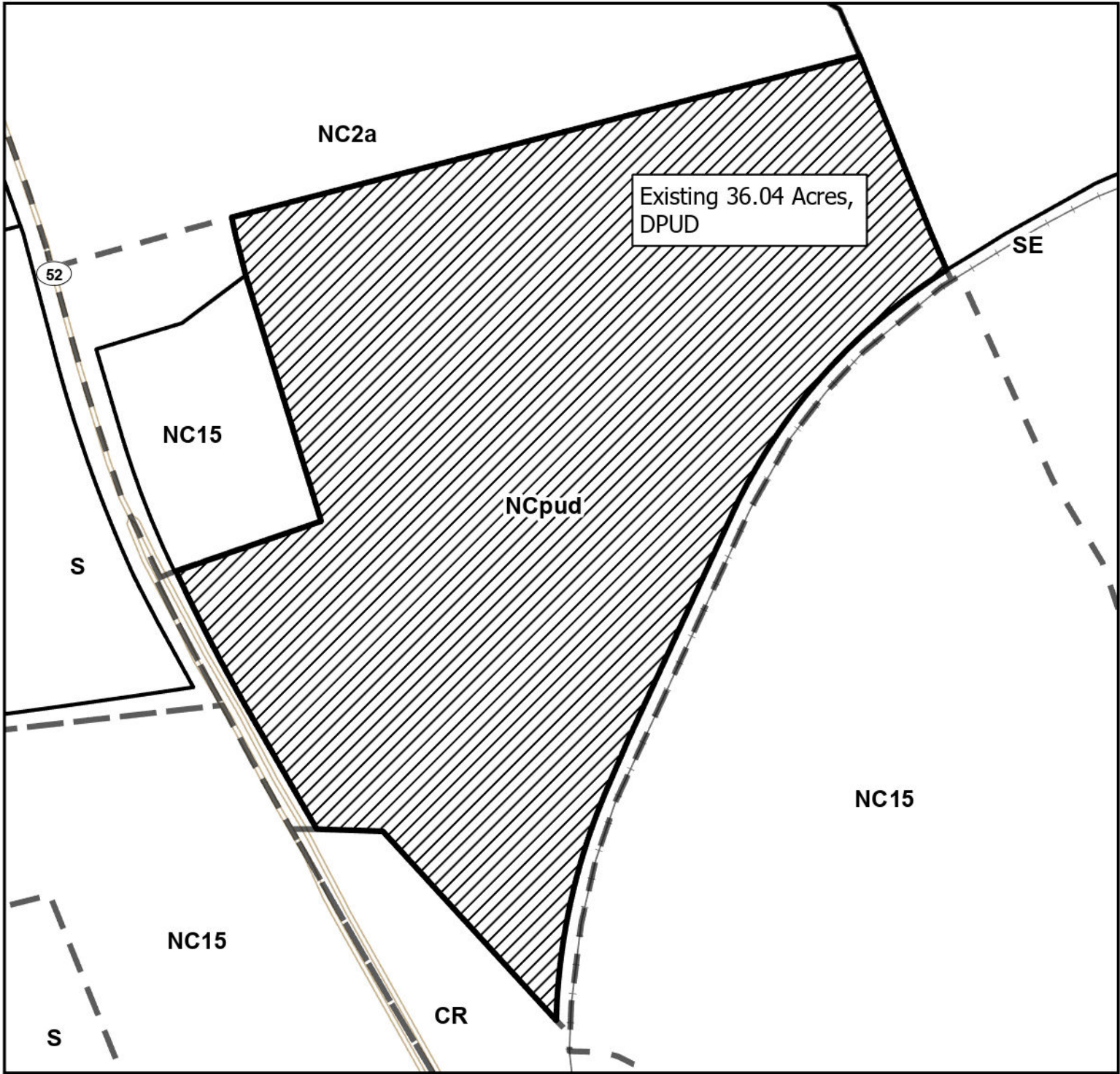
County Executive
New Castle County

SYNOPSIS: Same as title.

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

APPLICANT: GREENVILLE RETIREMENTCOMMUNITY, LLC
PROPOSED REZONING: MODIFICATIONS TO A DIVERSIFIED
PLANNED UNIT DEVELOPMENT (NCPUD)

APPLICATION NO. 2023-0085-S/Z
TAX PARCEL NO. 07-026.00-090



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

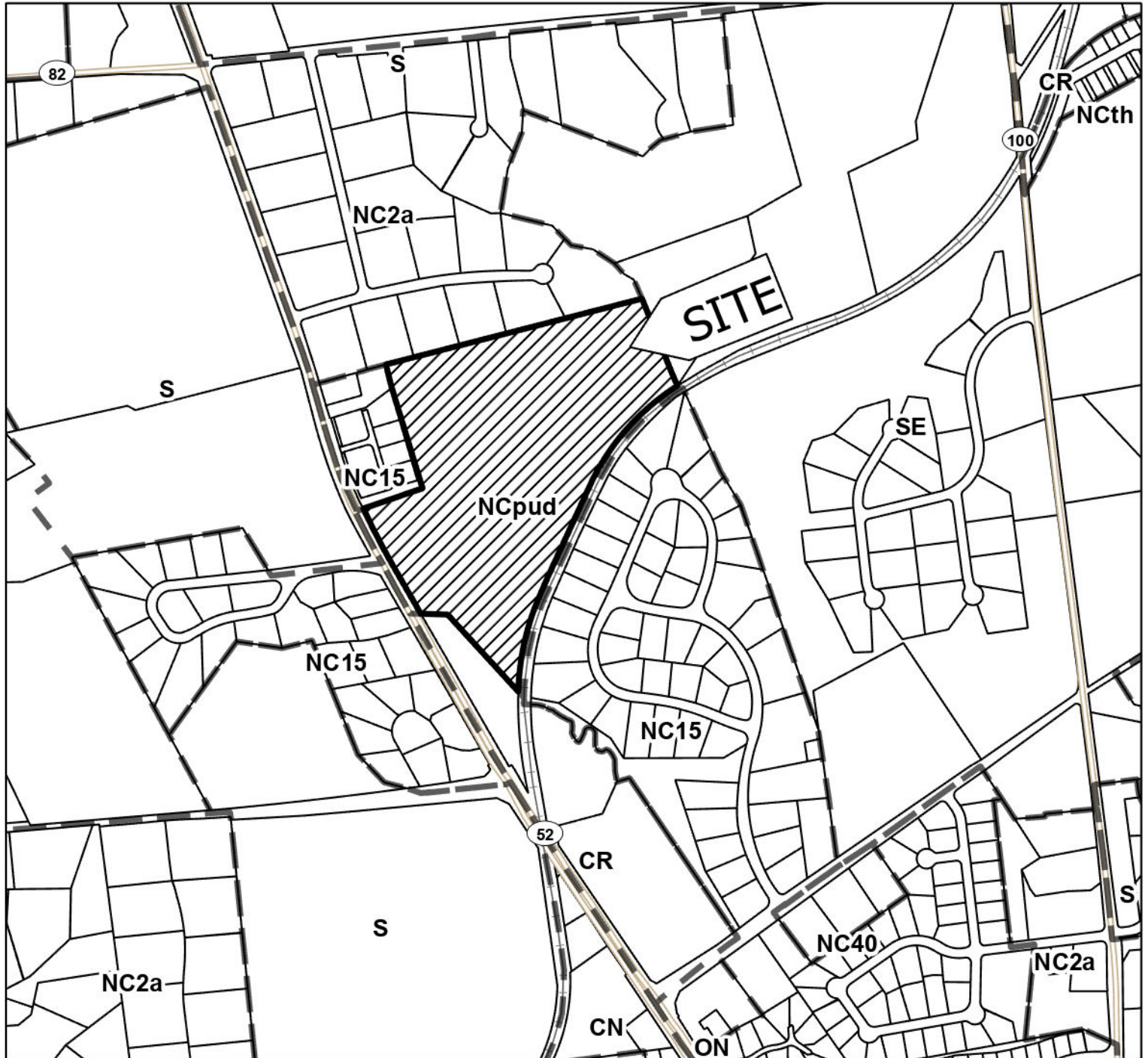
Scale: 1:3,472
Prepared by: mtrogers
Date: 4/5/2023



PERMANENT ORDINANCE NO. 23-052
Date Adopted by County Council _____
Date Approved by County Executive _____

APPLICANT: GREENVILLE RETIREMENTCOMMUNITY, LLC
PROPOSED REZONING: MODIFICATIONS TO A
DIVERSIFIED PLANNED UNIT DEVELOPMENT (NCPUD)

APPLICATION NO. 2023-0085-S/Z
TAX PARCEL NO. 07-026.00-090



HUNDRED: CHRISTIANA HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8,782

Prepared by: mtrogers

Date: 4/5/2023



PERMANENT ORDINANCE NO. 23-052

Date Adopted by County Council _____

Date Approved by County Executive _____

Introduced by: Ms. Kilpatrick, Mr. Tackett
Date of introduction: April 25, 2023

ORDINANCE NO. 23-053

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED DEVELOPMENT CODE” OR “UDC”), ARTICLE 3 (“USE REGULATIONS”), ARTICLE 5 (“SITE CAPACITY AND CONCURRENCY CALCULATIONS”), ARTICLE 8 (“NONCONFORMING SITUATIONS”), ARTICLE 22 (“DRAINAGE, UTILITIES, SEPTIC SYSTEMS, PARKING, LOADING, AND LIGHTING”), ARTICLE 26 (“MODIFICATION OF STANDARDS”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”), REGARDING DEVELOPMENT, REDEVELOPMENT AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN

WHEREAS, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as amended by Floor Amendment No. 1 (“New Castle County Comprehensive Plan” or “the Ordinance”), on July 26, 2022, and the County Executive approved the Ordinance on August 4, 2022; and

WHEREAS, Land development applications for warehousing facilities have increased in size and operational intensity beyond that which was anticipated when the Unified Development Code was adopted in 1997; and

WHEREAS, the Concord Pike (US 202) Corridor Master Plan and the New Castle County Comprehensive Plan identify the need for revisions to the redevelopment provisions in the Unified Development Code and recommend context sensitive development design that is consistent with the Guiding Principles for Development; and

WHEREAS, the New Castle County Comprehensive Plan encourages redevelopment of industrial land, strip malls, office parks, and other “greyfields” to strengthen community cohesion, environmental quality, fiscal productivity, and quality of life; and

WHEREAS, the New Castle County Comprehensive Plan calls on the County to enact land use policies and regulations that incentivize infill and redevelopment in and around job centers; and

WHEREAS, the New Castle County Comprehensive Plan guides development and redevelopment to be sensitive to the context of neighboring residential development; and

WHEREAS, existing redevelopment provisions in the Unified Development Code are not applicable for developments that require variances, thereby reducing potential economic and design improvements in the County; and

WHEREAS, the County recognizes the importance of updating its development regulations to be consistent with, and implement, the New Castle County Comprehensive Plan; and

WHEREAS, County 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. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.300 (“Additional Limited and Special Use Standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.333. Light Industry uses in OR ~~[or]~~and CR zoning districts.

A. ~~[The following light industry uses as defined in Section 40.33.270 D are to be considered special uses and may only be permitted in the OR zoning district with the approval of a special use permit by the Board of Adjustment: heavy construction (NAICS 237); wholesale trade (NAICS 42); trucking transportation (NAICS 484); transit and ground passenger transportation maintenance (NAICS 485); service and storage facilities (NAICS 487); support activities for transportation (NAICS 488); miniwarehousing and self storage units (NAICS 53113); commercial and industrial machinery equipment rental (NAICS 5324); marina and associated uses (NAICS 71393); automotive paint and body shop (NAICS 811121); and, commercial and industrial repair (NAICS 8113).]~~Light Industry uses as defined in Section 40.33.270.D are considered Limited Uses in the OR zoning district, except that the following uses require a special use permit:

Heavy construction (NAICS 237)

Wholesale trade (NAICS 42)

Trucking transportation (NAICS 484)

Transit and ground passenger transportation maintenance (NAICS 485)

Service and storage facilities (NAICS 487)

Support activities for transportation (NAICS 488)

Miniwarehousing and self storage units (NAICS 53113)

Commercial and industrial machinery equipment rental (NAICS 5324)

Marina and associated uses (NAICS 71393)

Automotive paint and body shop (NAICS 811121)

Commercial and industrial repair (NAICS 8113)

Warehousing and storage facilities (NAICS 493)

B. The only Light Industry use ...

Sec. 40.03.334. Minor utilities.

- A. Any new utility substation that transmits ...
- B. Elevated storage tanks and standpipes.
- 1. Any new elevated storage tank or standpipe ...
- 3. The Department following the receipt of ~~[a utility plan]~~ an exploratory submission for an elevated storage tank or standpipe ~~[shall]~~ must schedule the application for review and approval at a regularly scheduled Planning Board public hearing. The Planning Board ~~[shall]~~ will review the proposal and ~~[shall]~~ consider the impacts of the proposed tank on adjoining properties. Planning Board approval of the exploratory sketch plan ~~[shall be]~~ is required prior to submission of a record plan to the Department and ~~[shall]~~ must not be withheld where Subsections B.1 and B.2 have been satisfied by the applicant. However, the Planning Board approval may contain certain additional conditions deemed reasonably necessary by the Planning Board to protect adjacent land uses including requirements for fencing, landscaping, and tank color.
- 4. For purposes of this Section, the term...

Section 2. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 3 (“Use Regulations”), Division 40.03.400 (“Individual Use Standards”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.03.410. Accessory uses, residential.

Residential uses may have accessory buildings and accessory uses provided they conform to the following standards:

- A. *General standards.* Unless otherwise provided ...
- E. *Fences.* Fences may be permitted in all yards and all yard setbacks and ~~[shall]~~ must be constructed of materials specifically designed for fences and may not include barbed or razor wire. Fence panels and fence materials may not exceed six (6) feet in height. To account for installation on sloping ground and any necessary space between the ground and the bottom of the fence panels or materials, the top of the fence panels, materials, and posts may not exceed seven (7) feet in height when measured from the ground, except as permitted in Subsection ~~[F]~~ G.
- F. *Satellite dish or antenna.* Satellite dishes (over three (3) feet in diameter) or...

Section 3. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 5 (“Site Capacity and Concurrency Calculations”), Division 40.05.050 (“Applicability”),

is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Division 40.05.050. Applicability.

At the preapplication stage for a rezoning or a major or minor subdivision or land development proposal, the applicant shall comply with the requirements of this Article and shall submit a complete site carrying capacity analysis pursuant to Section 40.05.510, except as follows.

- A. A site resource capacity analysis...
- G. Reserved.
- H. Proposed public facilities that are needed to support development such as schools, parks on government land, libraries, sewer, police, fire stations, or hospitals shall be exempt from this Article, Article 10 (excluding floodplain or federal or State wetland regulations), Article 14, and Table 40.03.210, Table 40.04.111 (excluding lighting regulations), and ~~[Section 40.04.240]~~ Division 40.04.200. Such development shall comply with the provisions of Article 11, however, the Department and DeIDOT shall determine on a case-by-case basis the time frame by which any mitigation must be completed.
- I. Division 40.05.100 of this Article and ...

Section 4. *New Castle County Code Chapter 40 (Unified Development Code or “UDC”), Article 8 (“Nonconforming Situations”), Division 40.08.100 (“General Regulations”),* is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.08.130. Alterations, ~~[/]~~enlargements, or ~~[/]~~extensions.

A. *Nonconforming use.* ...

B. *Nonconforming building, structure, or situation.* A nonconforming building, structure or situation other than a nonconforming use may be enlarged, extended or replaced only as provided below:

1. *Extension or enlargement.* Any new extension or enlargement~~[, one thousand (1,000) square feet or greater, shall]~~ must comply with this Chapter. For any new extension or enlargement five thousand (5,000) square feet GFA or greater in the OR, BP, I, or HI zoning districts or one thousand (1,000) square feet GFA or greater in all other zoning districts, the existing nonconformities must be brought into compliance proportional to the increase in the proposed development, provided the total site development complies with the site capacity requirements of Article 5, and further provided that:~~[the existing~~

nonconformities shall be brought into compliance proportional to the increase in the proposed development.]

- a. ~~[The i]~~Improvements ~~[shall]~~must be made to design elements such as, but not limited to, parking, buffers, landscaping, access, stormwater management, impervious cover, off-site transportation improvements/capacity, and mitigation of damage to, or enhanced protection for existing natural/environmental resources.
- b. ~~[However, n]~~Nonconforming building setbacks are not subject to this proportional improvement requirement.
- c. ~~[In recognition of existing site conditions, t]~~The Department will consider improvements to the development where they are most needed, are appropriate, and can be physically accommodated.

2. *Alteration.* ...

3. *Restoration.* ...

4. *Replacement or repair.* ...

5. *Reconstruction.* ...

6. *Redevelopment and Brownfields.*

- a. *Purpose.* Redevelopment is intended to facilitate and encourage the continued viability of previously developed land by granting a credit for ~~[both]~~extractive use sites, ~~[and]~~Brownfields, ~~[; and for sites with legally existing gross floor area (GFA) that has been demolished by more than fifty (50) percent of its GFA. New construction may be configured or located elsewhere on the site although]~~ and nonconforming nonresidential sites. The rehabilitation or restoration of existing structures is highly recommended. ~~[Improvements to select design elements shall be incorporated that acknowledge the unique characteristics of each previously developed site. The record plan shall indicate that the plan has been reviewed and approved according to the redevelopment standards in this section with improvements to design elements noted on plan.]~~ Redevelopment is also intended to facilitate and encourage the improvement of former or existing extractive use or Brownfield sites that may lack any current or prior GFA.~~[A site capacity analysis pursuant to Division 40.05.400 may be required to determine permitted GFA for extractive use sites.]~~
- b. *Applicability.* ~~[The standards of this section are limited to r]~~Redevelopment ~~[to]~~of nonresidential uses and sites ~~[are]~~is subject to the following:~~[. The standards of this section shall apply only to sites that have been: (i) designated as a Brownfield; (ii) developed under the Former Code; (iii) developed prior to~~

~~adoption of New Castle County development regulations; or, (iv) are former or existing extractive use sites.]~~

- i. The site and all buildings on the site ~~[shall]~~must be first evaluated for historical significance pursuant to Article 15.
- ii. Existing GFA on extractive use or Brownfield sites need not be demolished for the site to be eligible for redevelopment.
- iii. The applicant ~~[shall be]~~is permitted to utilize all ~~[of the]~~legally established ~~[square footage]~~GFA for the site ~~[provided that said square footage]~~if the GFA is existing or has existed on the site.
- iv. For Commercial Neighborhood (CN) and Office Neighborhood (ON) zoned sites, at least fifteen (15) percent of built GFA that is not determined to be historically significant must be demolished.
- v. For all other zoning districts, at least fifty (50) percent built GFA that is not determined to be historically significant must be demolished.
- vi. For ~~[office or commercial]~~nonresidential zoned sites that are currently used for residential purposes and abut residentially zoned property, the applicant must provide the entire required buffer against the residential land.
- vii. The redevelopment of a site pursuant to Subsection 40.08.130 B.6. permits the continuation of certain nonconforming situations, but prohibits the creation of any new nonconformity or the expansion of an existing nonconformity. In the event a plan [an [plan]application] proposes development that does not otherwise comply with this Chapter, the applicant may submit [resulting in an application for] a variance application, if the plan includes elements of building design, site design and amenities identified in the applicable Character Area set forth in Appendix 7., [the provisions of Subsection 40.08.130 B.6. shall not be applicable and the owner/developer shall instead apply for all variances necessary to develop the property:][the application must identify on the plan and include a narrative identifying how the proposal addresses Appendix 7 with respect to the design principles for the applicable Character Area prior to applying for a variance.]
- viii. Levels of proportional compliance are required to meet or exceed the provisions provided for in Subsection B.6.e. In lieu of this section, an applicant may choose to redevelop the site in full compliance with the UDC.

- ix. The maximum parking permitted for a redevelopment plan is one hundred and fifteen (115) percent of the minimum parking required by this Chapter.
 - x. For land identified by the Comprehensive Development Plan as a Corridor Area, the property owner must include elements of building design, site design and amenities identified in the applicable Character Area set forth in Appendix 7.
 - xi. The record plan shall indicate that the plan has been reviewed and approved according to the redevelopment standards in this section with improvements to design elements noted on plan.
- c. *Redevelopment plans. ...*
 - d. *Review process...*
 - e. *Design element improvements....*
 - i. The exploratory sketch plan [~~shall~~]must identify ...
 - ii. The Department may require ...
 - iii. The applicant [~~shall~~]must submit documentation ...
 - iv. A site resource capacity analysis ...
 - v. The redevelopment of a Brownfield site in a floodplain [~~shall~~]must comply ...
 - vi. All impact fees as required by Article . . .
 - vii. An operational analysis or a traffic impact study [~~shall be~~]is required if requested by DelDOT or the Department. ...
 - viii. The redevelopment of a site within six hundred sixty (660) feet ...
 - f. *Permitted uses for Brownfields. ...*
 - g. *Density bonuses. ...*
 - h. *Annual report...*
- 7. *Bridge reconstruction...*

<i>TABLE 40.08.130 B</i> <i>Work Table to Calculate Value of Individual Design Element Improvements and Total Aggregate Percent Improvement for Redevelopment Land Development Plans</i>					
<i>(a)</i> <i>Improvement Design Elements (at least four (4) separate design element improvements shall be made.)</i>	<i>(b)</i> <i>UDC Site Specific Requirements and Standards</i>	<i>(c)</i> <i>Current or Existing Situation</i>	<i>(d)</i> <i>Proposed Improvement to Existing Situation</i>	<i>(e)</i> <i>Percent Improvement (d/b)</i>	<i>(f)</i> <i>Comments</i>
Parking					
Number of required spaces...					
* Architectural					
** <u>Guiding Principles</u>					
* <u>Energy efficient design</u>					
Other					
Other					
Other					
<i>Total Aggregate Percent Improvement (column e), must exceed four hundred (400) percent =</i>					
<i>* Maximum allowable percent improvement for these elements is 50%.</i> <i>** Not applicable for plans subject to Sections 40.08.130.B.6.b.vii and 40.08.130.B.6.b.x.</i>					

Section 5. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 22 (“Drainage, Utilities, Septic Systems, Parking, Loading, and Lighting”), Division 40.22.610 (“Parking and Loading”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.22.615. Parking Reduction

Where a unique situation is proposed or exists which will not generate the need for as many parking spaces as required by this Article, the applicant may petition the Department to authorize such reduction. The request for a parking reduction shall include a parking demand and needs analysis (PDNA) as described in this subsection which shall be submitted to the Department for review and approval. The Department shall be authorized to grant a reduction to the parking requirements when a PDNA shows that the requirements, as applied to the particular use, would exceed the minimum necessary to conveniently serve the customers, clients, visitors and employees. The components of a PDNA must include at least the following:

- A. A narrative discussion ...

D. Proposed means of parking/traffic mitigation ...

E. With the exception of a redevelopment plan subject to Section 40.08.130 or a nonresidential land development plan on land identified by the Comprehensive Development Plan as a Corridor Area, [T]the number of parking spaces no longer required as a result of the PDNA analysis and the uses proposed must still be shown on-site as potential parking to accommodate should the proposed uses change and the reductions granted no longer be applicable.

Section 6. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 26 (“Modification of Standards”), Division 40.26.200 (“Zoning Modification”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.26.260. [~~Very large light~~]Large industrial structures.

The maximum size of an an [light]industrial building is [has been set at four hundred fifty thousand (450,000)]two hundred thousand (200,000) square feet of GFA to prevent too large a building or structure from altering the general character of the [district]community. [Larger buildings can be permitted under several types of conditions.]Industrial buildings larger than two hundred thousand (200,000) square feet of GFA may be approved dependent on compliance with this Chapter and the following standards:

[A. In large business parks where there is a central area of the park that is at least two (2) lots from any boundary, larger buildings may be permitted provided:

1. The mass of the larger building will be largely screened by the surrounding buildings. The department may require more than the minimum two (2) lot distance from the edge of the business park.
2. The site topography is such that the large buildings are not going to stand up above surrounding structures.
3. The building itself should have articulations in the facade and roof line to reduce the apparent size of the building; or
4. The Department may require additional on lot landscaping and berming to screen and break up the mass of the building. This may also include berms that are located on the building foundation.

B]A. The design of the [business park]development [is such that a]incorporates the following [variety of]techniques [are used]to ensure that the public, neighboring property owners, or drivers on adjoining roads are not aware of the mass[. Several of the following techniques may be required by the Department to achieve that result]:

1. The ~~[whole business park]~~ development has a common architectural design, facade materials, window treatment, roof lines, etc.
 2. The building is designed to reduce its apparent mass by having building wings, articulated facade, a reduced height by setting the ground floor partially below grade, or locating the building topographically so that it is better screened by surrounding buildings.
 3. The massing of buildings on the periphery of the development to screen the larger buildings~~[to the rear]~~.
 4. The bufferyards, street trees, berming, and on-lot landscaping is upgraded to mask the development.
 5. The site plan shall be designed so that the actual view of the larger building located down the street is such that the scale of the larger building is not apparent.
- ~~[C. Screening or special design treatment shall not be required on boundaries with industrial or heavy industrial land unless an arterial or collector road is the boundary.]~~
- B. Where large industrial structures are proposed to be adjacent to an existing residential use or residential zoning district, lighting must be designed so that there is zero (0) footcandle at the property line of the residential area.
- C. A noise study shall be submitted to evaluate potential noise impact on adjacent properties.
- D. The site must be designed so that parking, loading, and circulation minimize the glare from vehicular lights visible to neighboring residential properties.
- E. The plan must include elements of building design, site design and amenities identified in the applicable Character Area set forth in Appendix 7. The Department may require specific improvements to the development where they are most needed, are appropriate, and can be physically accommodated.
- F. Upon a finding by the Department that the exploratory plan is in general compliance with this Chapter, and receipt of a narrative identifying how the proposal addresses the conditions of this section, the plan shall be scheduled for a Planning Board public hearing on the next available hearing date. The Planning Board will review the proposal and consider the effects of the proposed structure on adjoining properties. Planning Board review of the exploratory sketch plan is required prior to submission of a record plan to the Department.

Section 7. *New Castle County Code Chapter 40 (Unified Development Code or “UDC”),*

Article 31 (“Procedures and Administration”), Division 40.31.700 (“Reviews and Types of Plans”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 40.31.720. Subdivision plan review.

The types of subdivision include minor, major, special subdivisions (rural and staged), title subdivisions, ~~[utility plans]~~, conversion plans and subdividing the residual land from a special subdivision. Each type may require a preapplication conference, exploratory plan, preliminary plan, or record plan review as indicated in Table 40.31.720. No land may be sold, transferred, or offered for sale until a record plan has been recorded.

Table 40.31.720 Required Plan Submissions			
<i>Subdivision</i>	<i>Exploratory</i>	<i>Preliminary</i>	<i>Record</i>
Minor (resubdivisions, [utility] , title, record conversion)	Y		Y
Major	Y	Y	Y
Rural	Y		Y
Staged	Y	Y	Y
NOTES: Y = required			

Section 8. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Article 33 (“Definitions”), Division 40.33.300 (“General definitions”), is hereby amended by adding the material that is underscored and by deleting the material that is bracketed and stricken, as set forth below.

Division 40.33.300. General definitions.

This Division contains the definition of words used in this Chapter . . .

Subdivision

- A. The division or redivision of a lot, tract, or parcel of land, by any means...
- B. The division or allocation of land for the opening, widening or extension...
- C. The elimination of one (1) or more lot lines through the recordation of a deed that eliminates common property lines between lots that have not been previously depicted on an approved land development plan or between lots within an approved land development plan shall not be considered subdivision for purposes of this Chapter, provided the resulting lot(s) is in conformance with this Chapter. The deed shall indicate that the

purpose of this deed is to comply with the definition of subdivision in Section 40.33.300, exempting subdivision review to eliminate one (1) or more interior division lines affecting the herein described property.

Section 9. *New Castle County Code* Chapter 40 (Unified Development Code or “UDC”), Appendix 7 (“Guiding Principles for Development”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

APPENDIX 7: GUIDING PRINCIPLES FOR DEVELOPMENT

1. Purpose and Applicability...

- A. This Appendix establishes general design principles and expectations...
- E. The Guiding Principles will apply to land development projects located in the [five] "character areas" defined below. Some properties within the County are not located in defined character areas and, therefore, will not be subject to these guidelines.
- F. All applications subject to New Castle County...

2. Character Areas.

- A. The Comprehensive Development Plan ...
- B. The Guiding Principles achieve the foregoing through dividing the County into [five (5)] Character Areas, consistent with the [eight (8) future land use categories designated by the Comprehensive Development Plan: Residential Neighborhood, Mixed Residential Neighborhood, Corridor, Center, and New Community Development] future land use designations and policies in the Comprehensive Development Plan. For additional clarity, the relationship between zoning districts, future land use categories, and their corresponding character area designations, are shown below:

Table 1
Character Area Relationships

Zoning Districts	Strategies for State Policies and Spending Areas	Comprehensive Development Plan Future Land Use Categories	General Description	Guiding Principles Character Areas
... ST, TN, applicable NC districts	Levels 1 & 2	High Density Residential	> 8 dwelling units/acre	Residential Mixed Neighborhood
[HI]	[Levels 1 & 2]	[Heavy Industrial]	[Larger heavy industrial developments with access to rail lines or navigable marine waterways]	[Not addressed—regulated by existing UDC standards]
CN, CR, ON, OR, BP, I, applicable NC Districts	Levels 1 & 2	[Commercial/Office/Industrial Development Area] Type 1 (Commercial Corridor Development)/Type 2 (Employment-based Corridor Development)/Community Development Areas	• Higher densities • Redevelopment or mixed-use centers • Transit supportive	Corridor [Center]
<u>CN, CR, ON, OR, BP, I, and HI</u>	<u>Levels 1 & 2</u>	<u>Business Flex and Manufacturing</u>	• <u>High intensity commercial and employment-based uses permitting integrated residential</u> • <u>Redevelopment or mixed-use centers</u> • <u>Transit supportive</u>	<u>Commercial and Employment Centers</u>
CN, CR, ON, OR, BP	Levels 1 & 2	New Community Development Area	• Density goal 3-5 dwelling units per acre • Areas providing walkable, transit-supportive, community centers that transition to surrounding suburban areas	New Community Development...

C. The Comprehensive Development Plan has ...

3. Guiding Principles and Character Areas.

- A. ~~[The Guiding Principles align]~~This Appendix provides specific guidance on the ~~[five (5)]~~ character areas ~~[to the future land use categories in the Comprehensive Development Plan];~~ Residential Neighborhood, Mixed Residential Neighborhood, Commercial and Employment Centers, Corridor, and New Community Development. ~~This[e] Appendix does not address the [Heavy Industrial and] Resource [& Rural] Preservation category[ies are not addressed here because they are regulated by the UDC, and do not require the kind of design and amenity regulations established in these Guiding Principles] because land use policy set by the Comprehensive Development Plan encourages preservation efforts in Resource Preservation areas. Standards for Hamlet and Village design are in Article 25.~~
- B. The following table summarizes the Guiding Principles for each character area:

Table 2
Summary of Design Principles

	Residential Neighborhood	Mixed Residential Neighborhood	Corridor	<u>Commercial and Employment Centers</u>	New Community Development
Vision	Primarily Single-Family detached, low densities	Mix of residential types, from high density single family to apartments, with small scale commercial	Mix of commercial and employment-based uses with supportive residential, <u>higher densities, redevelopment, or mixed-use centers, transit supportive</u>	High intensity commercial and employment-based uses, <u>[with] permitting integrated residential, redevelopment, or mixed-use centers, transit supportive</u>	Mix of commercial or employment-based uses; may include supportive residential
Building:					
Façade Design	No special considerations except in Home Town or Neighborhood Preservation districts	Highly articulated façade with a high level of transparency	Highly articulated façade with a high level of transparency, with more flexible standards away from the corridor	<u>Moderately to [H]highly articulated façade with a high level of transparency, with flexible standards for designated “B” streets</u>	Moderately articulated façade with transparency, with flexible standards for designated “B” streets]...
Site:					
Building Placement	Buildings located to allow for front and rear yards	Buildings located near the sidewalk edge or set back	Buildings located near the sidewalk edge	Buildings <u>[located near the sidewalk edge] set back from the sidewalk edge or along sidewalks at exterior</u>	Buildings set back from the sidewalk edge or along sidewalks at exterior

	Residential Neighborhood	Mixed Residential Neighborhood	Corridor	<u>Commercial and Employment Centers</u>	New Community Development
Parking	No special considerations	Parking dispersed in small modules / Quantity limited	Parking located to the rear or side of buildings in small modules [/Quantity limited]	Parking located to the rear of buildings in small modules <u>or set back from the sidewalk edge in landscaped lots</u> [/Quantity limited]	Parking set back from the sidewalk edge in landscaped lots / Sufficient quantity...
Amenities:					
Open / Civic Spaces	High level of passive open space oriented around natural features	Open space primarily provided as patios and courtyards limited urban landscaping to promote pedestrian orientation and reduce visual impacts of parking	Some open space provided as patios and courtyards/ <u>significant</u> landscaping to reduce visual impacts of parking and enhance community image	Significant perimeter landscaping to enhance community image <u>or transition in scale where adjoining other uses.</u>	Significant perimeter landscaping or transition in scale where adjoining other uses

4. Residential Neighborhood...

5. Mixed Residential Neighborhood...

6. Corridor.

A. Vision.

1. The Corridor designation applies to land identified as Type 1 (Commercial Corridor Development), Type 2 (Employment-based Corridor Development) and Community Development Areas in the Comprehensive Development Plan.
2. Corridors link ...
- [2]3. The Corridor designations ...
- [3]4. There are two types of Corridor...
- [4]5. Employment-based Corridor developments...
6. Community Development Areas should utilize elements from Commercial and Employment based Corridors to achieve site design and built form consistent with their community plans identified in the Comprehensive Development Plan.

B. Building Design....

7. Commercial and Employment Centers.

A. Vision.

1. Commercial and Employment Centers ~~[are gathering places situated within neighborhoods or at the edges of adjoining neighborhoods or communities. Centers]~~ offer access to retail, employment and services, civic and public benefit uses such as schools, churches and post offices, and, in some cases, residential options. The Center designation allows for the creation of a critical mass of retail services, multi-family housing, and public spaces at strategic locations, such as arterial street intersections and/or areas served by high-frequency transit lines. Areas designated as Centers transform into highly-walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping and local-serving uses. New development will incorporate community amenities, such as open space, and neighborhood-compatible uses, such as appropriately scaled office uses.
2. ~~[There are two types of Center developments: Commercial and Employment-based. Commercial Centers include commercial retail, institutional, or~~

~~employment-based uses such as offices and residential uses.~~]Commercial Centers range in character and intensity. Some are small-scale, draw from the surrounding neighborhoods, and have limited amounts of housing as well as some office. Others have a more urban character with a greater intensity and include more opportunities for housing. As with Corridors, the development in the Center should include both “A” and “B” streets to offer design flexibility while ensuring that the development provides high design quality along streets with both vehicular and pedestrian traffic.

3. Employment~~[-based]~~ Centers may include business campus environments ...

B. *Building Design.*

1. Orientation...
2. Frontage[.-] [~~Permitted~~] [~~e~~]Entry elements [~~are as follows~~]: ...

C. *Site Design.*

1. A Center [~~is~~] should be configured around a street network, with high quality development concentrated along the entryway to the development or a designated “A” Street.
2. A Center [~~is~~] should be divided into 2 sub-areas:...
6. Accessory Structures and Uses...
 - a. Permitted accessory structures ...
 - b. In the Interior zone of a Commercial Center, gas pumps or drive-through facilities [~~are allowed~~] should only be located on lots with frontage on “B” streets.
 - c. Along “A” streets, drive-through facilities [~~are allowed~~] only be located in ...

D. *Amenities.* ...

Section 10. Consistent with Comprehensive Development Plan. New Castle County Council finds that the provisions of this Ordinance are consistent with the spirit and intent of the New Castle County Comprehensive Development Plan.

Section 11. Inconsistent Ordinances and Resolutions Repealed. All ordinances or parts of ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed except to the extent they remain applicable to land use matters reviewed under previous Code provisions as provided in Chapter 40 of the *New Castle County Code*.

Section 12. Severability. The provisions of this Ordinance shall be severable. If any provision of this Ordinance is found by any court of competent jurisdiction to be unconstitutional or void, the remaining provisions of this Ordinance shall remain valid, unless the court finds that that the valid provisions of this Ordinance are so essentially and inseparably connected with, and so dependent upon, the unconstitutional or void provision that it cannot be presumed that County Council would have enacted the remaining valid provisions, without the unconstitutional or void one, or unless the court finds that the remaining valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the County Council's intent. If any provision of this Ordinance or any zoning map or portion thereof is found to be unconstitutional or void, all applicable former ordinances, resolutions, zoning maps or portions thereof shall become applicable and shall be considered as continuations thereof as not as new enactments regardless if severability is possible.

Section 13. Effective Date. 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 and shall only apply to Land Use applications submitted after such date(s) unless the applicant by written request agrees to submit to the provisions of this Ordinance.

Adopted by County Council of
New Castle County on:

President of County Council
New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: The following is a summary of the revisions contained in this ordinance broken down by New Castle County Code Division or Section number.

Sec. 40.03.333. This amendment clarifies all light industry uses other than those listed in Section 40.03.333 are allowed as Limited Uses. Warehousing and storage facilities in the OR district are allowed as a Special Use.

Sec. 40.03.334. This amendment clarifies existing code language and removes references to utility plans.

Sec. 40.03.410. This amendment clarifies existing code language and corrects an internal code reference.

Sec. 40.05.050. This amendment amends existing code language to clarify the bulk standards that apply to proposed development and redevelopment. The changes also propose updates to regulations for processing public facilities necessary to support development. The modifications would make the considerations during review consistent, as recently adopted changes created contradictions regarding landscaping requirements.

Sec. 40.08.130. This amendment clarifies the section caption, clarifies that nonconforming uses are not included among the nonconforming situations that may be expanded, clarifies that enlargements less than 1,000 square feet GFA must comply with this Chapter, provides that enlargements in certain districts greater than 5,000 square feet GFA must be brought into proportional compliance, expands the use of redevelopment provisions to CN and ON sites demolished more than fifteen percent of GFA, and breaks up large paragraphs into subparagraphs. Paragraph B.6 clarifies that nonresidential sites rendered nonconforming may also qualify for redevelopment, that extractive use and brownfield sites without demolished GFA may qualify, that only fifteen percent of GFA must be demolished in CN and ON zoned sites, that the percentage of GFA to be demolished is determined exclusive of historically significant GFA to promote historic preservation, provides that redevelopment plans may now seek variances if the plan complies with Appendix 7 with respect to design principles for the Character Area, and establishes a parking maximum. Table 40.08.130 is expanded to include Guiding Principles and energy efficient design.

Sec. 40.22.615. This amendment provides that certain plans need not depict potential parking spaces eliminated through a parking demand and needs analysis.

Sec. 40.26.260. This amendment expands the section to include industrial structures over 200,000 sf GFA, adds standards to minimize adverse effects on neighboring properties, and requires a public hearing by the Planning Board.

Sec. 40.31.720. This amendment eliminates references to utility plans.

Div. 40.33.300. This amendment limits the lot consolidation procedure to unrecorded lots and lots within recorded land development plans.

Appendix 7. This amendment modifies the Guiding Principles for Development to be consistent with changes in the 2022 Update to the Comprehensive Development Plan.

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

Introduced by: Mr. Smiley
Co-Sponsors: Mr. Bell, Mr. Carter,
Mr. Cartier, Ms. Durham,
Ms. George, Ms. Hartley-Nagle,
Mr. Hollins, Ms. Kilpatrick,
Mr. Sheldon, Mr. Street,
Mr. Tackett, and Mr. Toole

Date of introduction: April 25, 2023

RESOLUTION NO. 23-078

CONGRATULATING AND COMMENDING VINCE JACONO, JR. ON HIS RETIREMENT AFTER 34 YEARS OF SERVICE TO DELMARVA POWER

WHEREAS, Vince Jacono started his career at Delmarva Power in 1989. He worked in various Departments including Corporate Communications, Community Relations, Account Management and External Affairs; and

WHEREAS, Vince was part of a great team of Delmarva Power employees who worked together with many New Castle County Departments, especially the Public Works Department, the New Castle County Police, the Communications Center, and the Emergency Management Office, and established a partnership to help the Citizens of New Castle County; and

WHEREAS, Vince served in the capacity as Liaison to New Castle County and built a relationship with Members of Council, and their staff assisting them with various issues that occurred throughout the County; and

WHEREAS, Vince has been a member of the Mill Creek Volunteer Fire Company for 23 years and has served a number of volunteer activities during his career; and

WHEREAS, Vince exemplifies the values of hard work, compassion, professionalism and integrity throughout the many years of his career serving the citizens of New Castle County.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby congratulates and commends Vince Jacono, Jr. on his retirement from Delmarva Power. We also wish to thank him for his partnership with New Castle Council and the citizens of New Castle County and wish him all the best in his future.

Adopted by 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 with the adoption of this resolution.

RESOLUTION NO. 23-079

**APPROVING THE REFUND OF A DUPLICATE TAX PAYMENT ON TAX PARCEL NUMBER
06-049.000-14**

WHEREAS, F9 Properties LLC Tax Parcel Number 06-049.000-14 located in Council District 8 has submitted to County Council, through the Chief Financial Officer, an affidavit requesting a refund of taxes which they believe were paid in duplicate and which total more than \$20,000; and

WHEREAS, the Chief Financial Officer has approved the payment of said refund in the amount of \$24,623.47 on the grounds that said amount was a duplicate payment; and

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

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund taxes paid in duplicate in the amount of \$24,623.47 to F9 Properties LLC.

Adopted by County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of a duplicate tax payment on Tax Parcel Number 06-049.000-14 totaling \$24,623.47. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of a duplicate tax payment in the amount of \$24,623.47 paid in duplicate comprised of taxes.

RESOLUTION NO. 23-080

**APPROVING THE REFUND OF SEWER FEES PAID IN ERROR DUE TO OVERPAYMENT ON
TAX PARCEL NUMBER 06-111.000-27**

WHEREAS, Capano Investment Tax Parcel Number 06-111.000-27 located in Council District 2 has submitted to County Council, through the Chief Financial Officer, an affidavit requesting a refund of sewer fees which they believe were paid in error due to overpayment and which total more than \$20,000; and

WHEREAS, the Chief Financial Officer has approved the payment of said refund in the amount of \$63,732.24 on the grounds that said amount was an overpayment; and

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

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County, that New Castle County Council hereby authorizes the Chief Financial Officer to refund of sewer fees paid in error due to overpayment in the amount of \$63,732.24 to Capano Investment.

Adopted by County Council
of New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: This Resolution allows for the refund of sewer fees paid in error due to overpayment on Tax Parcel Number 06-111.000-27 totaling \$63,732.24. According to *New Castle County Code* Article 3, §14.03.001.C, the Chief Financial Officer's authority to approve refunds is limited to \$20,000.00 and pursuant to Article 3, §14.03.002.A, the Chief Financial Officer shall not "without the express approval of County Council by resolution, refund any payment as permitted in §14.03.001, received more than five (5) years prior to the date of receipt by the Office of Finance of the refund application, unless the amount of the refund is not more than twenty thousand dollars (\$20,000.00), in which case the Chief Financial Officer may process it in accordance with the procedures set forth in §14.03.001."

FISCAL NOTE: This Resolution, if adopted, will authorize the refund of sewer fees in the amount of \$63,732.24 paid in error due to overpayment comprised of sewer fees.

RESOLUTION NO. 23-081

**AUTHORIZING ENTRY INTO ACCOUNT TERMS WITH
JPMORGAN CHASE BANK, N.A. RELATED TO BANKING SERVICES**

WHEREAS, the New Castle County Office of Technology and Administrative Services, Purchasing Division issued request for proposals 23PP-009 - Comprehensive Banking Services (the “RFP”) seeking proposals to provide banking services to New Castle County; and

WHEREAS, JPMorgan Chase Bank, N.A. (“JPM”) was selected as the successful bidder in response to the RFP on December 1, 2022; and

WHEREAS, the County and JPM have negotiated various agreements related to the provision of banking services, including certain Account Terms (the “Account Terms”); and

WHEREAS, *New Castle County Code* § 2.02.004.C.4 requires County Council to approve “[a]ll contracts executed on behalf of the County that contain a provision that, in the event of a default by the other party to the contract, would require the County to assume responsibility for financial obligations for which it would not otherwise be responsible.”; and

WHEREAS, the Consolidated Service Terms within the Account Terms contain the following provisions that may implicate the prohibition set forth in *New Castle County Code* § 2.02.004.C.4, specifically the bolded text:

Subpart D. Coin & Currency

2.1. Standard Courier Service. The Customer may deliver and pick up shipments of Cash or checks to or from the Bank by using the services of a Courier that has been authorized by the Bank, who will act solely as the Customer’s agent. The Courier must comply with the Bank’s guidelines, as amended from time to time, and must maintain all licenses and permits required by law in addition to adequate insurance to cover its liabilities in providing courier services to the Customer. The Bank may refuse to permit any courier to enter its premises with or without cause, in which case the Bank will use reasonable efforts to promptly notify the Customer. **With regard to Customer’s Courier, Customer is responsible for any individual's actions while at the Bank's facilities including theft, property damage, intentional crimes and any other act or omission even if such actions would be considered outside the scope of their employment and whether the individual is impersonating an employee of the courier if the Bank has followed its customary procedures for identifying the individual.**

Subpart G. Image Cash Letter

8. INDEMNIFICATION.

IN ADDITION TO ITS INDEMNIFICATION OBLIGATIONS IN THE ACCOUNT TERMS AND SUBJECT TO DELAWARE LAW OR THE NEW CASTLE COUNTY CODE, AND EXCEPT FOR LOSSES OR EXPENSES CAUSED BY BANK’S FAILURE TO EXERCISE ORDINARY CARE OR

WILLFUL MISCONDUCT, CUSTOMER AGREES TO INDEMNIFY BANK FOR ANY LOSS OR REASONABLE EXPENSE SUSTAINED (INCLUDING EXTERNAL ATTORNEY'S FEES AND EXPENSES OF LITIGATION) RESULTING FROM (i) CUSTOMER'S LACK OF AUTHORITY TO MAKE THE WARRANTIES PROVIDED HEREIN; (ii) ANY ACTION TAKEN OR NOT TAKEN BY BANK WITHIN THE SCOPE OF ITS AUTHORITY UNDER THESE SERVICE TERMS IN HANDLING A CHECK; AND (iii) **A BREACH OF ANY WARRANTY OR INDEMNITY REQUIRED TO BE MADE BY BANK WITH RESPECT TO A CHECK UNDER APPLICABLE LAW, CLEARING HOUSE RULE OR REGULATION.**

AND WHEREAS, JPM requires the foregoing provisions to remain in the Account Terms.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby authorizes the County Executive or his designee to enter into such agreements as may be necessary to bind the County to the Account Terms.

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 agreements binding the County to the Account Terms, notwithstanding the prohibition set forth in *New Castle County Code* § 2.02.004.C.4.

FISCAL IMPACT: There will be no discernible fiscal impact upon the adoption of this Resolution.

Michael Smith
Chief Financial Officer

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: April 25, 2023

RESOLUTION NO. 23-082

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH GRACE
TRANSPORTATION TO PROVIDE TRANSPORTATION SERVICES FOR HOPE CENTER
RESIDENTS FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF
COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$20,000.00**

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 Grace Transportation in an amount not to exceed \$20,000.00 in Community Development Block Grant – Cares Act Round III funds; and

WHEREAS, these funds will be used to provide transportation services to Hope Center residents; and

WHEREAS, this contract requires 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 contract.

Department of Community Services, Division of Community Development and Housing

Grace Transportation \$20,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$20,000.00. Funding is included in the FY2023 Approved Grant Budget in the FY2023 Community Development Block Grant – Cares Act Round III.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION			VENDOR INFORMATION				
NAME	Nicole Waters		FISCAL YR	2023	NAME	Grace Transportation	
DEPARTMENT	COMMUNITY_SERVICES_40		FUND	110 GRANTS	ADDRESS	364 East Main, Suite 206	
ORGANIZATION	11400601 CS - GRANTS					Middletown, DE 19709	
PHONE			REQ#	2313485			
DELIVERY LOCATION							
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Dawn Broughton	
CURRENT VENDOR	☒ YES	☐ NO			PHONE		EXT
VENDOR #	109082				EMAIL	gracetransportsvc@gmail.com	FAX #

ADDITIONAL NOTES	

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

To pay for transportation services for Hope Center residents.

To provide residents of Hope Center with transportation services that are not available otherwise.

Services would be unavailable.

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

IF YES, AGENCY HUD

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4/10/2023

ORDINANCE NO. 23-039

**THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY
FOR FISCAL YEAR 2024 BEGINNING JULY 1, 2023**

WHEREAS, it has been certified to the County Council that the total value of all real property in the County which has been assessed and is subject to taxation is \$20,138,711,181 net of tax abatements.

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

Section 1. A tax upon all of the real property in New Castle County is hereby established and levied at the rate of 25.23 cents for each one hundred dollars of assessed valuation (based on 100 percent of July 1, 1983 fair market value) for the fiscal year beginning July 1, 2023, and ending June 30, 2024, to pay the costs of the General Operating Budget.

Section 2. A tax upon the real property in the following listed areas of New Castle County at the following listed rates for each one hundred dollars of assessed valuation is hereby established and levied for the fiscal year beginning July 1, 2023, and ending June 30, 2024, to pay costs under the Local Service Function Budget.

<u>Location</u>	<u>Tax Rate in Cents Per \$100 of Assessed Valuation</u>
Those portions of New Castle County not within any of the following incorporated municipalities	55.31
Arden	48.39
Ardencroft	48.89
Ardentown	49.09
Bellefonte	54.15
Delaware City	24.25
Elsmere	12.98
Middletown	5.16
Newark	0.00
New Castle	10.20
Newport	11.20
Odessa	11.20
Townsend	7.34
Wilmington	0.00

Section 3. A tax upon the real property in the light districts in New Castle County established pursuant to 9 Del. C. c. 21, is hereby established and levied for light districts at the following rates for each one hundred dollars of assessed valuation for the fiscal year beginning July 1, 2023, and ending June 30, 2024 to pay the cost of street and highway illumination:

<u>Light Code</u>	<u>Light District Installations</u>	<u>Tax Rate in Cents Per \$100 of Assessed Valuation</u>
<i>High Pressure Sodium (HPS) Units</i>		
TRL1	Cobra (formerly Incandescent)	0.99
TRLA	Cobra (formerly Mercury)	9.840
TRLQ	Metal Pole	17.490
TRLC	Traditionaire	13.810
TRLT	Limited Installation	6.790
TRLU	Turn of the Century	15.550
<i>Light Emitting Diode (LED) Units</i>		
TRLO	Cobra	10.98
TRLM	Traditionaire	18.30
TRLN	Granville	19.00

Section 4. A tax upon the full annual cost established pursuant to 9 Del. C. § 1339, is hereby established and levied for crossing guards by school district at the following rates for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

<u>Crossing Guard Rates</u>	<u>Tax Rates in Cents Per \$100 of Assessed Valuation</u>
Appoquinimink School District	1.949
Brandywine (Area I)	2.055
Christina (Area III)	2.236
Colonial (Area IV)	1.812
Red Clay (Area II)	2.242

Section 5. Fees and charges not specified in this Ordinance shall be heretofore or hereafter established.

Section 6. Fees, fines, forfeitures, penalties, assessments, charges, receipts and income, together with needed reserves and available cash balances, shall be included in the receipts of New Castle County as collected during the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Section 7. The effective date for the provisions in this Ordinance shall be July 1, 2023.

Section 8. 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 Council of
New Castle County on:

President of Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance is the Annual Revenue Ordinance for Fiscal Year 2024.

Section 1 establishes a General Operating property tax rate in New Castle County.

Section 2 establishes the Local Service Function property tax rates in the listed areas of New Castle County.

Section 3 establishes the tax rates in the light districts of New Castle County.

Section 4 establishes the tax rates for school crossing guards.

Section 5 provides that fees and charges not specifically addressed in this Ordinance can be established at some future time.

Section 6 provides that other receipts and funding sources shall be included in the revenue of New Castle County collected during Fiscal Year 2024 to be used in accordance with the budget Ordinance.

FISCAL NOTE: This Ordinance proposes Fiscal Year 2024 tax rates which in conjunction with other anticipated sources of revenue are estimated to yield sufficient revenue to balance the proposed Fiscal Year 2024 Operating Budget.

These proposed real property tax rates applied to estimated taxable assessments and estimated quarterly additions (net of exemptions) are anticipated to yield approximately \$137,640,000.

The proposed light district tax rates, as cited in Section 3, are anticipated to yield revenues of \$8,081,677. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct street lighting expenses plus overhead.

The proposed school crossing guard tax rates, as set forth in Section 4, are anticipated to yield revenues of \$3,717,082. These revenues, together with prior year tax collections and the use of available cash balances, are estimated to support direct crossing guard expenses plus overhead.

This Ordinance, as proposed, has no explicit fiscal impact upon the next two fiscal years as the rates are legislated annually by County Council.

ORDINANCE NO. 23-040

**CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2023
FOR FISCAL YEAR 2024**

WHEREAS, in accordance with *New Castle County Code* Chapter 38 (“Utilities”), Article 2 (“Sewers and Sewage Disposal”), Division 38.02.500 (“Sewer services charges”), Section 38.02.503 (“Schedule generally”), County Council must adopt applicable unit charges for sewer service.

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

Section 1. County Council adopts the following sewer unit charges for Fiscal Year 2024:

The following unit charges shall be effective other than for certain contract users:

\$5.034399/1000 gallons flow rate	(q)
\$0.416813/lb. BOD	(b)
\$0.566035/lb. SS	(s)

The rates for certain contract users shall be as follows:

\$3.422731/1000 gallons flow rate	(q)
\$0.416813/lb. BOD	(b)
\$0.566035/lb. SS	(s)

The Equivalent Dwelling Unit (EDU) rates shall be as follows:

Meter Size	EDU	Fixed Charge @ \$100 / EDU
1/2” or 5/8”	1.0	\$25*
3/4”	1.5	\$150
1”	2.5	\$250
1 1/2”	5.0	\$500
2.0	8.0	\$800
3.0	15.0	\$1,500
4.0	25.0	\$2,500
6.0	50.0	\$5,000
8.0	80.0	\$8,000
10.0	115.0	\$11,500
* For Fiscal Year 2024, the base rate of \$100/EDU has been discounted by 75% for meters up to 5/8”.		

Section 2. Pursuant to Section 38.02.503.F., the annual minimum charge for sewer service shall be fifty-six dollars (\$56.00).

Section 3. The effective date for the provisions in this Ordinance shall be July 1, 2023.

Section 4. 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 Council of
New Castle County on:

President of Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance establishes sewer service charges effective July 1, 2023, for Fiscal Year 2024.

FISCAL NOTE: This Ordinance proposes the adoption of the Fiscal Year 2024 sewer user rates which, in conjunction with other related sources of revenue, are estimated to yield sufficient revenue to balance the Fiscal Year 2024 sewer fund budget.

If adopted, this Ordinance would establish a Fiscal Year 2024 composite (flow \$5.034399 + (BOD \$0.416813 X 1.2510 (flow factor) = \$0.5214325) + (SS \$0.566035 X 1.5429 (flow factor) = \$0.8733356)) residential flow rate of \$6.42917 per 1,000 billable gallons. The composite rate remains unchanged from the FY2023 composite rate.

The rates contained in this Ordinance would, if adopted, be applied to all user classes, including \$7,400,000 for EDU as follows:

User Classification	Number of Users	Gross Billing
Residential	125,980	\$37,810,760
Industrial	21	\$10,525,723
Commercial	3,734	\$15,080,819
Apartment	227	\$8,910,330
Contract	5	\$6,173,414
Gross Billing	129,967	\$78,501,046
Less Allowance for Delinquent Accounts		<u>(\$3,025,546)</u>
Net Billing		<u>\$75,475,500</u>

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

ORDINANCE NO. 23-041

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF
NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL
PROJECTS APPROVED IN THE FISCAL YEAR 2024 CAPITAL BUDGET**

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better, extend, maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and,

WHEREAS, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New Castle County to carry out preventive and control measures and works of improvement for the prevention of erosion, floodwater, and sediment damages, and the County Council of New Castle County determines to construct, improve, and develop stormwater courses and facilities; and,

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County determines to expend money for various facilities and services; and,

WHEREAS, Subchapter III, of Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County. Said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvement and development of existing parks and buildings/facilities. The County has deemed it necessary to implement such plans for development and improvements.

NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS: (10/13th of all the members elected to the County Council concurring therein):

Section 1. New Castle County shall authorize the issuance of its negotiable bonds in the maximum aggregate net principal amount of \$52,286,724 to finance projects approved in the FY2024 Capital Budget (the maximum aggregate principal amount of the bonds to be issued for each purpose is set out in the following schedule):

<u>PURPOSE</u>	<u>BOND AUTHORIZATIONS MAXIMUM AGGREGATE PRINCIPAL AMOUNT</u>
(A) Sanitary Facilities/Stormwater	\$ 10,006,576
(B) Facilities/Equipment	9,225,000
(C) Parks	13,200,000
(D) Community Services	13,910,000
(E) Public Safety	2,445,148
(F) Administration	3,000,000
(G) Executive	500,000
TOTAL BOND AUTHORIZATIONS	<u>\$52,286,724</u>

Section 2. The monies raised by the issuance of the bonds hereby authorized after the payment of the charges and expenses connected with the preparation, sale, and issuance thereof shall be held in separate accounts and shall be expended only for the purposes for which said bonds have been authorized, or for the payment of the principal of, and interest on, temporary loans made in anticipation of the sale of such bonds.

Section 3. The effect of the bonded indebtedness hereby authorized upon the total bonded indebtedness of New Castle County is as shown on the attached fiscal note, Exhibit "A".

Section 4. It is hereby determined and declared that the normal life of said improvements is not less than three (3) years (§ 1163 of Title 9 of the *Delaware Code*).

Section 5. In accordance with Treasury Reg. § 1.150-2, the County hereby states its intentions that a portion of the proceeds of the bonds authorized hereunder will be used to reimburse itself for expenditures paid prior to the date of issuance of the bonds. All capitalized terms used herein and not otherwise defined have the same meaning as ascribed to them in Treasury Reg. § 1.150-2.

All original expenditures to be reimbursed will be capital expenditures (as defined in Treasury Reg. Sec. 1.150-1(b)) and other amounts permitted to be reimbursed pursuant to Treasury Reg. Sec. 1.150-2(d)(3) and (f). The County intends to reimburse the original expenditures through the County's incurrence of debt to be evidenced by the bonds. The description of the type and use of the property for which the original expenditure to be fully or partially reimbursed is to be paid is: costs relating to the projects as defined in Section 3 hereof. The maximum principal amount of the bonds to be issued to reimburse the costs of said projects paid prior to their issuance and to complete said projects is a net \$52,286,724 including the costs of issuance of the bonds.

Once the bonds are issued, the County shall allocate bond proceeds to reimburse a prior expenditure by making the allocation on its books and records maintained with respect to the bonds; provided that such costs to be reimbursed were paid not more than 60 days prior to the date hereof. Such allocations shall specifically identify the actual original expenditure to be reimbursed. Such allocations shall occur not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the project is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid. If the bonds are issued before the expiration of the period prescribed in the preceding sentence, then the reimbursement allocation shall occur not later than the date of bonds are issued.

The bond proceeds used to reimburse the County for original expenditures will not be used within 1 year after the allocation in a manner that results in the creation of replacement proceeds (as defined in Treasury Reg. § 1.148-1) for the bonds authorized hereunder or for other bonds. The County will not use the proceeds of bonds to reimburse, refinance or refund an original expenditure paid by another obligation (either tax-exempt or taxable).

Section 6. Continuing Disclosure. The County covenants for the benefit of holders of any bonds that it issues in the public markets, whether pursuant to this Ordinance or otherwise, that, so long as any such bonds are outstanding, it will file, or cause to be filed, all financial information, operating data and notices of events, actions or failure to act, with such persons and entities and at such times as may be necessary to comply with the requirements of Rule 15c2-12(b) (5) of the Securities Exchange Act of 1934 with respect to such bonds. The Chief Financial Officer shall by Resolution adopted in connection with the issuance of such bonds specify the specific actions that the County shall be obligated to undertake to comply

with this Section. Upon approval of the County Executive, the Chief Financial Officer is hereby authorized to take such other actions, by contract with a fiscal agent or otherwise, as such official shall deem appropriate to cause the County to comply with this Section.

Section 7. The effective date for the provisions in this Ordinance shall be July 1, 2023.

Section 8. 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 will authorize New Castle County to issue bonds in the net amount of \$52,286,724 to finance projects approved in the Fiscal Year 2024 Capital Budget.

FISCAL NOTE: See attached Exhibit “A” for fiscal impact of this Ordinance.

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount (net of issuance costs) of \$52,286,724.

The fiscal impact of this Ordinance, if approved, is demonstrated on a pro-forma basis below:

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ⁽¹⁾ (2/28/2023)	\$531,235,000	\$166,321,641	\$697,556,641
Authorized and Unissued Bonds (2/28/2023)	<u>82,069,680</u>	<u>34,469,265</u> ⁽²⁾	<u>116,538,945</u>
Total Previous Authorizations	613,304,680	200,790,907	814,095,586
Proposed Net Authorizations ⁽³⁾ by the Ordinance	52,286,724	21,960,424 ⁽²⁾	74,247,148
Total Previous Authorizations and Proposed Net Authorizations	<u>\$665,591,404</u>	<u>\$222,751,331</u>	<u>\$888,342,734</u>

The following State Revolving Fund loans are not included in the above totals:

Authorized and Issued Bonds (2/28/2023)	\$24,496,871	\$4,454,213 ⁽⁴⁾	\$28,951,084
Authorized and Unissued Bonds (2/28/2023)	3,611,802	800,083 ⁽⁴⁾	4,411,885
Total Previous Authorizations	<u>\$28,108,673</u>	<u>\$5,254,296</u>	<u>\$33,362,969</u>

⁽¹⁾ These amounts have been adjusted to reflect retired principal and interest through 4/30/23.

⁽²⁾ Interest is computed at 4.0 percent.

⁽³⁾ Assuming a constant principal amount of \$2,614,336.20 over a term of twenty years, total debt service for the \$52,286,724 would be \$21,960,424.

⁽⁴⁾ Interest is from DNREC's estimated future repayment schedule. Interest rates for various loans are 2.00, 2.394 and 2.601 percent.

ORDINANCE NO. 23-042

**THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023**

WHEREAS, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend, and maintain and operate sewerage systems therein defined, and the County Council of New Castle County has determined to extend existing sewerage systems now maintained by the County by rehabilitating and constructing local sewer projects and to improve existing sewer systems, pump stations, treatment plant sites, and facilities; and

WHEREAS, Chapter 39 of Title 7 of the *Delaware Code*, as amended, authorizes New Castle County to carry out preventive and control measures and works of improvement for the prevention of erosion, floodwater, and sediment damages, and the County Council of New Castle County determines to construct, improve, and develop stormwater courses and facilities; and

WHEREAS, Section 1163 of Title 9 of the *Delaware Code* authorizes New Castle County to issue bonds to finance the cost of any object, program or purpose for which New Castle County may raise, appropriate or expend money, and the County Council of New Castle County determines to expend money for various facilities and services; and

WHEREAS, Subchapter III, Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to develop plans for buildings/facilities, parks, open spaces, natural areas and greenways within the County. Said plans provide for the acquisition of land for the development of parks and recreation facilities and the improvements and development of existing parks and buildings/facilities. The County has deemed it necessary to implement such plans for development and improvements.

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

Section 1. Exhibit "A", entitled "Capital Budget – FY2024" consisting of two (2) pages, dated March 31, 2023, attached hereto and made a part hereof, is hereby adopted as the Capital Budget of New Castle County for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Section 2. The projects listed on Exhibit "B," entitled "Projects to Sunset Fiscal Year End 2023" will sunset in accordance with Key Financial Policy (KFP) #1 on June 30, 2023. All unexpended appropriations and bond authorizations on June 30, 2023, will be deauthorized. Any encumbrances will remain open until liquidated.

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.

Section 4. The effective date for the provisions in this Ordinance shall be July 1, 2023.

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 is the Capital Budget Ordinance for the Fiscal Year 2024, authorizing capital spending of \$75,578,163 for 53 County projects. This Ordinance also will deauthorize the projects on Exhibit "B" and the corresponding available appropriations and bond authorizations on June 30, 2023.

FISCAL NOTE: The Capital Budget Ordinance for Fiscal Year 2024 authorizes capital spending of \$75,578,163 for various projects. A companion Ordinance authorizing the issuance of General Obligation Bonds of \$52,286,724 to fund the Capital Budget must be adopted.

In addition, this Ordinance sunsets 4 capital projects, effective June 30, 2023. Projects are listed on Exhibit "B".

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-042

DEPARTMENT OF ADMINISTRATION

Land Use Information System	\$ 3,000,000
Subtotal	\$ 3,000,000

DEPARTMENT OF COUNTY EXECUTIVE

Executive GF Capital Contingency	\$ 500,000
Executive SF Capital Contingency	250,000
Subtotal	\$ 750,000

DEPARTMENT OF COMMUNITY SERVICES

Absalom Jones Senior Center Kiln	\$ 85,000
Appoquinimink Library	\$ 7,000
Newark Library	\$ 19,200,000
Surratte Pool Renovations	125,000
Subtotal	\$ 19,417,000

DEPARTMENT OF PUBLIC SAFETY

800MgHZ Communications Equipment	\$ 950,000
Cardiac Monitor 2023	\$ 945,148
Communications Upgrade	550,000
Public Safety Equipment	91,000
Public Safety Vest Protection Program	201,840
Subtotal	\$ 2,737,988

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Building Rehabilitation 2021	\$ 3,000,000
Electric Vehicle Infrastructure	1,800,000
Fleet Equipment 2021	(3,340)
Fleet Equipment 2022	(1,000,000)
Fleet Equipment 2024	6,179,272
General Roof Renovations	1,250,000
Government Center Electrical Upgrade	600,000
HVAC Replacement	2,400,000
Public Safety Parking Lot Lighting	300,000
Subtotal	\$ 14,525,932

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-042

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$	1,500,000
Banning Park Improvements		500,000
Bechtel Park Improvements		2,000,000
Carousel Park		276,120
Delcastle Park Improvements		1,100,000
Game Court Improvements 2021		100,000
General Parkland Improvements 2024-2025		2,250,000
Historic Structure Rehabilitation		3,000,000
Middle Run Valley Reforestation		300,000
Open Space Preservation		1,000,000
Park Bridge Replacements		300,000
Pavilion Renovations		100,000
Play Area Improvements 2024-2025		2,000,000
Rockwood Park		1,800,000
Weiss Park Improvements		700,000
Subtotal	\$	16,926,120

Sewer/Stormwater

Asset Management	\$	100,000
Backwater Valve Improvement		50,000
Christina River Force Main		4,400,000
Countywide Drainage		500,000
DelDOT Coordination Project 2021		2,000,000
Edgemoor System Rehabilitation		600,000
General Sewer Improvements		750,000
General Stormwater Improvements		358,954
North Delaware Interceptor System		650,000
Pump Station Rehabilitation 2024-2025		2,000,000
Sewer Fleet Equipment 2022		(650,000)
Sewer Fleet Equipment 2024		2,162,169
Sewer Repairs and Rehabilitation 2024-2025		1,000,000
Stoney Creek Basin		500,000
Stormwater Basin Renovation		725,000
Terminal Avenue System Rehabilitation		275,000
White Clay System Rehabilitation		2,800,000
Subtotal	\$	18,221,123

CAPITAL BUDGET TOTAL

\$	75,578,163
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Exhibit "B"
NEW CASTLE COUNTY
Projects to Sunset Fiscal Year End 2023

DEPARTMENT OF ADMINISTRATION

C122207	Cyber Security	Complete
C122210	Technology Enhancements 2022	Complete

DEPARTMENT OF COMMUNITY SERVICES

C401205	Route 9 Community Library	Complete
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DEPARTMENT OF PUBLIC WORKS

C300005	Brandywine Hundred North Rehabilitation	Complete
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ORDINANCE NO. 23-043

**ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023**

WHEREAS, County Council has adopted revenue measures which together with any reserves and available cash balances shall, in the opinion of the County Executive, be estimated to yield sums at least sufficient to balance the proposed expenditures as set forth herein.

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

Section 1. County Council hereby ordains that the taxes and other revenue measures which the County Executive has certified as yielding sufficient revenue, together with any reserves and available cash balances, serve to balance the Annual Operating Budget of New Castle County for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Section 2. Exhibit "A," entitled "Departmental Operating Budget," consisting of six (6) pages, attached hereto and made a part hereof, is adopted as the Annual Operating Budget of Appropriations to the respective departments, offices, reserves and services for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Section 3. Exhibit "B," entitled "Operating Budget Components," consisting of one (1) page, attached hereto and made a part hereof, representing the component budgets encompassed by the "Departmental Operating Budget" for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Section 4. As the County Council has done in all past years, by and through the budget hearing, review, and adoption process undertaken for the FY2024 budget, the County Council hereby confirms its review and approves the schedule of fees established by the Department of Land Use set forth in, *inter alia*, Appendix 2 of Chapter 40 of the *New Castle County Code* ("the UDC"). The County Council also confirms and clarifies that through the budget hearing, review, and adoption process, it has reviewed and approved the schedule of fees established by the Department of Land Use in all prior budget years, and the County hereby confirms, clarifies, and ratifies its previous approvals of the fee schedules heretofore established by the Department of Land Use.

Section 5. 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 6. The effective date for the provisions in this Ordinance shall be July 1, 2023.

Adopted by Council of
New Castle County on:

President of Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance authorizes the Annual Operating Budget of New Castle County for the fiscal year beginning July 1, 2023 and ending June 30, 2024.

Exhibit "A" provides a summary of appropriations to departments, row offices, reserves and non-departmental operating budgets.

Exhibit "B" provides the component budgets (i.e. General Operating, Local Service Function, Sewer, Crossing Guard and Street Lighting) encompassed by Exhibit "A."

FISCAL NOTE: This Ordinance embodies, by detailed appropriation, by object of expenditure for each department and office (Exhibit "A") as required by State Law, and, by component budgets supported by various revenue measures (Exhibit "B"), the County's Annual Operating Budget for Fiscal Year 2024.

The fiscal impact of this Ordinance is the authorization to expend \$331,422,408 in Fiscal Year 2024 and to legislate the amounts within New Castle County's reserve accounts.

This Ordinance has no explicit impact on subsequent fiscal years, as the Operating Budget is legislated annually by County Council.

EXHIBIT "A"

DEPARTMENTAL OPERATING BUDGET

COUNTY COUNCIL

Salaries and Wages	\$	2,428,665
Benefits		1,428,590
Training and Civic Affairs		70,888
Communication and Utilities		17,849
Materials and Supplies		61,042
Contractual Services		253,148
Equipment		1,600
Grants and Fixed Charges		441,482
Operating Transfer Charges		161,959
Total	\$	4,865,223
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	1,777,524
Benefits		1,045,578
Training and Civic Affairs		31,904
Communication and Utilities		15,698
Materials and Supplies		22,236
Contractual Services		148,565
Equipment		1,000
Grants and Fixed Charges		43,000
Contingency		55,000
Operating Transfer Charges		82,016
Total	\$	3,222,521
Total Authorized Full-Time Positions	15	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	12,223,612
Benefits		7,092,525
Training and Civic Affairs		130,625
Communication and Utilities		8,273,491
Materials and Supplies		158,147
Contractual Services		6,793,141
Equipment		389,900
Grants and Fixed Charges		3,932,350
Operating Transfer Charges		1,163,161
Operating Transfer Credits		(12,098,321)
Total	\$	28,058,631
Total Authorized Full-Time Positions	167	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,594,391
Benefits		14,346,471
Training and Civic Affairs		42,945
Communication and Utilities		24,785,917
Materials and Supplies		4,524,681
Contractual Services		10,366,975
Equipment		483,333
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,843,006
Operating Transfer Credits		(7,438,785)
Total	\$	77,777,691
Total Authorized Full-Time Positions		384

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,375,178
Benefits		4,899,879
Training and Civic Affairs		68,665
Communication and Utilities		111,017
Materials and Supplies		113,127
Contractual Services		1,541,973
Equipment		55,175
Grants and Fixed Charges		56,500
Operating Transfer Charges		1,136,835
Operating Transfer Credits		(803,217)
Total	\$	15,555,132
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,754,322
Benefits		5,318,947
Training and Civic Affairs		18,560
Communication and Utilities		935,330
Materials and Supplies		1,383,163
Contractual Services		2,348,236
Equipment		18,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,230,637
Operating Transfer Credits		(190,829)
Total	\$	25,927,415
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,198,478
Benefits		39,138,665
Training and Civic Affairs		178,869
Communication and Utilities		1,010,888
Materials and Supplies		1,039,511
Contractual Services		2,128,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	125,956,498
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,081,015
Benefits		616,908
Training and Civic Affairs		35,275
Communication and Utilities		12,374
Materials and Supplies		10,625
Contractual Services		62,668
Equipment		1,950
Operating Transfer Charges		85,180
Total	\$	1,905,995
Total Authorized Full-Time Positions		19

RECORDER OF DEEDS

Salaries and Wages	\$	1,263,001
Benefits		730,446
Training and Civic Affairs		43,170
Communication and Utilities		33,977
Materials and Supplies		12,398
Contractual Services		79,718
Equipment		6,150
Grants and Fixed Charges		18,350
Operating Transfer Charges		148,002
Total	\$	2,335,212
Total Authorized Full-Time Positions	24	

SHERIFF

Salaries and Wages	\$	1,260,692
Benefits		737,678
Training and Civic Affairs		29,452
Communication and Utilities		16,189
Materials and Supplies		21,259
Contractual Services		55,999
Equipment		5,000
Operating Transfer Charges		144,938
Total	\$	2,271,207
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	474,736
Benefits		279,250
Training and Civic Affairs		14,130
Communication and Utilities		5,168
Materials and Supplies		5,424
Contractual Services		17,568
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	834,052
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,540,069
Total	\$	45,540,069
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,385
Training and Civic Affairs		10,500
Communication and Utilities		1,922
Materials and Supplies		2,450
Contractual Services		290,642
Equipment		500
Operating Transfer Charges		6,699
Total	\$	354,098
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

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

EXECUTIVE CONTINGENCY

Contingency	\$	600,000
Total	\$	600,000
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	\$	(4,293,340)
Personal Services - Employee Benefits	\$	(2,525,429)
Total	\$	(6,818,769)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	2,332,433
Total	\$	2,332,433

NEW CASTLE COUNTY

Salaries and Wages	\$	128,176,274
Benefits		73,112,893
Training and Civic Affairs		674,983
Communication and Utilities		35,219,820
Materials and Supplies		7,354,063
Contractual Services		24,086,839
Equipment		2,440,580
Grants and Fixed Charges		15,287,763
Debt Service		45,540,069
Land and Structures		35,000
Contingency		3,692,433
Operating Transfer Charges		16,332,843
Operating Transfer Credits		(20,531,152)
<i>Sub-Total New Castle County</i>	\$	331,422,408
<i>Total Authorized Full-Time Positions</i>		<i>1,661</i>

RESERVE ACCOUNTS AS OF MARCH 31, 2023

Tax Stabilization Reserve Account (Unaudited)	76,496,000
Sewer Rate Stabilization Reserve Account (Unaudited)	10,860,078
General Fund Budget Reserve Account	44,845,412
Sewer Fund Budget Reserve Account	18,362,788
<i>Total Reserves:</i>	150,564,278

**OPERATING BUDGET COMPONENTS
FISCAL YEAR 2024**

General Operating Budget	\$	102,265,957
Local Service Function Budget		129,471,180
Sewer Fund		87,396,973
Street Light Fund		8,561,216
Crossing Guard Fund		3,727,082
Recommended Operating Budget	\$	331,422,408

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: April 11, 2023

ORDINANCE NO. 23-044

**AMEND THE GRANTS BUDGET:
APPROPRIATE NEW CASTLE COUNTY FUNDING OF \$64,800 FROM THE DEPARTMENT
OF COMMUNITY SERVICES FY2023 APPROVED OPERATING BUDGET AND
APPROPRIATE ACTUAL AND ANTICIPATED PROGRAM INCOME OF \$188,803.66 TO
THE SUMMER RECREATION CAMPS GRANT**

WHEREAS, the Summer Recreation Camp Program provides low- and moderate-income children with the opportunity to attend a summer camp program; and

WHEREAS, thirty-one percent of campers receive financial aid; and

WHEREAS, in the summer of 2022, approximately 110 scholarships were awarded from Federal and County funds; and

WHEREAS, the County Executive anticipates that funds from the New Castle County Department of Community Services FY2023 Approved Operating Budget and actual and anticipated program income will be sufficient to fund the Grants Budget hereinafter amended; and

WHEREAS, the revenue measures heretofore adopted by the County Council 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 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 in 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 \$253,603.66 to the Summer Recreation Camps Grant which is administered by the Department of Community Services, Division of Community Resources. The program will be funded with \$64,800 from the New Castle County Department of Community Services FY2023 Approved Operating Budget and \$188,803.66 from actual and anticipated program income. **Ordinance No. 23-045 must be passed by County Council to complete this transaction.**

FISCAL NOTE: The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget by \$253,603.66. FY2022 funding was authorized in the amount of \$64,800 in New Castle County funding.

DEPARTMENT: Community Services

GRANT TITLE: Summer Recreation Camps

PROGRAM TITLE: Summer Recreation Camps

EXHIBIT: "A"

Ordinance No. 23-044

Expense	Current	Change	Revised
Salaries and Wages	\$ 345,932.57	\$ 147,894.66	\$ 493,827.23
Benefits	\$ 38,111.13	\$ 14,026.00	\$ 52,137.13
Training/Civic Affairs	\$ 1,455.22	\$ 235.00	\$ 1,690.22
Communication/Utilities	\$ 5,734.77	\$ 2,200.00	\$ 7,934.77
Materials/Supplies	\$ 36,113.07	\$ 32,614.00	\$ 68,727.07
Contractual Services	\$ 89,078.79	\$ 56,634.00	\$ 145,712.79
Equipment	\$ 1,665.02	\$ -	\$ 1,665.02
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ 9,796.36	\$ -	\$ 9,796.36
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 527,886.93	\$ 253,603.66	\$ 781,490.59

Revenue	Current	Change	Revised
Federal	\$ 7,079.00	\$ -	\$ 7,079.00
State	\$ -	\$ -	\$ -
County	\$ 129,600.00	\$ 64,800.00	\$ 194,400.00
Program Income	\$ 383,657.93	\$ 188,803.66	\$ 572,461.59
Other	\$ 7,550.00	\$ -	\$ 7,550.00
Total	\$ 527,886.93	\$ 253,603.66	\$ 781,490.59

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 7/1/2005

Estimated Program Completion: ongoing

The Local Match: \$ 64,800.00

Found in (ORG): 10400308 - Community Partnerships

Ordinance Passed: 05-049, 05-135, 06-049, 07-045, 08-042, 09-033, 09-097, 10-077, 10-104, 11-112, 12-114, 13-094, 14-121, 16-131, 18-047, 18-047, 19-031, 20-025, 21-058, 22-049

Date Revised: May 2005, December 2005, April 2006, April 2007, April 2008, April 2009, October 2009, July 2010, October 2010, December 2011, November 2012, December 2013, November 2014, November 2017, May 2018, March 2019, April 2020, April 2021, April 2022

PROGRAM DESCRIPTION:

The New Castle County Summer Recreation Camps Grant will serve children in New Castle County from June through September 2023.

4/26/2022 4/11/2023

Introduced by: Mr. Hollins, Mr. Street
Date of introduction: April 11, 2023

ORDINANCE NO. 23-045

**AMEND THE ANNUAL OPERATING BUDGET:
APPROPRIATE \$64,800 FROM THE CONTRACTUAL SERVICES BUDGET LINE ITEM
OF THE DEPARTMENT OF COMMUNITY SERVICES TO THE
SUMMER RECREATION CAMPS GRANT**

WHEREAS, the Summer Recreation Camp Program is to provides low- and moderate-income children with the opportunity to attend a summer camp program; and

WHEREAS, thirty-one percent of campers receive financial aid; and

WHEREAS, in the summer of 2022, approximately 110 scholarships were awarded from both Federal and County funds; and

WHEREAS, there are matching funds available within the Department of Community Services' Summer Recreation Camp Grant; and

WHEREAS, the Department of Community Services has determined that matching funds are available from the FY2023 Approved Operating Budget beginning July 1, 2022; and

WHEREAS, the revenue measures heretofore adopted by the County Council 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 Ordinance 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 Ordinance.

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 adopted, will appropriate \$64,800 from the Department of Community Services – Contractual Services Budget Line Item within the FY2023 Approved Operating Budget to the Summer Recreation Camps Grant. **Ordinance No. 23-044 must first be passed by County Council to establish the grant.**

FISCAL NOTE: This Ordinance, if approved, will appropriate \$64,800 from the Department of Community Services – Contractual Services Budget Line Item within the FY2023 Approved Operating Budget to the Summer Recreation Camps Grant.

There will be no net fiscal impact if this Ordinance and its companion Ordinance are approved as the legislation affects a transfer of already-appropriated funds. The resulting effect will be the transfer of \$64,800 of FY2023 Approved Operating Budget spending authority to the Grants Budget. There is no fiscal impact beyond FY2023.

The revised FY2023 Approved Operating Budget will be \$320,839,384.

COUNTY COUNCIL

Salaries and Wages	\$	2,373,447
Benefits		1,419,731
Training and Civic Affairs		78,370
Communication and Utilities		19,666
Materials and Supplies		54,125
Contractual Services		269,212
Equipment		4,886
Grants and Fixed Charges		299,083
Operating Transfer Charges		144,715
Total	\$	4,663,235
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		16,280
Materials and Supplies		22,236
Contractual Services		147,991
Equipment		1,000
Grants and Fixed Charges		1,893,000
Contingency		55,000
Operating Transfer Charges		76,382
Total	\$	4,822,504
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		6,959,648
Materials and Supplies		158,367
Contractual Services		6,506,155
Equipment		497,385
Grants and Fixed Charges		3,830,289
Operating Transfer Charges		1,024,227
Operating Transfer Credits		(11,775,518)
Total	\$	26,390,607
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			24,784,886
Materials and Supplies			5,046,285
Contractual Services			9,372,034
Equipment			763,124
Grants and Fixed Charges			1,233,757
Land and Structures			35,000
Operating Transfer Charges			4,659,870
Operating Transfer Credits			(8,009,063)
Total		\$	76,858,569
Total Authorized Full-Time Positions	379		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,547,554
Benefits			5,025,008
Training and Civic Affairs			63,665
Communication and Utilities			112,975
Materials and Supplies			97,377
Contractual Services			1,562,591
Equipment			55,175
Grants and Fixed Charges			31,500
Operating Transfer Charges			1,126,134
Operating Transfer Credits			(800,651)
Total		\$	15,821,328
Total Authorized Full-Time Positions	118		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	11,407,432
Benefits			5,184,613
Training and Civic Affairs			21,085
Communication and Utilities			992,379
Materials and Supplies			1,381,417
Contractual Services	2,236,187		<u>2,171,387</u>
Equipment			35,000
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,230,733
Operating Transfer Credits			(188,230)
Total	25,410,765	\$	<u>25,345,965</u>
Total Authorized Full-Time Positions	161		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	62,634,574
Benefits		36,578,078
Training and Civic Affairs		177,242
Communication and Utilities		1,024,581
Materials and Supplies		1,230,237
Contractual Services		2,015,981
Equipment		1,555,383
Grants and Fixed Charges		6,458,350
Operating Transfer Charges		7,938,182
Total	\$	119,612,608
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		39,820
Communication and Utilities		33,977
Materials and Supplies		12,898
Contractual Services		81,446
Equipment		8,000
Grants and Fixed Charges		18,350
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		163,243
Total	\$	2,270,385
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	\$	0
Total	\$	0
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	\$	376,160
Total	\$	376,160

NEW CASTLE COUNTY

Salaries and Wages		\$	122,367,879
Benefits			70,050,892
Training and Civic Affairs			672,588
Communication and Utilities			33,980,318
Materials and Supplies			8,040,562
Contractual Services	<u>22,587,474</u>		<u>22,522,674</u>
Equipment			2,927,403
Grants and Fixed Charges			16,874,478
Debt Service			46,374,026
Land and Structures			35,000
Contingency			1,136,160
Operating Transfer Charges			16,630,866
Operating Transfer Credits			(20,773,462)
<i>Sub-Total New Castle County</i>	<i>320,904,184</i>	\$	<u>320,839,384</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,655</i>		

RESERVE ACCOUNTS AS OF MARCH 14, 2023

Tax Stabilization Reserve Account (Unaudited)	72,338,369
Sewer Rate Stabilization Reserve Account (Unaudited)	10,834,248
General Fund Budget Reserve Account	44,845,412
Sewer Fund Budget Reserve Account	18,362,788
<i>Total Reserves:</i>	<u>146,380,817</u>

ORDINANCE NO. 23-046

**AMEND THE FY2023 CAPITAL PROGRAM AND BUDGET:
INCREASE AUTHORIZATIONS FROM THE STATE OF DELAWARE IN THE AMOUNT OF
\$5,000,000 TO THE DEPARTMENT OF PUBLIC SAFETY,
POLICE RANGE / EVOC CAPITAL PROJECT**

WHEREAS, Subchapter II, Chapter 13 of Title 9 of the *Delaware Code*, as amended, authorizes New Castle County to plan, supervise, and make provisions for law enforcement, fire protection, and ambulance rescue services within New Castle County, and the County Council of New Castle County has deemed it necessary to implement such plans for development; and

WHEREAS, New Castle County has received documentation certifying that the State of Delaware Fiscal Year 2023 Bond and Capital Improvements Act (83 Del. Laws, c. 340, signed into law June 30, 2022) has appropriated \$5,000,000 to New Castle County to assist with construction of an Emergency Vehicle Operations Course (EVOC); and

WHEREAS, the EVOC will be used by Delaware first responders for initial, refresher and remedial training to enhance their ability to react and maneuver safely on the road; and

WHEREAS, New Castle County has committed \$2,415,000 in County funds to the project, which includes the land value of \$315,000; and

WHEREAS, New Castle County is committed to maintain the facility at an annual estimated cost of \$375,000; and

WHEREAS, this legislation will increase the FY2023 Capital Budget by \$5,000,000 with funding from the State of Delaware Fiscal Year 2023 Bond and Capital Improvements Act.

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

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

Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2022 is hereby amended by deleting the material stricken and adding the material underscored on the attached Exhibit "B."

Section 3. State funding in the amount of \$5,000,000 is appropriated to the Department of Public Safety, Police Range / EVOC Capital Project to assist with construction of an EVOC.

Section 4. It is hereby determined and declared that the normal life of said improvements is not less than three (3) years (9 *Del. C.* § 1163).

Section 5. 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 \$5,000,000 in funding from the State of Delaware Fiscal Year 2023 Bond and Capital Improvements Act (83 Del. Laws, c. 340, signed into law June 30, 2022) to the Department of Public Safety, Police Range/EVOC Capital Project. These funds will be used to assist with construction of an EVOC which will be used by Delaware first responders for initial, refresher and remedial training to enhance their ability to react and maneuver safely on the road.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2023 Capital Program and Budget by appropriating \$5,000,000 in funding from the State of Delaware Fiscal Year 2023 Bond and Capital Improvements Act (83 Del. Laws, c. 340, signed into law June 30, 2022) to the Department of Public Safety, Police Range Capital Project.

The revised Capital Budget Authorizations for the Police Range/EVOC Project will be \$10,749,670, including prior authorizations.

The revised FY2023 New Castle County Capital Budget total will be \$56,416,251.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2023

23-046

DEPARTMENT OF ADMINISTRATION

Human Resources Scanning	\$	200,000
Information Systems Expansion II		1,075,000
Reassessment 2024	\$	7,000,000
Recorder of Deeds HOA Portal		31,500
Subtotal	\$	8,306,500

DEPARTMENT OF COUNTY EXECUTIVE

Executive SF Capital Contingency	\$	500,000
Subtotal	\$	500,000

DEPARTMENT OF COMMUNITY SERVICES

Claymont Library	\$	(755,992)
Newark Library	\$	17,000,000
Subtotal	\$	16,244,008

DEPARTMENT OF PUBLIC SAFETY

Cardiac Monitors 2023	\$	472,000
Police Range / EVOC		(330) 4,999,670
Public Safety Equipment		416,000
Public Safety Vest Protection Program		235,061
Subtotal		1,122,731 \$ 6,122,731

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Army Creek Landfill Upgrade	\$	275,000
Brandywine Library HVAC Upgrade		2,000,000
Fleet Equipment 2021		(604,876)
Fleet Equipment 2023		5,645,858
General Paving		200,000
Government Center Parking Lot		(1,375,000)
Subtotal	\$	6,140,982

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2023

23-046

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$	1,722
Banning Park Improvements		900,000
Community Redevelopment and Reinvestment 2023		912,089
Game Court Improvements 2021		1,000,000
General Parkland Improvements		(570,000)
General Parkland Improvements 2021		1,570,000
Greenway Systems		1,690,300
Jester Walking Path		325,000
Middle Run Valley Reforestation		65,000
Open Space Preservation		1,000,000
Play Area Improvements 2021		200,000
Southern Regional Park		4,500,000
Subtotal	\$	11,594,111

Sewer/Stormwater

Airport Road System Rehabilitation	\$	1,250,000
Asset Management		100,000
Backwater Valve Improvement		50,000
Brandywine Hundred South Rehabilitation		(76,089)
Christina River Force Main		(1,340,995)
Countywide Drainage		500,000
DelDOT Coordination Project II		(148,920)
DelDOT Coordination Project 2021		153,727
General Sewer Improvements		396,153
General Stormwater Improvements		(393,415)
General Stormwater Improvements 2022		180,806
Market Street Rehabilitations (Bridge #9)		1,500,000
Public Works Complex		215,000
Pump Station Rehabilitation 2021		(600,000)
Pump Station Rehabilitation 2022-2023		1,600,000
Septage Receiving Station Upgrade		525,000
Sewer Fleet Equipment 2021		(509,680)
Sewer Fleet Equipment 2023		2,259,634
Sewer System Expansion		500,000
Stormwater Basin Renovation		(3,302)
Water Quality Improvement Plans		1,250,000
Wilmington System Rehabilitation		100,000
Subtotal	\$	7,507,919

CAPITAL BUDGET TOTAL

51,416,251	\$ 56,416,251
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EXHIBIT B**PROJECT PROFILES
ADMINISTRATION (continued)**

Project Name (Number): Police Range / EVOC (C201306)					
Description: Design and construction of an emergency vehicle operations course (EVOC).				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 1,800,000	\$ -	\$ 3,650,000	\$ 300,000	\$ 5,750,000
FY2023	-	-	(330)		(330)
	-		4,999,670		4,999,670
FY2024	-	-	-	-	-
FY2025	-	-	-	-	-
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
Future Years	-	-	-	-	-
Total	\$ 1,800,000	\$ -	\$ 3,649,670	\$ 300,000	\$ 5,749,670
		\$ 8,649,670		\$ 10,749,670	
Available Authorizations:		\$ 4,898,684			
Available Funding:		\$ 4,898,684			
Operating Budget Impact:		\$ -			

*Available Authorizations / Funding as of February 28, 2022, net of obligations.

FY2023 Activity:

Complete design, bid project and begin construction of the driving pad. The EVOC will be used by the New Castle County Public Safety Department, as well as by public safety departments and volunteer fire companies from throughout the State.

Future Activity:

Complete construction of the driving pad.

Introduced by: Ms. Hartley-Nagle,
Mr. Street, Mr. Bell,
Mr. Tackett, Mr. Toole,
Ms. George

Date of introduction: April 25, 2023

RESOLUTION NO. 23-076

**RECOGNIZING AND SUPPORTING NATIONAL
YOUTH VIOLENCE PREVENTION WEEK FROM APRIL 24 TO 28, 2023**

WHEREAS, National Youth Violence Prevention Week is an annual event sponsored by the National Association of Students Against Violence Everywhere (SAVE) and Sandy Hook Promise, aimed at preventing youth violence and promoting student involvement in violence prevention; and

WHEREAS, the week provides an opportunity to reflect on the various instances of youth violence that have taken place over the years and to encourage individuals of all ages to take proactive measures in tackling youth violence; and

WHEREAS, youth violence is a serious problem that affects many communities, including New Castle County, and it is crucial that we address this issue to ensure the safety and well-being of our young people; and

WHEREAS, the New Castle County Council recognizes the importance of preventing youth violence and has undertaken numerous initiatives to support this goal; and

WHEREAS, the Council has worked to promote positive youth development, increase access to mental health resources, and support community-based violence prevention programs; and

WHEREAS, the Council has also supported efforts to reduce access to firearms and other weapons that can be used to commit acts of violence; and

WHEREAS, the Council recognizes the importance of engaging young people in the effort to prevent youth violence and supports programs that empower youth to become leaders and advocates for change; and

WHEREAS, National Youth Violence Prevention Week provides an opportunity to raise awareness about the impact of youth violence and to encourage everyone, including young people, to take action to prevent it.

NOW, THEREFORE, BE IT RESOLVED that County Council of New Castle County expresses its strong support for National Youth Violence Prevention Week and its commitment to preventing youth violence in all its forms and the Council encourages all residents of New Castle County to join in this effort by supporting youth development programs, promoting access to mental health resources, and advocating for policies that address the root causes of violence; and

BE IT FURTHER RESOLVED that County Council of New Castle County will continue to work with community partners to develop and implement effective violence prevention strategies and to ensure that all young people in New Castle County have the opportunity to reach their full potential, free from the threat of violence.

Adopted by County Council of
New Castle County on: 4/25/2023

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.

RESOLUTION NO. 23-077

**CONGRATULATING AND COMMENDING THE CHURCH OF EXODUS
ON ITS SECOND PASTORAL ANNIVERSARY**

WHEREAS, on Sunday, April 16, 2023, the Church of Exodus celebrated its Second Pastoral Anniversary; and

WHEREAS, in 2018, God called and prepared Reverend Waterman for the elevation of Pastorship, and during this time, he was charged with building the church with the belief by faith that the people would build the church; and

WHEREAS, after much dedication and hard work, the Church of Exodus was officially established in December 2020, and their first service was held on Resurrection Sunday, April 4, 2021; and

WHEREAS, the Church of Exodus's mission statement is to do the will of the Father, guided by his Holy Spirit through exhortation, serving him through worship, discipleship, and fellowship to equip people for an intimate relationship with the Lord Jesus Christ, edifying the Body of Christ, and reaching the community; and

WHEREAS, the Church of Exodus is a spirit-filled Baptist church in Wilmington, Delaware, led by Pastor Ricky and First Lady Betty Jean Waterman, who invite everyone to join them for worship on Sunday mornings at 11 A.M., either in person or via live stream; and

WHEREAS, the Church of Exodus welcomes all God's children, regardless of age or background, and offers plenty of opportunities for everyone to get involved and receive blessings from the Lord.

NOW, THEREFORE, BE IT RESOLVED that the New Castle County Council congratulates the Church of Exodus on its Second Pastoral Anniversary and expresses its sincere appreciation for the dedication, hard work, and faith shown by Pastor Ricky and First Lady Betty Jean Waterman in building and leading the congregation.

Adopted by County Council of
New Castle County on: 4/25/2023

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.

Introduced by: Mr. Smiley, Mr. Carter,
Mr. Toole
Date of introduction: April 25, 2023

RESOLUTION NO. 23-083

**SUPPORTING THE DELAWARE GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES BILL NO. 124 AMENDING THE
DELAWARE CODE REGARDING LAWS RELATING TO PROTECTION,
CONTROL AND NOISE OF ANIMALS, INCLUDING DOGS**

WHEREAS, New Castle County strives to ensure the highest quality of life for all New Castle County residents and their animals; and

WHEREAS, the continuous barking, squawking, or other persistent noise by an animal has a tendency to significantly and negatively impact residents' quality of life; and

WHEREAS, adding complaints relating to animals to the County police department's high volume of overall calls for service impedes their ability to dedicate their limited resources to more pressing, often life or death, circumstances; and

WHEREAS, the Office of Animal Welfare and, where applicable, the Department of Agriculture (collectively, the "Agencies"), in the first instance, are the appropriate enforcement agencies to respond to calls relating to animal control, noises, and protection as the officers of the Agencies are specially trained and have the expertise to address animals making persistent noise, or that may be in distress or in need of immediate attention; and

WHEREAS, the County police shall continue to assist the officers of the Office of Animal Welfare and, where applicable, the Department of Agriculture as occasion requires, which includes dangerous situations or circumstances that could result in harm or injury to officers of the Agencies or the animals, or both, or others.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby urges the Delaware General Assembly to pass House Bill No. 124 at its earliest convenience to amend the Delaware Code to clarify the law regarding control, noise, and protection of animals, including dogs.

Adopted by 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 with the adoption of this resolution.