



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

July 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

°23-096: 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 AND ADOPT THE REVISED CLASS SPECIFICATION FOR STOREKEEPER Introduced by: Ms. Hartley-Nagle

°23-097: TO REVISE THE CLASS SPECIFICATION OF PUBLIC WORKS PROJECT MANAGER TO FACILITIES PROJECT MANAGER AND AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES FOR THE DEPARTMENT OF PUBLIC WORKS Introduced by: Ms. Hartley-Nagle

°23-098: 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 AND TO ADOPT THE CLASS SPECIFICATIONS FOR THE POSITION TITLES OF ENVIRONMENTAL PROGRAM MANAGER I, ENVIRONMENTAL PROGRAM MANAGER II AND ENVIRONMENTAL PROGRAM MANAGER III Introduced by: Ms. Hartley-Nagle

°23-099: AMEND THE GRANTS BUDGET: APPROPRIATE \$8,942.44 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES Introduced by: Mr. Hollins, Mr. Street

°23-100: AMEND THE GRANTS BUDGET: APPROPRIATE \$748,853 TO THE CONTRACTED POLICE DUTY REVOLVING FUND, WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

° 23-101: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 ("BUILDING CODE"), CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS"), AND CHAPTER 14 ("FINANCE AND TAXATION") REGARDING BILLING AND COLLECTION OF STORMWATER MAINTENANCE FEES AND THE REFUND OF CODE ENFORCEMENT FEES PAID THROUGH ERROR Introduced by: Ms. Kilpatrick, Mr. Sheldon

°23-102 - AMEND THE FY2024 APPROVED OPERATING BUDGET: TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE SALARIES AND WAGES, EMPLOYEE BENEFITS AND MATERIALS AND SUPPLIES BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS AND TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING Introduced by: Mr. Smiley

°23-103 - TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 ("FINANCE AND TAXATION"), ARTICLE 3 ("REAL PROPERTY TRANSFER TAX"), SECTION 26.03.910 ("RETIREE HEALTH CARE INSURANCE") Introduced by: Mr. Smiley, Mr. Cartier

°23-104: 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 26 ("MODIFICATION OF STANDARDS"), ARTICLE 31 ("PROCEDURES AND ADMINISTRATION"), ARTICLE 33 ("DEFINITIONS"), AND APPENDIX 7 ("GUIDING PRINCIPLES FOR DEVELOPMENT"), REGARDING DEVELOPMENT, REDEVELOPMENT, LARGE INDUSTRIAL STRUCTURES AND HEAVY RETAIL AND SERVICE USES, AND UPDATING THE GUIDING PRINCIPLES TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN Introduced by: Mr. Tackett, Ms. Kilpatrick

°23-105: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 ("STORMWATER MAINTENANCE DISTRICTS") REGARDING STORMWATER MAINTENANCE AND WHISPERING WOODS COMMUNITY Introduced by: Mr. Carter

E. Reports from Select and Special Committees

F. Consent Calendar

R23-126: CONGRATULATING AND COMMENDING CHIEF JEFFREY MILLER ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY EMERGENCY COMMUNICATIONS DIVISION Introduced by: Mr. Bell, Ms. Hartley-Nagle, Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

R23-127: CONSENTING TO THE APPOINTMENT OF ROBERT W. EHEMANN TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Ms. Kilpatrick

R23-128: APPOINTING JASON HOOVER TO THE NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD Introduced by: Mr. Hollins, Ms. Durham

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**

R23-129: PLAN OF I-495 LOGISTICS CENTER; NEW CASTLE HUNDRED; NORTHEAST CORNER OF ROUTE 13 AND ROGER'S ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 125,820 SQUARE FOOT WAREHOUSE WITH 7,800 SQUARE FEET OF OFFICE SPACE; CR/HI ZONING; [APPLICATION NO. 2022-0360](#); COUNCIL DISTRICT 10 Introduced by: Mr. Street

R23-130: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH FAMILY PROMISE OF NORTHERN NEW CASTLE COUNTY, INC. IN THE AMOUNT OF \$4,000,000.00 Introduced by: Mr. Hollins, Mr. Street

R23-131: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH INTERFAITH COMMUNITY HOUSING OF DELAWARE, INC. IN AMOUNT OF \$2,300,000.00 Introduced by: Mr. Hollins, Mr. Street

R23-132: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH YOUNG MEN'S CHRISTIAN ASSOCIATION OF DELAWARE IN THE AMOUNT OF \$500,000.00 Introduced by: Mr. Hollins, Mr. Street

R23-133: CONSENTING TO THE APPOINTMENT OF AARON JOHNSON FOR THE POSITION OF THE READER'S CAFÉ CHEF Introduced by: Mr. Hollins, Mr. Street

R23-134: AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE DELAWARE CHILDREN'S MUSEUM, INC. IN THE AMOUNT OF \$100,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-135: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE WEST END NEIGHBORHOOD HOUSE INCORPORATED IN THE AMOUNT OF \$308,174.73 Introduced by: Mr. Smiley, Mr. Cartier

R23-136: APPROVING REVISED CLASS SPECIFICATION FOR INFORMATION SYSTEMS ASSISTANT MANAGER PURSUANT TO NEW CASTLE COUNTY CODE SECTION 26.03.105(F) Introduced by: Ms. Hartley-Nagle

R23-137: URGING THE MEYER ADMINISTRATION TO IMMEDIATELY FORMULATE A PLAN TO ADDRESS PUBLIC SAFETY CONCERNS IN NEW CASTLE COUNTY PARKS Introduced by: Mr. Tackett, Ms. Hartley-Nagle, Ms. George, Mr. Carter, Mr. Toole

I. Consideration of Ordinances

°23-089: TO REVISE CHAPTER 14 OF THE *NEW CASTLE COUNTY CODE* TO PROVIDE A FINITE TAX EXEMPTION FOR ROHM AND HAAS ELECTRONIC MATERIALS CMP, LLC, TAX PARCEL NO. 11-018.00-061, 2001 OLD COOCHS BRIDGE RD, NEWARK, DELAWARE, IN SUPPORT OF ECONOMIC DEVELOPMENT Introduced by: Mr. Tackett

°23-090: TO DECLARE SURPLUS CERTAIN LANDS OF NEW CASTLE COUNTY ASSOCIATED WITH THE NEW CASTLE COUNTY AIRPORT AND TO AUTHORIZE THE TRANSFER OF LANDS TO THE STATE OF DELAWARE FOR A PUBLIC PURPOSE Introduced by: Mr. Smiley, Mr. Cartier

°23-091: AMEND THE GRANTS BUDGET: APPROPRIATE INVESTMENT INCOME TO JUSTICE ASSISTANCE GRANT (JAG) 2019 ENHANCED CRIME PREVENTION AND OFFICER WELLNESS INITIATIVE AND THE JUSTICE ASSISTANCE GRANT (JAG) 2018 FORTIFYING

OFFICER AND COMMUNITY GRANT FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-093: (STATUS: TO BE TABLED) AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$1,245,950 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCE MANAGEMENT FOR 25-YEAR RETIREMENT UNFUNDED LIABILITY Introduced by: Mr. Smiley, Mr. Cartier

°23-094: AMENDING NEW CASTLE COUNTY CODE CHAPTER 6 ("BUILDING CODE") AND CHAPTER 7 ("PROPERTY MAINTENANCE CODE") TO ESTABLISH ROUTINE INSPECTIONS FOR CERTAIN COMMON INTEREST COMMUNITY BUILDINGS, INCLUDING CONDOMINIUMS, IN NEW CASTLE COUNTY Introduced by: Mr. Cartier, Ms. Kilpatrick, Mr. Sheldon

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-138: RECOGNIZING THE CENTENNIAL OF THE NEW CASTLE COUNTY BOARD OF REALTORS Introduced by: Ms. Durham, Mr. Tackett, Mr. Cartier, Mr. Carter, Mr. Smiley, Mr. Hollins, Mr. Bell, Ms. Kilpatrick, Mr. Toole

R23-139: HONORING THE EXTRAORDINARY MUSICAL JOURNEY AND SERVICE OF ELDER ALAN LLOYD Introduced by: Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: July 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.nccode.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

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

Introduced by: Ms. Hartley-Nagle
Date of introduction: July 25, 2023

ORDINANCE NO. 23-096

**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 AND ADOPT THE
REVISED CLASS SPECIFICATION FOR STOREKEEPER**

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

WHEREAS, the Department recommended the class specification for Storekeeper be updated to include a more focused description of responsibilities; and

WHEREAS, it is recommended that the pay Grade for Storekeeper be changed from Pay Grade 15 to Pay Grade 17; and

WHEREAS, the Human Resources Advisory Board at its meeting on July 6, 2023, reviewed the revisions to the class specification for the position title of Storekeeper and recommended the change from Pay Grade 15 to Pay Grade 17 on 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.

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

Section 1. The revised Class Specification for Storekeeper is adopted as set forth in Exhibit "A."

Section 2. 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 "B."

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, revises the position title of Storekeeper from Pay Grade 15 to Pay Grade 17 on the Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607, and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

FISCAL IMPACT: This Ordinance, if approved, revises the position title of Storekeeper from Pay Grade 15 to Pay Grade 17 on the Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607, and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

There is currently one filled position with the title Storekeeper. The estimated fiscal impact (Salaries/Wages and Benefits) of reclassifying the one employee currently in this position is \$3,426 in FY2024, \$3,601 in FY2025 and \$3,782 in FY2026.

NEW CASTLE COUNTY GOVERNMENT**Number** 0082**Page** 1 of 2**Date** 02/08/17**CLASS SPECIFICATION****Title:** STOREKEEPER**Approved:**GENERAL STATEMENT OF DUTIES:

The Storekeeper is responsible for all warehouse operations activities including shipping and receiving, deliveries, coordination on and management of maximum/minimum thresholds of stocked items, documenting warehouse transactions, entering and maintaining inventory and material/supply issuance records in a work order management system, and overseeing storage of surplus inventory and property for New Castle County. Performs related work as required.

DISTINGUISHING FEATURES OF THE CLASS: This employee performs a variety of shipping/receiving, inventory control- and restocking activities. This employee is also responsible for entering receipts and issuance data in the warehouse work order management system; This employee provides quality control of inventory and performs annual reconciliation audits; stores and distributes supplies and equipment and maintains inventory and stock records; This records; This employee may supervise support staff.

EXAMPLES OF WORK: (Illustrative only)

- Maintains the warehouse and inventory areas in a neat and orderly manner;
- Assists employees in the receipt, issuance, and storage of equipment, supplies, and uniforms;
- Enters and records issuance and supply of PPE (personal protection equipment) into work order management system.
- Maintains inventory data base in a work order management system used by the Department of Public Works
- Leads efforts and conducts bi-annual inventory audits to ensure accuracy and accounting for all stock items. Results are entered into the work order management system
- Maintains inventory issuance reports to maintain quality control and accountability
- Enters receipts and maintains records of work boot vouchers issued to remain compliant with County policy
- Searches work order management system to determine stock-use by employees or section to maintain compliance to Department/County Policy
- Receives and inspects all incoming materials and reconciles with purchase orders;
- Enters yard items, from Loader Operator sheets, onto workorders
- Processes and distributes documentation with purchase orders; reports, documents and tracks damages and discrepancies on orders received.
- May make deliveries of requested supplies and/or surplus property to departments when necessary;
- Receives, tags, stores photographs and tracks surplus property; prepares property lists for items to be sold at auctions;
- Files GovDeals receipts from Purchasing to ensure they are signed and returned.
- Inspects supplies and equipment and recommends disposition;

NEW CASTLE COUNTY GOVERNMENT**Number** 0082**Page** 1 of 2**Date** 02/08/17**CLASS SPECIFICATION****Title:** STOREKEEPER**Approved:**

- Determines extent of damage to equipment and what repairs are necessary;
- May make repairs and adjustments to tools and equipment;
- Ships or returns canceled and damaged items back to vendors;
- Coordinates and manages product pick-up with primary points of contact within each operating section of Public Works
- Operates a fork-lift truck or ~~front-end~~ loader to load and unload materials;
- ~~Supervises and assists in taking a complete inventory on a cyclical basis;~~
- Keeps up-to-date inventory issue and receipt records;
- Assists in establishing and maintaining minimum and maximum stock levels;
- Assists in developing and implementing operating procedures;
- May train and direct the work of seasonal employees;
- This employee is green-carded to the Central Receiving Supervisor position, as needed
- 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: Thorough knowledge of modern warehouse procedures, including receiving, storing, and issuing large quantities of equipment and supplies; Good knowledge of computerized warehouse record keeping systems and work order management systems; knowledge of basic stock inventory procedures and ability to maintain perpetual inventory records; ability to institute action on items not returned; ability to communicate courteously and effectively, both verbally and in writing; ability to establish and maintain good working relationships with other employees; ability to lift heavy objects

MINIMUM QUALIFICATIONS: At least three (3) years' experience working in a storeroom, warehouse or related field and completion of a standard high school course or GED certificate program; or any equivalent combination of experience and training directly related to the required knowledge, skills, and abilities.

ADDITIONAL REQUIREMENTS: Possession of a valid Delaware Class D driver's license or its equivalent; ability to pass a Class II County physical examination and background check.

HISTORY OF REVISIONS:

Established: 10/09/75
 Revised: 07/26/88
 Revised: 03/20/89
 Revised: 08/13/90
 Revised: 01/24/95
 Revised: 11/01/98
 Revised: 05/01/03
 Revised: 02/08/17

**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										
STOREKEEPER	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
BUILDING AND SITE INSPECTOR	20										
CERTIFIED ASSESSOR I	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										

**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
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										
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: 05/09/2023 (Ordinance 23-047)

Revised: 06/13/2023 (Ordinance 23-057)

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

Introduced by: Ms. Hartley-Nagle
Date of introduction: July 25, 2023

ORDINANCE NO. 23-097

TO REVISE THE CLASS SPECIFICATION OF PUBLIC WORKS PROJECT MANAGER TO FACILITIES PROJECT MANAGER AND AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES FOR THE DEPARTMENT OF PUBLIC WORKS

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

WHEREAS, the Department submitted revisions to the class specification of Public Works Project Manager to eliminate redundancy and functional overlap; and

WHEREAS, the Human Resources Advisory Board at its meeting on July 6, 2023, recommended changes to the class specification of Public Works Project Manager (Pay Grade 30) including changing the title to Facilities Project Manager (Pay Grade 28) on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees; and

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

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

Section 1. The Class Specification for Public Works Project Manager (proposed Facilities Project Manager) is amended as set forth in Exhibit "A."

Section 2. The Pay Plan and Rates of Pay for Non-Union Classified Service Employees, effective July 1, 2023 through June 30, 2024, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit "B."

Section 3. The Pay Plan and Rates of Pay for Non-Union Classified Service Employees, effective July 1, 2024 through June 30, 2025, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit "C."

Section 4. The Pay Plan and Rates of Pay for Non-Union Classified Service Employees, effective July 1, 2025 through June 30, 2026, is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit "D."

Section 5. The Pay Plan and Rates of Pay for Non-Union Classified Service Employees, effective July 1, 2026 is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth in Exhibit "E."

Section 6. 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, changes the position title of Public Works Project Manager (Pay Grade 30) to Facilities Project Manager (Pay Grade 28) on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

FISCAL IMPACT: This Ordinance, if approved, changes the position title of Public Works Project Manager (Pay Grade 30) to Facilities Project Manager (Pay Grade 28) on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

There are currently no positions with the title of Public Works Project Manager. There will be no discernible fiscal impact upon the adoption of this Ordinance.

NEW CASTLE COUNTY GOVERNMENT

Number ~~0144~~

Page -1 of 3

CLASS SPECIFICATION

Date ~~04/30/18~~

Title: ~~PUBLIC WORKS PROJECT MANAGER~~ Facilities Project Manager

Approved:

GENERAL STATEMENT OF DUTIES: Performs highly ~~responsible management analyst work to achieve efficient and effective operations within Public Works Department functional responsibilities; does~~ skilled project planning, design and management work related to the construction, renovation and maintenance of New Castle County facilities; performs related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class ~~is responsible for assisting in the review of various support functions within the Public Works Department. This employee is responsible for defining varied and County wide program requirements, fiscal impacts, alternatives, recommendations and modifications to ensure the delivery of the proper levels of program services. This employee carries out special~~ provides professional project management-level to a wide variety of projects, but primarily focused on facility renovation of public facilities, such as required. Under general supervision, this employee has wide latitude in policy writing and defining, devising and implementing County wide programs. buildings and parks. Responsibilities may include condition assessment of facility assets and systems, project planning, estimating cost and schedule of repairs/replacement required, preparing bid documents, coordinating construction and communicating with internal and external stakeholders affected by the projects. This employee works under general supervision and may ~~supervise~~ direct other employees when necessary.

EXAMPLES OF WORK: (Illustrative ~~Only~~ only)

- ~~— Evaluates and analyzes programs and projects to determine the effective use of resources and the effects of implementation of new or modified programs and projects;~~
- ~~—~~ Evaluate the condition of assets, provide recommendations on repairs or renovations.
- ~~- Ensures compliance of building codes, departmental policies and procedures in conjunction with established goals and objectives;~~
- ~~-~~ Assists in the compilation of data Provides project cost and schedule estimates for the development of project capital and operating budgets;
- ~~— Analyzes operations to include work flow, service delivery and fiscal impact;~~
- ~~— Develops, revises, recommends and implements procedures, systems and~~

Number ~~0144~~ XXXX

NEW CASTLE COUNTY GOVERNMENT

Page 2 of 3

CLASS SPECIFICATION

Date ~~04/30/18~~ 10/31/11

Title: ~~PUBLIC WORKS PROJECT MANAGER~~ — Facilities Project Manager

Approved:

- ~~alternatives for the department's operational improvements;~~
- ~~— Recommends alternatives resulting from analyses and planning studies of operations;~~
- ~~— Performs special assignments as needed;~~
- ~~— Supervises, trains, instructs and evaluates employees;~~
- ~~— Presents project proposals to internal and external stakeholders;~~
- ~~— Prepares or coordinates preparation of bid and contract documents;~~
- ~~— Reviews and comments on technical drawings prepared by others;~~
- ~~— Assists in obtaining and reviewing bids in accordance to County code and policies;~~
- ~~— Reviews/Coordinates projects in the field to ensure contract compliance and manage expectations of stakeholders;~~
- ~~— Provides regular status reports of all projects in all phases;~~
- ~~— Promotes an ongoing attitude of dedication to excellent public ~~services~~ services 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 of building construction and building operating systems (mechanical, electrical, etc.); knowledge of architectural, mechanical and electrical design principles and practices; thorough knowledge of project planning and estimating; ability to work with engineers, architects and various skilled trades; strong communication skills, both verbally and in writing;

~~REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:~~ Thorough knowledge of the modern principles and practices of business and office management, operational analysis and office systems to include accounting and fiscal management; ability to perform independent analyses and interpret data; good knowledge of laws and regulations relating to departmental activities; ability to plan systems and to establish and administer complex procedures; ability to communicate courteously and effectively, both verbally and in writing; ability to identify program deficiencies and to recommend and implement changes; ability to prepare reports and make evaluations; ability to prepare financial forms; ability to establish and maintain effective working relationships with co-workers, other departments, agencies and the general public; ability to effectively supervise employees.

NEW CASTLE COUNTY GOVERNMENT

Number ~~0144~~Page ~~-3~~ of 3

CLASS SPECIFICATION

Date ~~-04/30/18~~

Title: ~~-PUBLIC WORKS PROJECT MANAGER~~Facilities Project Manager

Approved:

MINIMUM QUALIFICATIONS: ~~At least five (5) years'~~Some experience in ~~performing progressively responsible management analyst functionsthe building construction, building mechanical or electrical systems, project management, engineering or architectural field~~ and possession of a ~~Bachelor's~~Bachelor's Degree ~~from an accredited college or university~~ with major course work in ~~business administration or engineering, architecture, construction management, project management or~~ related field; or ~~anyan~~ equivalent combination of experience ~~and, education or~~ training directly related to the required knowledge, skills, and abilities.

ADDITIONAL REQUIREMENTS: Must pass a Class ~~III~~III County physical examination, and background check; possession of a valid Delaware Class D driver's license.

HISTORY OF REVISIONS:

Established: ~~11/01/07~~Revised: ~~05/01/01~~Revised: ~~04/30/18~~

EXHIBIT B
PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
SENIOR SERVICES TRANS. PROGRAM COORD.	16	34,077	35,780	37,569	39,448	41,420	43,490	45,664	47,948	50,345	52,863
INSURANCE CLAIMS ASSISTANT	17	35,781	37,570	39,449	41,421	43,492	45,667	47,951	50,348	52,866	55,509
SENIOR SERVICES CENTER DIRECTOR	18	37,571	39,450	41,422	43,493	45,668	47,952	50,350	52,867	55,510	58,286
CONFIDENTIAL ASSISTANT HUMAN RESOURCES ASSISTANT	20	41,422	43,493	45,668	47,952	50,350	52,867	55,510	58,286	61,200	64,260
FINANCE INFORMATION SPECIALIST FIRE/MEDICAL COMMUNICATIONS SUPERVISOR POLICE COMMUNICATIONS SUPERVISOR VICTIM'S ASSISTANCE OFFICE COORDINATOR	22	45,667	47,951	50,348	52,866	55,509	58,285	61,199	64,259	67,472	70,845
REGISTER IN CHANCERY OFFICE ADMINISTRATOR STORMWATER INSPECTION SUPERVISOR	23	47,950	50,347	52,865	55,508	58,284	61,198	64,258	67,471	70,844	74,387
CRIME ANALYST LAND USE PARALEGAL PUBLIC INFORMATION SPECIALIST REAL ESTATE COORDINATOR	24	50,350	52,867	55,510	58,286	61,200	64,260	67,473	70,846	74,389	78,109
CUSTOMER INFO. AND ASSISTANCE SUPV. POLICE ACCREDITATION COORDINATOR	25	52,868	55,511	58,287	61,201	64,261	67,474	70,847	74,390	78,110	82,015
ASSISTANT COMMUNITY SERVICES ADMIN. ASSISTANT LAND USE ADMINISTRATOR ENVIRONMENTAL ENGINEER I HUMAN RESOURCES TECHNICIAN INSURANCE ADMINISTRATOR LAW OFFICE ADMINISTRATOR	26	55,511	58,287	61,201	64,261	67,474	70,847	74,390	78,110	82,015	86,116
COMMUNITY GOVERNING ADMINISTRATOR SPORTS AND ATHLETICS ADMINISTRATOR	27	58,286	61,200	64,260	67,473	70,846	74,389	78,109	82,014	86,115	90,421
ENVIRONMENTAL ADMINISTRATOR <u>FACILITIES PROJECT MANAGER</u> LAND USE SERVICES ADMINISTRATOR PUBLIC WORKS PROGRAM MANAGER STORMWATER PROGRAM COORDINATOR	28	61,200	64,260	67,473	70,846	74,389	78,109	82,014	86,115	90,421	94,942
PAYROLL SUPERVISOR	29	64,262	67,475	70,848	74,391	78,111	82,016	86,117	90,423	94,944	99,691
COMMUNITY SERVICES ADMINISTRATOR EMPLOYEE RELATIONS SPECIALIST FINANCE ADMINISTRATION MANAGER HUMAN RESOURCES ADMINISTRATOR LAND USE ADMINISTRATOR OPERATIONS SERVICES MANAGER PARKS DEVELOPMENT PLANNER PENSION AND BENEFITS ADMINISTRATOR PUBLIC WORKS PROJECT MANAGER TRANSPORTATION PLANNER	30	67,474	70,847	74,390	78,110	82,015	86,116	90,422	94,943	99,690	104,675
DEVELOPMENT FACILITATOR PROPERTY ASSESSMENT SERVICES MANAGER	31	70,851	74,393	78,113	82,018	86,119	90,425	94,946	99,694	104,679	109,912
COMMUNITY SERVICES MANAGER DEPARTMENT FINANCE OFFICER INFORMATION SYSTEMS ASSISTANT MANAGER LICENSING MANAGER MANAGEMENT AND PRODUCTIVITY MANAGER PLANNING MANAGER SENIOR FINANCIAL OFFICER	32	74,392	78,112	82,017	86,118	90,424	94,945	99,692	104,677	109,910	115,405

EXHIBIT B**PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ACCOUNTING AND FISCAL MANAGER	34	82,016	86,117	90,423	94,944	99,691	104,676	109,909	115,404	121,174	127,233
ASSISTANT LAND USE MANAGER											
CHIEF PROCUREMENT OFFICER											
CHIEF OF SPECIAL PROJECTS											
ENGINEERING SERVICES MANAGER											
INFORMATION SYSTEMS MANAGER											
INSURANCE AND LOSS CONTROL MANAGER											
INTERNAL SERVICES MANAGER											
PARKS DIVISION MANAGER											
PENSION PROGRAM MANAGER											
SEWER OPERATIONS MANAGER											
STORMWATER & ENVIRONMENTAL PROGS. MGR											
TREASURY MANAGER											
FINANCE LEGAL OFFICER	35	86,118	90,424	94,945	99,692	104,677	109,910	115,405	121,176	127,235	133,597
FIRST ASSISTANT COUNTY ATTORNEY											
HUMAN RESOURCES MANAGER											
PUBLIC WORKS SENIOR MANAGER	36	90,423	94,944	99,691	104,676	109,909	115,404	121,174	127,233	133,594	140,274
DEPUTY CHIEF OF TECHNOLOGY											

NON-UNION CLASSIFIED SERVICE EMPLOYEES OF EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL SERVICES

ASSISTANT CHIEF OF EMERG. COMMUNICATIONS	30	71,779	75,152	78,695	82,415	86,320	90,421	94,727	99,248	103,995	108,980
CHIEF OF EMERGENCY COMMUNICATIONS	36	94,728	99,249	103,996	108,981	114,214	119,709	125,479	131,538	137,899	144,579
CHIEF OF EMERGENCY MEDICAL SERVICES	38	106,867	111,852	117,085	122,580	128,351	134,410	140,772	147,452	154,466	161,831

Effective: 07/01/2023 (Ordinance 23-063)

Revised: 07/01/2023 (Ordinance 23-086)

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

EXHIBIT C
PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
SENIOR SERVICES TRANS. PROGRAM COORD.	16	34,929	36,675	38,509	40,435	42,456	44,578	46,806	49,147	51,604	54,185
INSURANCE CLAIMS ASSISTANT	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897
SENIOR SERVICES CENTER DIRECTOR	18	38,511	40,437	42,458	44,581	46,810	49,151	51,609	54,189	56,898	59,744
CONFIDENTIAL ASSISTANT HUMAN RESOURCES ASSISTANT	20	42,458	44,581	46,810	49,151	51,609	54,189	56,898	59,744	62,730	65,867
FINANCE INFORMATION SPECIALIST FIRE/MEDICAL COMMUNICATIONS SUPERVISOR POLICE COMMUNICATIONS SUPERVISOR VICTIM'S ASSISTANCE OFFICE COORDINATOR	22	46,809	49,150	51,607	54,188	56,897	59,743	62,729	65,866	69,159	72,617
REGISTER IN CHANCERY OFFICE ADMINISTRATOR STORMWATER INSPECTION SUPERVISOR	23	49,149	51,606	54,187	56,896	59,742	62,728	65,865	69,158	72,616	76,247
CRIME ANALYST LAND USE PARALEGAL PUBLIC INFORMATION SPECIALIST REAL ESTATE COORDINATOR	24	51,609	54,189	56,898	59,744	62,730	65,867	69,160	72,618	76,249	80,062
CUSTOMER INFO. AND ASSISTANCE SUPV. POLICE ACCREDITATION COORDINATOR	25	54,190	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066
ASSISTANT COMMUNITY SERVICES ADMIN. ASSISTANT LAND USE ADMINISTRATOR ENVIRONMENTAL ENGINEER I HUMAN RESOURCES TECHNICIAN INSURANCE ADMINISTRATOR LAW OFFICE ADMINISTRATOR	26	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066	88,269
COMMUNITY GOVERNING ADMINISTRATOR SPORTS AND ATHLETICS ADMINISTRATOR	27	59,744	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682
ENVIRONMENTAL ADMINISTRATOR <u>FACILITIES PROJECT MANAGER</u> LAND USE SERVICES ADMINISTRATOR PUBLIC WORKS PROGRAM MANAGER STORMWATER PROGRAM COORDINATOR	28	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682	97,316
PAYROLL SUPERVISOR	29	65,869	69,162	72,620	76,251	80,064	84,067	88,270	92,684	97,318	102,184
COMMUNITY SERVICES ADMINISTRATOR EMPLOYEE RELATIONS SPECIALIST FINANCE ADMINISTRATION MANAGER HUMAN RESOURCES ADMINISTRATOR LAND USE ADMINISTRATOR OPERATIONS SERVICES MANAGER PARKS DEVELOPMENT PLANNER PENSION AND BENEFITS ADMINISTRATOR PUBLIC WORKS PROJECT MANAGER TRANSPORTATION PLANNER	30	69,161	72,619	76,250	80,063	84,066	88,269	92,683	97,317	102,183	107,292
DEVELOPMENT FACILITATOR PROPERTY ASSESSMENT SERVICES MANAGER	31	72,623	76,253	80,066	84,069	88,272	92,686	97,320	102,187	107,296	112,660
COMMUNITY SERVICES MANAGER DEPARTMENT FINANCE OFFICER INFORMATION SYSTEMS ASSISTANT MANAGER LICENSING MANAGER MANAGEMENT AND PRODUCTIVITY MANAGER PLANNING MANAGER SENIOR FINANCIAL OFFICER	32	76,252	80,065	84,068	88,271	92,685	97,319	102,185	107,294	112,658	118,291

EXHIBIT C**PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ACCOUNTING AND FISCAL MANAGER	34	84,067	88,270	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414
ASSISTANT LAND USE MANAGER											
CHIEF PROCUREMENT OFFICER											
CHIEF OF SPECIAL PROJECTS											
ENGINEERING SERVICES MANAGER											
INFORMATION SYSTEMS MANAGER											
INSURANCE AND LOSS CONTROL MANAGER											
INTERNAL SERVICES MANAGER											
PARKS DIVISION MANAGER											
PENSION PROGRAM MANAGER											
SEWER OPERATIONS MANAGER											
STORMWATER & ENVIRONMENTAL PROGS. MGR											
TREASURY MANAGER											
FINANCE LEGAL OFFICER	35	88,271	92,685	97,319	102,185	107,294	112,658	118,291	124,206	130,416	136,937
FIRST ASSISTANT COUNTY ATTORNEY											
HUMAN RESOURCES MANAGER											
PUBLIC WORKS SENIOR MANAGER	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781
DEPUTY CHIEF OF TECHNOLOGY											

NON-UNION CLASSIFIED SERVICE EMPLOYEES OF EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL SERVICES

ASSISTANT CHIEF OF EMERG. COMMUNICATIONS	30	73,574	77,031	80,663	84,476	88,478	92,682	97,096	101,730	106,595	111,705
CHIEF OF EMERGENCY COMMUNICATIONS	36	97,097	101,731	106,596	111,706	117,070	122,702	128,616	134,827	141,347	148,194
CHIEF OF EMERGENCY MEDICAL SERVICES	38	109,539	114,649	120,013	125,645	131,560	137,771	144,292	151,139	158,328	165,877

Effective: 07/01/2024 (Ordinance 23-063)

Revised: 07/01/2024 (Ordinance 23-086)

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

EXHIBIT D
PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
SENIOR SERVICES TRANS. PROGRAM COORD.	16	35,803	37,592	39,472	41,446	43,518	45,693	47,977	50,376	52,895	55,540
INSURANCE CLAIMS ASSISTANT	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320
SENIOR SERVICES CENTER DIRECTOR	18	39,474	41,448	43,520	45,696	47,981	50,380	52,900	55,544	58,321	61,238
CONFIDENTIAL ASSISTANT HUMAN RESOURCES ASSISTANT	20	43,520	45,696	47,981	50,380	52,900	55,544	58,321	61,238	64,299	67,514
FINANCE INFORMATION SPECIALIST FIRE/MEDICAL COMMUNICATIONS SUPERVISOR POLICE COMMUNICATIONS SUPERVISOR VICTIM'S ASSISTANCE OFFICE COORDINATOR	22	47,980	50,379	52,898	55,543	58,320	61,237	64,298	67,513	70,888	74,433
REGISTER IN CHANCERY OFFICE ADMINISTRATOR STORMWATER INSPECTION SUPERVISOR	23	50,378	52,897	55,542	58,319	61,236	64,297	67,512	70,887	74,432	78,154
CRIME ANALYST LAND USE PARALEGAL PUBLIC INFORMATION SPECIALIST REAL ESTATE COORDINATOR	24	52,900	55,544	58,321	61,238	64,299	67,514	70,889	74,434	78,156	82,064
CUSTOMER INFO. AND ASSISTANCE SUPV. POLICE ACCREDITATION COORDINATOR	25	55,545	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168
ASSISTANT COMMUNITY SERVICES ADMIN. ASSISTANT LAND USE ADMINISTRATOR ENVIRONMENTAL ENGINEER I HUMAN RESOURCES TECHNICIAN INSURANCE ADMINISTRATOR LAW OFFICE ADMINISTRATOR	26	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168	90,476
COMMUNITY GOVERNING ADMINISTRATOR SPORTS AND ATHLETICS ADMINISTRATOR	27	61,238	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000
ENVIRONMENTAL ADMINISTRATOR <u>FACILITIES PROJECT MANAGER</u> LAND USE SERVICES ADMINISTRATOR PUBLIC WORKS PROGRAM MANAGER STORMWATER PROGRAM COORDINATOR	28	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000	99,749
PAYROLL SUPERVISOR	29	67,516	70,892	74,436	78,158	82,066	86,169	90,477	95,002	99,751	104,739
COMMUNITY SERVICES ADMINISTRATOR EMPLOYEE RELATIONS SPECIALIST FINANCE ADMINISTRATION MANAGER HUMAN RESOURCES ADMINISTRATOR LAND USE ADMINISTRATOR OPERATIONS SERVICES MANAGER PARKS DEVELOPMENT PLANNER PENSION AND BENEFITS ADMINISTRATOR PUBLIC WORKS PROJECT MANAGER TRANSPORTATION PLANNER	30	70,891	74,435	78,157	82,065	86,168	90,476	95,001	99,750	104,738	109,975
DEVELOPMENT FACILITATOR PROPERTY ASSESSMENT SERVICES MANAGER	31	74,439	78,160	82,068	86,171	90,479	95,004	99,753	104,742	109,979	115,477
COMMUNITY SERVICES MANAGER DEPARTMENT FINANCE OFFICER INFORMATION SYSTEMS ASSISTANT MANAGER LICENSING MANAGER MANAGEMENT AND PRODUCTIVITY MANAGER PLANNING MANAGER SENIOR FINANCIAL OFFICER	32	78,159	82,067	86,170	90,478	95,003	99,752	104,740	109,977	115,475	121,249

EXHIBIT D**PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ACCOUNTING AND FISCAL MANAGER	34	86,169	90,477	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675
ASSISTANT LAND USE MANAGER											
CHIEF PROCUREMENT OFFICER											
CHIEF OF SPECIAL PROJECTS											
ENGINEERING SERVICES MANAGER											
INFORMATION SYSTEMS MANAGER											
INSURANCE AND LOSS CONTROL MANAGER											
INTERNAL SERVICES MANAGER											
PARKS DIVISION MANAGER											
PENSION PROGRAM MANAGER											
SEWER OPERATIONS MANAGER											
STORMWATER & ENVIRONMENTAL PROGS. MGR											
TREASURY MANAGER											
FINANCE LEGAL OFFICER	35	90,478	95,003	99,752	104,740	109,977	115,475	121,249	127,312	133,677	140,361
FIRST ASSISTANT COUNTY ATTORNEY											
HUMAN RESOURCES MANAGER											
PUBLIC WORKS SENIOR MANAGER	36	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,358	147,376
DEPUTY CHIEF OF TECHNOLOGY											

NON-UNION CLASSIFIED SERVICE EMPLOYEES OF EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL SERVICES

ASSISTANT CHIEF OF EMERG. COMMUNICATIONS	30	75,414	78,957	82,680	86,588	90,690	95,000	99,524	104,274	109,260	114,498
CHIEF OF EMERGENCY COMMUNICATIONS	36	99,525	104,275	109,261	114,499	119,997	125,770	131,832	138,198	144,881	151,899
CHIEF OF EMERGENCY MEDICAL SERVICES	38	112,278	117,516	123,014	128,787	134,849	141,216	147,900	154,918	162,287	170,024

Effective: 07/01/2025 (Ordinance 23-063)

Revised: 07/01/2025 (Ordinance 23-086)

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

EXHIBIT E
PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
SENIOR SERVICES TRANS. PROGRAM COORD.	16	36,699	38,532	40,459	42,483	44,606	46,836	49,177	51,636	54,218	56,929
INSURANCE CLAIMS ASSISTANT	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778
SENIOR SERVICES CENTER DIRECTOR	18	40,461	42,485	44,608	46,839	49,181	51,640	54,223	56,933	59,780	62,769
CONFIDENTIAL ASSISTANT HUMAN RESOURCES ASSISTANT	20	44,608	46,839	49,181	51,640	54,223	56,933	59,780	62,769	65,907	69,202
FINANCE INFORMATION SPECIALIST FIRE/MEDICAL COMMUNICATIONS SUPERVISOR POLICE COMMUNICATIONS SUPERVISOR VICTIM'S ASSISTANCE OFFICE COORDINATOR	22	49,180	51,639	54,221	56,932	59,778	62,768	65,906	69,201	72,661	76,294
REGISTER IN CHANCERY OFFICE ADMINISTRATOR STORMWATER INSPECTION SUPERVISOR	23	51,638	54,220	56,931	59,777	62,767	65,905	69,200	72,660	76,293	80,108
CRIME ANALYST LAND USE PARALEGAL PUBLIC INFORMATION SPECIALIST REAL ESTATE COORDINATOR	24	54,223	56,933	59,780	62,769	65,907	69,202	72,662	76,295	80,110	84,116
CUSTOMER INFO. AND ASSISTANCE SUPV. POLICE ACCREDITATION COORDINATOR	25	56,934	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323
ASSISTANT COMMUNITY SERVICES ADMIN. ASSISTANT LAND USE ADMINISTRATOR ENVIRONMENTAL ENGINEER I HUMAN RESOURCES TECHNICIAN INSURANCE ADMINISTRATOR LAW OFFICE ADMINISTRATOR	26	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323	92,738
COMMUNITY GOVERNING ADMINISTRATOR SPORTS AND ATHLETICS ADMINISTRATOR	27	62,769	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375
ENVIRONMENTAL ADMINISTRATOR <u>FACILITIES PROJECT MANAGER</u> LAND USE SERVICES ADMINISTRATOR PUBLIC WORKS PROGRAM MANAGER STORMWATER PROGRAM COORDINATOR	28	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375	102,243
PAYROLL SUPERVISOR	29	69,204	72,665	76,297	80,112	84,118	88,324	92,739	97,378	102,245	107,358
COMMUNITY SERVICES ADMINISTRATOR EMPLOYEE RELATIONS SPECIALIST FINANCE ADMINISTRATION MANAGER HUMAN RESOURCES ADMINISTRATOR LAND USE ADMINISTRATOR OPERATIONS SERVICES MANAGER PARKS DEVELOPMENT PLANNER PENSION AND BENEFITS ADMINISTRATOR PUBLIC WORKS PROJECT MANAGER TRANSPORTATION PLANNER	30	72,664	76,296	80,111	84,117	88,323	92,738	97,377	102,244	107,357	112,725
DEVELOPMENT FACILITATOR PROPERTY ASSESSMENT SERVICES MANAGER	31	76,300	80,114	84,120	88,326	92,741	97,380	102,247	107,361	112,729	118,364
COMMUNITY SERVICES MANAGER DEPARTMENT FINANCE OFFICER INFORMATION SYSTEMS ASSISTANT MANAGER LICENSING MANAGER MANAGEMENT AND PRODUCTIVITY MANAGER PLANNING MANAGER SENIOR FINANCIAL OFFICER	32	80,113	84,119	88,325	92,740	97,379	102,246	107,359	112,727	118,362	124,281

EXHIBIT E**PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ACCOUNTING AND FISCAL MANAGER	34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017
ASSISTANT LAND USE MANAGER											
CHIEF PROCUREMENT OFFICER											
CHIEF OF SPECIAL PROJECTS											
ENGINEERING SERVICES MANAGER											
INFORMATION SYSTEMS MANAGER											
INSURANCE AND LOSS CONTROL MANAGER											
INTERNAL SERVICES MANAGER											
PARKS DIVISION MANAGER											
PENSION PROGRAM MANAGER											
SEWER OPERATIONS MANAGER											
STORMWATER & ENVIRONMENTAL PROGS. MGR											
TREASURY MANAGER											
FINANCE LEGAL OFFICER	35	92,740	97,379	102,246	107,359	112,727	118,362	124,281	130,495	137,019	143,871
FIRST ASSISTANT COUNTY ATTORNEY											
HUMAN RESOURCES MANAGER											
PUBLIC WORKS SENIOR MANAGER	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061
DEPUTY CHIEF OF TECHNOLOGY											

NON-UNION CLASSIFIED SERVICE EMPLOYEES OF EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL SERVICES

ASSISTANT CHIEF OF EMERG. COMMUNICATIONS	30	77,300	80,931	84,747	88,753	92,958	97,375	102,013	106,881	111,992	117,361
CHIEF OF EMERGENCY COMMUNICATIONS	36	102,014	106,882	111,993	117,362	122,997	128,915	135,128	141,653	148,504	155,697
CHIEF OF EMERGENCY MEDICAL SERVICES	38	115,085	120,454	126,090	132,007	138,221	144,747	151,598	158,791	166,345	174,275

Effective: 07/01/2026 (Ordinance 23-063)

Revised: 07/01/2026 (Ordinance 23-086)

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

Introduced by: Ms. Hartley-Nagle
Date of introduction: July 25, 2023

ORDINANCE NO. 23-098

**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 AND TO ADOPT THE CLASS
SPECIFICATIONS FOR THE POSITION TITLES OF ENVIRONMENTAL PROGRAM
MANAGER I, ENVIRONMENTAL PROGRAM MANAGER II AND ENVIRONMENTAL
PROGRAM MANAGER III**

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

WHEREAS, the Department submitted new class specifications for Environmental Program Manager I, Environmental Program Manager II and Environmental Program Manager III to create a career ladder that reflects the environmental responsibilities of the Department; and

WHEREAS, the Human Resources Advisory Board at their meeting on July 6, 2023, recommended that the class specifications for the new position titles of Environmental Program Manager I (Pay Grade 26), Environmental Program Manager II (Pay Grade 28), and Environmental Program Manager III (Pay Grade 30) 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.

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

Section 1. The Class Specification for Environmental Program Manager I is adopted as set forth in Exhibit "A."

Section 2. The Class Specification for Environmental Program Manager II is adopted as set forth in Exhibit "B."

Section 3. The Class Specification for Environmental Program Manager III is adopted as set forth in Exhibit "C."

Section 4. 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 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, adds the position titles of Environmental Program Manager I (Pay Grade 26), Environmental Program Manager II (Pay Grade 28), and Environmental Program Manager III (Pay Grade 30) to the Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607, and adopts the class specifications of Environmental Program Manager I, Environmental Program Manager II, and Environmental Program Manager III, as recommended by the Human Resources Advisory Board.

FISCAL IMPACT: This Ordinance, if approved, adds the position titles of Environmental Program Manager I (Pay Grade 26), Environmental Program Manager II (Pay Grade 28), and Environmental Program Manager III (Pay Grade 30) to the Pay Plan and Rates of Pay for Classified Service Employees represented by AFSCME Local 1607, and adopts the class specifications of Environmental Program Manager I, Environmental Program Manager II, and Environmental Program Manager III, as recommended by the Human Resources Advisory Board.

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

NEW CASTLE COUNTY GOVERNMENT CLASS SPECIFICATION	Number Page 1 of 2 Date
Title: ENVIRONMENTAL PROGRAM MANAGER I	Approved

GENERAL STATEMENT OF DUTIES: Supports the management of an environmental program; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class applies basic knowledge and experience related to environmental science and environmental programs designed to preserve and enhance water quality, air quality, open space, wildlife habitat and overall sustainability of the County. This position works under supervision and may supervise subordinate employees.

EXAMPLES OF WORK: (Illustrative only)

- Assists in planning and implementing one or more aspects of an environmental program;
- Reviews program requirements to assure achievement of compliance;
- Provides technical direction and oversight of subordinates;
- Conducts site visits, studies and other research to provide technical direction to complete environmental-related work;
- Makes periodic and special reports when required; .
- Recommends and drafts public education materials, rules, regulations and standard operational procedures for assigned program areas;
- Plans, coordinates and attends meetings and workshops;
- 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 data processing terminal, personal computer, and other related equipment in the course of the work.

REQUIRED KNOWLEDGE SKILLS AND ABILITIES: Ability to interpret environmental rules, regulations, standards and policies; knowledge of water quality, air quality, groundwater monitoring and remediation, sustainability, land preservation/conservation and other environmental protection management practices; ability to manage a component of an environmental program; ability to communicate courteously and

NEW CASTLE COUNTY GOVERNMENT CLASS SPECIFICATION	Number
	Page 2 of 2
	Date
Title: ENVIRONMENTAL PROGRAM MANAGER I	Approved

effectively, both verbally and in writing; ability to pass a Class III County physical examination.

ACCEPTABLE EXPERIENCE AND TRAINING: Possession of a bachelor’s degree from an accredited college or university with major course work in environmental science, environmental studies, engineering, life sciences, or related field; or possession of an Associate’s degree with major course work in environmental studies, engineering, or life sciences and two years of relevant experience; or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

HISTORY OF REVISIONS:

NEW CASTLE COUNTY GOVERNMENT CLASS SPECIFICATION	Number Page 1 of 2 Date
Title: ENVIRONMENTAL PROGRAM MANAGER II	Approved

GENERAL STATEMENT OF DUTIES: Manages an environmental program; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs mid-level management of an environmental program, designed to preserve and enhance water quality, air quality, open space, wildlife habitat and overall sustainability of the County. This position works under general supervision and may supervise subordinate employees.

EXAMPLES OF WORK: (Illustrative only)

- Plans, coordinates and oversees implementation of an environmental compliance, education, stormwater management, land preservation/conservation, sustainability or similar program;
- Keeps abreast of State, Federal, and local environmental regulations;
- Reviews program requirements to assure achievement of compliance;
- Develops innovative practices for public education and outreach efforts;
- Monitors and evaluates the effectiveness of environmental and sustainability programs
- Oversees capital projects designed to improve environmental quality and sustainability;
- Helps prepare budgets for program viability;
- Provides technical direction and oversight of subordinates;
- Makes periodic and special reports when required; .
- Recommends and drafts rules, regulations and standards operational procedures for assigned program areas;
- Plans, coordinates and attends meetings and workshops;
- 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 data processing terminal, personal computer, and other related equipment in the course of the work.

NEW CASTLE COUNTY GOVERNMENT CLASS SPECIFICATION	Number
	Page 2 of 2
	Date
Title: ENVIRONMENTAL PROGRAM MANAGER II	Approved

REQUIRED KNOWLEDGE SKILLS AND ABILITIES: One year of experience interpreting environmental rules, regulations, standards and policies; knowledge of water quality, groundwater monitoring and remediation, land preservation/conservation, sustainability, and other environmental protection management practices; ability to design, plan, and oversee environmental and sustainability programs; ability to communicate courteously and effectively, both verbally and in writing; ability to pass a Class III County physical examination.

ACCEPTABLE EXPERIENCE AND TRAINING: Possession of a Bachelor's Degree from an accredited college or university with major course work in environmental science, environmental studies, engineering, life sciences or related field and one year experience overseeing an environmental program; or possession of an Associate's degree with major course work in environmental studies, engineering, or life sciences and three years of relevant experience; or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

HISTORY OF REVISIONS:

NEW CASTLE COUNTY GOVERNMENT CLASS SPECIFICATION	Number Page 1 of 2 Date
Title: ENVIRONMENTAL PROGRAM MANAGER III	Approved

GENERAL STATEMENT OF DUTIES: Leads and provides high level management of multiple environmental programs; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs high level work in the management of environmental programs designed to preserve and enhance the water quality, air quality, open space, wildlife habitat and overall sustainability of the County. Assignments are broad in scope and considerable independent judgement is required. Responsibilities may include directing and supervising subordinate technical and administrative employees. This position works under general supervision and includes supervision and coordination of subordinate professional, technical and administrative support staff.

EXAMPLES OF WORK: (Illustrative only)

- Works with policy makers, legislators, regulators, professional organizations and the public towards the County's environmental and sustainability goals.
- Plans, coordinates and oversees implementation of various environmental programs, or a single environmental program that is of a complex nature;
- Oversees the development and implementation of capital projects to improve environmental quality and sustainability;
- Plans and develops public education and outreach efforts;
- Monitors and evaluates the effectiveness of environmental and sustainability programs, and when needed, recommends changes to close strategic gaps
- Creates and furthers existing short- and long-term sustainability strategies;
- Reviews program requirements to assure achievement of compliance;
- Provides technical direction and oversight of subordinates;
- Makes periodic and special reports when required; .
- Recommends and drafts rules, regulations and standards operational procedures for assigned program areas;
- Plans, coordinates and attends meetings and workshops;
- Represents the County on technical committees;

NEW CASTLE COUNTY GOVERNMENT

Number

Page 2 of 2

CLASS SPECIFICATION

Date

Title: ENVIRONMENTAL PROGRAM MANAGER III

Approved

- Assist with the development of operating and capital projects budgets;
- 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 data processing terminal, personal computer, and other related equipment in the course of the work.

REQUIRED KNOWLEDGE SKILLS AND ABILITIES: Three years of experience interpreting environmental rules, regulations, standards and policies; knowledge of water quality, air quality, groundwater monitoring and remediation, sustainability, and other environmental protection management practices; ability to design, plan, and oversee ability to communicate courteously and effectively, both verbally and in writing; ability to pass a Class III County physical examination.

ACCEPTABLE EXPERIENCE AND TRAINING: Possession of a Bachelor's Degree from an accredited college or university with major course work in environmental science, environmental studies, engineering, or life sciences and 2 years experience overseeing an environmental program; or possession of an associate degree with major course work in environmental studies, engineering, or life sciences and four years of relevant experience; or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

HISTORY OF REVISIONS:

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
BUILDING AND SITE INSPECTOR	20										
CERTIFIED ASSESSOR I	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										

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
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										
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										
ENVIRONMENTAL PROGRAM MANAGER I	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										
ENVIRONMENTAL PROGRAM MANAGER 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										
ENVIRONMENTAL PROGRAM MANAGER 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: 05/09/2023 (Ordinance 23-047)

Revised: 06/13/2023 (Ordinance 23-057)

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

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

ORDINANCE NO. 23-099

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$8,942.44 IN PROGRAM INCOME TO THE ABSALOM JONES SENIOR
CENTER RECREATION GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF COMMUNITY RESOURCES**

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

WHEREAS, authorization is being sought for the appropriation of an additional \$8,942.44 in program income to the Absalom Jones Senior Center Recreation grant; and

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

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

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

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

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

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: Appropriate \$8,942.44 in program income to the Absalom Jones Senior Center Recreation Grant, which will be administered by the Department of Community Services, Division of Community Resources.

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

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$8,942.44 in program income funds to the Absalom Jones Senior Center Recreation Grant to be administered by the Department of Community Services, Division of Community Resources. The revenue appropriation on this request, if approved, will be used for the cost of tour transportation.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$8,942.44 for FY2024. This is an ongoing grant and there is no discernible fiscal impact on the current operating budget.

DEPARTMENT: Community Services

GRANT TITLE: Absalom Jones Senior Center Recreation

PROGRAM TITLE: Absalom Jones Senior Center Recreation

EXHIBIT: "A"

Ordinance No. 23-099

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 632.05	\$ -	\$ 632.05
Communication/Utilities	\$ 468.33	\$ -	\$ 468.33
Materials/Supplies	\$ 33,217.64	\$ -	\$ 33,217.64
Contractual Services	\$ 231,407.82	\$ 8,942.44	\$ 240,350.26
Equipment	\$ 3,100.00	\$ -	\$ 3,100.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 268,825.84	\$ 8,942.44	\$ 277,768.28

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ 268,825.84	\$ 8,942.44	\$ 277,768.28
Total	\$ 268,825.84	\$ 8,942.44	\$ 277,768.28

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 10/1/1989 **Estimated Program Completion:** ongoing

The Local Match: **Found in (ORG):**

Ordinance 22-065, 23-014 **Date Revised:** 5/24/2022, 1/24/2023

Passed:

PROGRAM DESCRIPTION:

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

1/24/2023 7/25/2023

ORDINANCE NO. 23-100

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$748,853 TO THE CONTRACTED POLICE DUTY REVOLVING FUND,
WHICH IS ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF POLICE**

WHEREAS, the Contracted Police Duty Revolving Fund authorizes the Director of Public Safety to enter into contracts with individuals, companies, corporations, private entities, or other government sectors for public safety services on a contractual basis; and

WHEREAS, this legislation recognizes the anticipated reimbursements for police services to be received through June 30, 2024; and

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

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

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

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

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: Appropriate \$748,853 to the Contracted Police Duty Revolving Fund, which is administered by the Department of Public Safety, Division of Police for police services to be performed on a contractual basis.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$748,853 to the Contracted Police Duty Revolving Fund, which is administered by the Department of Public Safety, Division of Police.

This legislation recognizes the anticipated reimbursements for police services to be received through June 30, 2024 and authorizes the Director of Public Safety to enter into contracts (with individuals, companies, corporations, private entities, or other government sectors for public safety services) on a contractual basis.

The Director of Public Safety with the concurrence of the Chief Financial Officer establishes rates no less than the amount necessary to reimburse for the cost of providing this service. Contracted police services will be administered in a manner that will not interfere with, or reduce, the effectiveness of regular patrol service levels for residents of the County. The Contract Duty Fund rate will be \$81.00 per hour which includes the officer and vehicle.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$748,853. This increase will affect FY2024 and beyond, since this is a continuous program.

DEPARTMENT: Public Safety

GRANT TITLE: Contracted Police Duty Revolving Fund

PROGRAM TITLE: Contracted Police Duty Revolving Fund

EXHIBIT: "A"

Ordinance No. 23-100

Expense	Current	Change	Revised
Salaries and Wages	\$ 6,517,730.81	\$ 800,000.00	\$ 7,317,730.81
Benefits	\$ 304,880.07	\$ 56,853.00	\$ 361,733.07
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 129.88	\$ -	\$ 129.88
Contractual Services	\$ 1,468,857.25	\$ (108,000.00)	\$ 1,360,857.25
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 8,291,598.01	\$ 748,853.00	\$ 9,040,451.01

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ 8,291,598.01	\$ 748,853.00	\$ 9,040,451.01
Total	\$ 8,291,598.01	\$ 748,853.00	\$ 9,040,451.01

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 9/13/2005 **Estimated Program Completion:** ongoing

The Local Match: **Found in (ORG):**

Ordinance 05-089, 06-015, 06-108, 07-074, 08-077, 11-066,
Passed: 12-085, 13-044, 14-061, 15-061, 16-062, 17-059,
 18-067, 19-060, 20-073, 21-080

Date Revised: July 2005, March 2006, August 2006, June 2007, July 2008, June 2011, July 2012, July 2013, July 2014, June 2015, June 2016, June 2017, June 2018, June 2019, June 2020, July 2021

PROGRAM DESCRIPTION:

The Contracted Police Duty Revolving Fund authorizes the Director of Public Safety to enter into contracts with individuals, companies, corporations, private entities, or other government sectors for public safety services on a contractual basis.

~~6/22/2021~~ 7/25/2023

Introduced by: Ms. Kilpatrick, Mr. Sheldon
Date of introduction: July 25, 2023

ORDINANCE NO. 23-101

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”),
CHAPTER 13 (“STORMWATER MAINTENANCE DISTRICTS”), AND CHAPTER 14
 (“FINANCE AND TAXATION”) REGARDING BILLING AND COLLECTION OF
STORMWATER MAINTENANCE FEES AND THE REFUND OF CODE
ENFORCEMENT FEES PAID THROUGH ERROR**

WHEREAS, in 2022, County Council enacted Ordinance No. 21-144 to create stormwater maintenance districts to provide an alternative to property owners that are responsible for performing maintenance of stormwater management facilities within residential and mixed-use subdivisions, and to relieve property owners of the burden of such maintenance; and

WHEREAS, Ordinance No. 21-144 provides that delinquent stormwater maintenance fees shall be a lien on real property, similar to County taxes and other fees, and shall be subject to monition as set forth in 9 *Del. C.* §§ 8741-8761; however, the appropriate code sections for the monition process are 9 *Del. C.* §§ 8721-8733; and

WHEREAS, this Ordinance revises the *New Castle County Code* to include the proper *Delaware Code* provision for the monition process, updates how stormwater maintenance fees will appear on the tax bill, amends Chapter 6 of the *New Castle County Code* so stormwater maintenance fees are paid before a building permit is issued, and amends Chapter 14 of the *New Castle County Code* to treat stormwater maintenance fees in the same manner as taxes and sewer service charges are addressed throughout the Chapter; and

WHEREAS, this Ordinance also amends Chapter 13 of the *New Castle County Code*, to specifically reference January 13, 2021, the enactment date, to clarify which residential and mixed use subdivisions are automatically enrolled as stormwater maintenance district; and

WHEREAS, for consistency this Ordinance revises Chapter 14 of the *New Castle County Code* to allow the Chief Financial Officer to approve applications for refunds of Code Enforcement fees and stormwater maintenance fees paid in error, in the same manner as taxes and sewer charges; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance and are reasonably and rationally related to legitimate government interests, including, but not limited to, promoting the public health, safety, prosperity, general welfare, and quality of life of the present and future inhabitants of the County.

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

Section 1. *New Castle County Code* Chapter 6 (“Building Code”), Article 3 (“Administration”), Section 6.03.012 (“Permits”) is hereby amended by adding the material that is

underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 06.03.012. – Permits. ...

H. *County taxes, ~~and~~ sewer service charges, and stormwater maintenance fees shall be paid prior to building permit application.* No building permit application shall be accepted or issued under the provisions of this Chapter until confirmation that the landowner seeking the permit, or the landowner for whose benefit the improvements are to be made under such permit, is not delinquent in the payment of County taxes, ~~or~~ sewer *service charges, or stormwater maintenance* fees on any tax parcel that such landowner owns in New Castle County. Only taxes that remain unpaid outside the grace period as provided in 9 Del. C. § 8604(a)(1) shall be considered delinquent.

Section 2. *New Castle County Code* Chapter 13 (“Stormwater Maintenance Districts”), Section 13.01.003 (“Applicability”) and Section 13.01.005 (“Stormwater maintenance fee assessment”) are hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 13.01.003. Applicability. ...

A. Stormwater maintenance districts established in new residential and mixed use subdivisions approved after ~~[enactment of this Chapter]~~ January 13, 2021.

Inclusion within a stormwater maintenance district shall be automatic for any new residential or mixed use subdivision in any unincorporated area in New Castle County upon approval of the record plan after ~~[the enactment of this Chapter]~~ January 13, 2021.

B. Stormwater maintenance districts established in residential or mixed used subdivisions existing on or prior to ~~[enactment of this Chapter]~~ January 13, 2021.

A maintenance organization responsible for at least one (1) stormwater management facility within a residential or mixed use subdivision established on or prior to ~~[enactment of this Chapter]~~ January 13, 2021 may...

Sec. 13.01.005. Stormwater maintenance fee assessment. ...

F. On or before June 1 of each tax year, the Department shall deliver to the Office of Finance an electronic file containing stormwater maintenance fee and parcel information as specified by the Office of Finance. The annual stormwater maintenance fee shall be levied and collected at the same time and in the same manner as County taxes and other fees and shall be a lien on real property the same as County taxes and other fees and shall be subject to monition as set forth in 9 Del. C. §§ 8721-8733~~[8744 et seq.]~~

G. The fee shall be included on the County tax bills under the heading “Stormwater Maintenance~~[stormw. maint.]~~”; ...

Section 3. *New Castle County Code* Chapter 14 (“Finance and Taxation ”), Section 14.02.005 (“Collection fees for delinquent taxes, sewer service charges, or code enforcement

fees”) is hereby amended by adding the material that is underscored, as set forth below:

Sec. 14.02.005. - Collection fees for delinquent taxes, sewer service charges, stormwater maintenance fees, or code enforcement fees.

- A. For any monition action commenced by the Office of Law in order to collect delinquent taxes, sewer service charges, stormwater maintenance fees, or code enforcement fees, the Office of Finance may assess against the property the following fees, and costs incurred, up to and including the following amounts:

...

- B. If the Office of Finance incurs any costs in the collection of delinquent taxes, sewer service charges, stormwater maintenance fees, or code enforcement fees that are not wholly covered by the fees outlined in Subsection A., the Office shall levy a charge against the property in the full amount of those costs, plus a fee of twenty-five dollars (\$25.00) to cover direct and indirect costs of administration.
- C. For any monition action not commenced by the Office of Law in order to collect delinquent taxes, sewer service charges, stormwater maintenance fees, or code enforcement fees, the Office of Finance may assess against the property reasonable attorney's fees and costs, as determined by the Office of Law in consultation with the Office of Finance.
- D. In addition to the fees and costs set forth above, all costs or other fees charged by the County Sheriff, the Prothonotary, or by the clerk of any court for the filing, service, satisfaction, or any other activity in a monition action relating to the collection of taxes, sewer service charges, stormwater maintenance fees, or code enforcement fees may be assessed against the property.

Section 4. *New Castle County Code* Chapter 14 (“Finance and Taxation ”), Article 3 (“Refunds and Credits of Taxes or Sewer Service Charges Paid Through Error”) is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

ARTICLE 3. - REFUNDS AND CREDITS OF TAXES, ~~{OR}~~ SEWER SERVICE CHARGES, CODE ENFORCEMENT FEES, OR STORMWATER MAINTENANCE FEES PAID THROUGH ERROR

Sec. 14.03.001. - Authority to approve.

The Chief Financial Officer is hereby authorized to approve all applications for refunds of taxes, ~~[and]~~ sewer service charges, code enforcement fees, and stormwater maintenance fees paid in error that meet the following criteria:

- A. The person claiming a refund shall have filed, in a form acceptable to the Office of Finance, a written application stating the amount of the payment of the taxes, ~~[or]~~ sewer service

charges, code enforcement fees, or stormwater maintenance fees, the person by whom the payment was made, the date of the payment, and the reason why it is believed that the payment was made in error.

- B. The applicant shall have attached to the application a copy of the front and back of the canceled check(s) used to pay the taxes, [øf] sewer service charges, code enforcement fees, or stormwater maintenance fees, or whatever evidence that the Chief Financial Officer may require in corroboration of the applicant's entitlement to a refund. ...

Sec. 14.03.002. - Limitations. ...

- B. The Chief Financial Officer shall not, without the express approval of County Council by resolution, refund any payment of taxes, [øf] sewer service charges, code enforcement fees, or stormwater maintenance fees to any person who then owes any delinquent taxes, [øf] sewer service charges, code enforcement fees, or stormwater maintenance fees to the County. ...

Sec. 14.03.005. - Interest on refunds and credits.

Except as otherwise provided in this Article, no interest shall be paid on any refund of taxes, [øf] sewer service charges, code enforcement fees, or stormwater maintenance fees paid in error. Interest shall accrue on any tax credit arising under this Article in accordance with Subsection 14.03.003.B. ...

Sec. 14.03.007. - Penalty for false claims for refunds.

Any person who knowingly, willfully, or fraudulently asserts a claim under this Article for a refund of taxes, [øf] sewer service charges, code enforcement fees, or stormwater maintenance fees paid in error shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to punishment under Section 1.01.009.

Section 5. *New Castle County Code* Chapter 14 (“Finance and Taxation ”), Article 6 (“Exemption From Real Property Taxation”) is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 14.06.302. – Qualifications for and amount of elderly exemption.

A. ...

1. *Qualifications.* Every resident who is sixty-five (65) or more years of age and who has reached that age prior to July 1st of the fiscal year for which the exemption is sought and who or whose spouse resides in a house owned by him or her that is his or her principal residence shall be entitled to an exemption as set forth in Subsection B. provided his or her income does not exceed fifty thousand dollars (\$50,000.00) per year or, in the case of a married couple the combined income of the two (2) of them does not exceed fifty thousand dollars (\$50,000.00) per year. No application under this Subsection shall be

approved unless, at the time of the approval thereof, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County have been paid in full. ...

B. ...

1. *Qualifications.* Every resident who is sixty-five (65) or more years of age and who has reached that age prior to July 1st of the fiscal year for which the exemption is sought and who or whose spouse resides in a house owned by him or her that is his or her principal residence shall be entitled to an exemption as set forth in Subsection 2. provided his or her income does not exceed fifty thousand dollars (\$50,000.00) per year, or in the case of a married couple the combined income of the two (2) of them does not exceed fifty thousand dollars (\$50,000.00) per year; and further provided that the assessed value of the property does not exceed one hundred twenty-five thousand dollars (\$125,000.00). For those whose assessed property value exceeds one hundred twenty-five thousand dollars (\$125,000.00), the State senior property tax exemption for those with incomes not in excess of three thousand dollars (\$3,000.00) shall apply. No application under this Subsection shall be approved unless, at the time of the approval thereof, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County have been paid in full. ...
3. No application under this Subsection shall be approved unless, at the time of the approval thereof, all taxes and sewer service charges then due to or collectible by New Castle County have been paid in full, or the applicant is actively enrolled and making monthly payments of any tax, ~~[or]~~ sewer service charges, and stormwater maintenance fees due to or collectible by New Castle County as determined by the Office of Finance at the time of the application.

C. ...

3. No application under Subsection C. shall be approved unless, at the time of such approval, all taxes, ~~[and]~~ sewer service charges, or stormwater maintenance fees then due to or collectible by New Castle County have been paid in full, or the applicant is actively enrolled and timely making monthly payments of any and all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees due to or collectible by New Castle County, as determined by the Office of Finance.

Sec. 14.06.303. – Qualifications for and amount of disability exemption.

A. ...

1. *Qualifications.* Every resident who is disabled, as defined by Section 14.06.301, and who has become disabled prior to July 1st of the fiscal year for which the exemption is sought and who or whose spouse resides in a house owned by him or her that is his or her principal residence shall be entitled to an exemption from all real property taxes, exclusive of any local light and ditch taxes, to an assessed value not exceeding forty

thousand dollars (\$40,000.00), providing his or her income does not exceed forty thousand dollars (\$40,000.00) per year or, in the case of a married couple, the combined income of the two (2) of them does not exceed forty thousand (\$40,000.00) per year. No application under this Subsection or Section 14.06.304 shall be approved unless, at the time of the approval thereof, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County have been paid in full.

B. ...

1. *Qualifications.* Every resident who is disabled, as defined by Section 14.06.301, and who has become disabled prior to July 1st of the fiscal year for which the exemption is sought and who or whose spouse resides in a house owned by him or her that is his or her principal residence shall be entitled to an exemption from all real property taxes, exclusive of any local light and ditch taxes, to an assessed value not exceeding thirty-two thousand dollars (\$32,000.00), provided his or her income does not exceed fifty thousand dollars (\$50,000.00) per year or, in the case of a married couple the combined income of the two (2) of them does not exceed fifty thousand dollars (\$50,000.00) per year. No application under this Section or Section 14.06.304 shall be approved unless, at the time of the approval thereof, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County have been paid in full.

...

3. No application under this Subsection or Section 14.06.304 shall be approved unless, at the time of the approval thereof, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County have been paid in full, or the applicant is actively enrolled and making monthly payments of any tax, ~~[or]~~ sewer service charges, or stormwater maintenance fees due to or collectible by New Castle County as determined by the Office of Finance at the time of the application.

C. ...

3. No application under Subsection C. or Section 14.06.304 shall be approved unless, at the time of the approval thereof, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County have been paid in full, or the applicant is actively enrolled and timely making monthly payments of any tax, ~~[or]~~ sewer service charges, or stormwater maintenance fees due to or collectible by New Castle County, as determined by the Office of Finance.

Section 6. *New Castle County Code* Chapter 14 (“Finance and Taxation”), Article 12 (“Tax Exemption Program For Historic Properties”) is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 14.12.003. – Procedures of the tax exemption program for preservation, restoration and/or rehabilitation of historic properties.

A. ...

11. No application under this Section shall be approved unless, at the time of approval thereof ~~is being considered~~, all taxes, ~~[and]~~ sewer service charges, and stormwater maintenance fees then due to or collectible by New Castle County from the Applicant have been paid in full.

Section 7. This Ordinance shall become effective upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
of New Castle County

SYNOPSIS: This Ordinance, if approved, amends Chapter 13 to reflect the proper *Delaware Code* provision, updates how stormwater maintenance fees will appear on the tax bill, and amends Chapters 6 and 14 of the *New Castle County Code* to address stormwater maintenance fees in the same manner as taxes and sewer service charges are addressed throughout Chapters 6 and 14. Additionally, this Ordinance, for consistency purposes, amends *New Castle County Code* Chapter 14 to allow for refunds for overpayment of Code Enforcement fees.

FISCAL NOTE: There will be no discernible fiscal impact as a result of adopting this Ordinance.

ORDINANCE NO. 23-102

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
TRANSFER FUNDS FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF
COUNTY COUNCIL TO THE SALARIES AND WAGES, EMPLOYEE BENEFITS AND
MATERIALS AND SUPPLIES BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC
SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS AND TO THE
CONTRACTUAL SERVICES BUDGET LINE ITEM FOR THE DEPARTMENT OF
COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING**

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

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

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

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

WHEREAS, the Department of Community Services, Division provides Community Cleanup efforts to areas in need in New Castle County; and

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

WHEREAS, County Council would like to contribute \$5,000 to enable the Department of Community Services, Division of Community Development and Housing to continue its successful Community Cleanup efforts to areas in need in New Castle County; and

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

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

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023 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, 2023 and shall be effective as though incorporated initially in the Annual Operating Budget.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will transfer \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Public Safety – Salaries and Wages, Employee Benefits and Materials and Supplies Budget Line Items to enable the Department of Public Safety, Division of Emergency Communications to reach out to the community by offering a training course and certification as an Emergency Telecommunicator for up to twenty-five participants. This Ordinance, if approved, will also transfer \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Community Services – Contractual Services Budget Line Item to enable the Department of Community Services, Division of Community Development and Housing to provide Community Cleanup efforts to areas in need in New Castle County. This legislation will result in no increase to the FY2024 Approved Operating Budget as the legislation is a transfer of funds between departments.

FISCAL NOTE: This Ordinance, if approved, will transfer \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Public Safety – Salaries and Wages, Employee Benefits and Materials and Supplies Budget Line Items and transfer \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Community Services – Contractual Services Budget Line Item.

This legislation will reduce the FY2024 Approved Operating Budget for County Council by \$10,000 and increase the Department of Public Safety by \$5,000 and increase the Department of Community Services by \$5,000. This legislation will result in no increase to the FY2024 Approved Operating Budget as the legislation is a transfer of funds between departments. There is no fiscal impact for FY2024 or FY2025.

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		<u>431,482</u>
Operating Transfer Charges			161,959
Total	4,865,223	\$	<u>4,855,223</u>
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		\$	<u>3,222,521</u>
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		\$	<u>28,058,631</u>
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	<u>2,348,236</u>		<u>2,353,236</u>
Equipment			18,900
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,230,637
Operating Transfer Credits			(190,829)
Total	<u>25,927,415</u>	\$	<u>25,932,415</u>
Total Authorized Full-Time Positions	160		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	67,198,478	\$	67,200,807
Benefits	39,138,665		39,140,036
Training and Civic Affairs			178,869
Communication and Utilities			1,010,888
Materials and Supplies	1,039,511		1,040,811
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	\$	<u>125,961,498</u>
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		\$	<u>1,905,995</u>
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	\$	<u>128,178,603</u>
Benefits	73,112,893		<u>73,114,264</u>
Training and Civic Affairs			674,983
Communication and Utilities			35,219,820
Materials and Supplies	7,354,063		<u>7,355,363</u>
Contractual Services	24,086,839		<u>24,091,839</u>
Equipment			2,440,580
Grants and Fixed Charges	15,287,763		<u>15,277,763</u>
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>		\$	<u>331,422,408</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,661</i>		

RESERVE ACCOUNTS AS OF JULY 1, 2023

Tax Stabilization Reserve Account (Unaudited)	74,583,374
Sewer Rate Stabilization Reserve Account (Unaudited)	10,615,708
General Fund Budget Reserve Account	45,512,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>149,583,804</u>

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

ORDINANCE NO. 23-103

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 (“FINANCE AND TAXATION”), ARTICLE 3 (“REAL PROPERTY TRANSFER TAX”), SECTION 26.03.910 (“RETIREE HEALTH CARE INSURANCE”)

WHEREAS, Article 3 of Section 910 of the *New Castle County Code* addresses health care coverage for County retirees; and

WHEREAS, on May 26, 2021, the Public Employment Relations Board Certified the creation of a new bargaining unit for New Castle County Police Officers in the ranks of Captains, Majors and Lt. Colonel; and

WHEREAS, on January 24, 2023, County Council passed Resolution 23-019 authorizing the County Executive to sign the collective bargaining agreement with Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors & Lieutenant Colonel (“FOP Lodge 5”); and

WHEREAS, consistent with the authority granted by Section 26.01.020 of the *New Castle County Code* to bargain over terms and conditions of employment, the collective bargaining agreement between the County and FOP Lodge 5 includes a provision for retiree health insurance that differs from Section 26.03.910 (“Retiree Health Care Insurance”) of the *New Castle County Code*; ; and

WHEREAS, it is desirable to amend Section 26.03.910 to eliminate the inconsistency with the terms of the collective bargaining agreement; and

WHEREAS, at its meeting of July 6, 2023, the Human Resources Advisory Board recommended approval of the proposed amendment to Article 3 of Chapter 26, of the *New Castle County Code*.

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

Section 1. *New Castle County Code* Chapter 26 (“Human Resources”), Article 3 (“Merit System”), Section 26.03.910.B and 26.03.910.E (“Retiree Health Care Insurance”) is hereby amended by adding the following material that is underscored and by deleting the material that is bracketed and stricken as set forth below:

B. For employees hired before June 30, 2011, health coverage to be provided by New Castle County shall be as follows:

1. Except as qualified below, the County agrees to assume the full cost of providing Cooperative 80 individual coverage under the Blue Cross/Blue Shield Plan, or the carrier providing equivalent coverage, for those employees retiring on or after July 1, 1973, but before April 1, 1997, who are not eligible for Medicare.

For those employees retiring on or after April 1, 1997 (who are not eligible for Medicare), the County agrees to assume the full cost of

providing Cooperative 80 individual coverage under the Blue Cross/Blue Shield Plan, or the carrier providing equivalent coverage. Further, the County agrees to issue health insurance credits as outlined below:

Each month, the retiree shall be issued a health insurance credit to be used exclusively to purchase health insurance coverage (through New Castle County) for the retiree's spouse/domestic partner. The value of the monthly credit will be the product of ten dollars (\$10.00) times the number of years of credited service. The maximum value of the monthly health insurance credit for each retiree shall be three hundred dollars (\$300.00) regardless of service in excess of thirty (30) years. Credits cannot be banked for future use.

If the cost of the health insurance program selected by the retiree exceeds the amount of the individual retiree's health insurance credit, the retiree will be responsible to contribute the difference. In the event other coverage is available for the spouse/domestic partner, the County will be considered the secondary provider of insurance under coordination of benefits.

Regardless of the date of retirement, when a retiree or his or her spouse/domestic partner becomes eligible for Medicare, the County's insurance will cease. Upon verification of enrollment in Medicare Parts A and B, the County will pay the full cost of providing the retiree and his or her spouse/domestic partner with Standard Medicare coverage or its equivalent insurance. In the event of the retiree's death, the County will not assume the cost of providing coverage for the surviving spouse/domestic partner.

For those retirees who retire from the position of Chief of Police, ~~Major or Captain~~, said retiree will receive Blue Cross/Blue Shield Cooperative 80 as long as such coverage is available from Blue Cross/Blue Shield. A Chief of Police, ~~Major or Captain~~ retiree will have the option to purchase, at the prevailing additional expense, Blue Cross/Blue Shield Cooperative 100 coverage as long as such coverage is available from Blue Cross/Blue Shield. Should such coverage no longer be offered by Blue Cross/Blue Shield, Chief of Police, ~~Major and Captain~~ retirees shall receive an equivalent thereto.

2. Optional coverage for retiree's dependent(s) is provided at cost to the retiree for dependents.

E. Further, the County agrees to issue health insurance credits as outlined below for retirees hired after June 30, 2011:

Each month, the retiree shall be issued a health insurance credit to be used exclusively to purchase health insurance coverage (through New Castle County) for the retiree's spouse/domestic partner. The value of the monthly credit will be the product of ten dollars (\$10.00) times the number of years of credited service. The maximum value of the monthly health insurance credit for each retiree shall be three hundred dollars (\$300.00) regardless of service in excess of thirty (30) years. Credits cannot be banked for future use.

If the cost of the health insurance program selected by the retiree exceeds the amount of the individual retiree's health insurance credit, the retiree will be responsible to contribute the difference. In the event other coverage is available for the spouse/domestic partner, the County will be considered the secondary provider of insurance under coordination of benefits.

Regardless of the date of retirement, when a retiree or his or her spouse/domestic partner becomes eligible for Medicare, the County's insurance will cease. Upon verification of enrollment in Medicare Parts A and B, the County will pay the full cost of providing the retiree and his or her spouse/domestic partner with Standard Medicfil coverage or its equivalent insurance. In the event of the retiree's death, the County will not assume the cost of providing coverage for the surviving spouse/domestic partner.

For those retirees who retire from the position of Chief of Police, ~~major or captain~~, said retiree will receive Blue Cross/Blue Shield Cooperative 80 as long as such coverage is available from Blue Cross/Blue Shield. A Chief of Police, ~~major or captain~~ retiree will have the option to purchase, at the prevailing additional expense, Blue Cross/Blue Shield Cooperative 100 coverage as long as such coverage is available from Blue Cross/Blue Shield. Should such coverage no longer be offered by Blue Cross/Blue Shield, Chief of Police, ~~major and captain~~ retirees shall receive an equivalent thereto.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will modify *New Castle County Code* Section 26.03.910.B and 26.03.910.E “Retiree Health Care Insurance” to eliminate an inconsistency with the collective bargaining agreement with Fraternal Order of Police, New Castle County Lodge No. 5 Captains, Majors & Lieutenant Colonel.

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

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

ORDINANCE NO. 23-104

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 26 (“MODIFICATION OF STANDARDS”), ARTICLE 31 (“PROCEDURES AND ADMINISTRATION”), ARTICLE 33 (“DEFINITIONS”), AND APPENDIX 7 (“GUIDING PRINCIPLES FOR DEVELOPMENT”), REGARDING DEVELOPMENT, REDEVELOPMENT, LARGE INDUSTRIAL STRUCTURES AND HEAVY RETAIL AND SERVICE USES, 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 New Castle County Comprehensive Plan guides development and redevelopment to be sensitive to the context of neighboring residential development; 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 40.03.110 (“Use table”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Table 40.03.110 A GENERAL USE TABLE										Table 40.03.110 B GENERAL USE TABLE								Table 40.03.110 C GENERAL USE TABLE	
Zoning District (Urban and Suburban-Transition Character) Y=permitted, N=prohibited, L=limited review, S=special use review, A=accessory,										Zoning District (Suburban and Special Character)								Additional Standards (all districts)	
Land Use	* TN	ST	M M	ON	OR	CR	BP	I	CN	*** S	SE	** NC	HI	EX	SR	Parking	Limited & Special Use Standards		
...Commercial									Commercial								Commercial		
...Drive-in facility	L	N	N	L	L	L	L	L	L	N	N	N	L	N	N	Table 40.03.522	Table 40.03.210, Section 40.03.316		
Heavy retail and service	N	N	N	N	N	[Y]L	N	[Y]L	N	N	N	N	S	N	N	Table 40.03.522	<u>Section 40.03.339</u> Section 40.31.430		
Light automobile service	L	N	N	N	L	Y	L	Y	Y	N	N	N	N	N	N	Table 40.03.522	Section 40.03.317		
Mixed use	L	N	N	L	L	L	N	N	L	N	N	N	N	N	N	Table 40.03.522	Section 40.03.318, Division 40.25.200...		
...Shopping center	N	N	N	N	N	Y	N	N	Y	N	N	N	N	N	N	Table 40.03.522	---		
Vehicular sales, rental and service	N	N	N	N	N	[Y]L	N	N	N	N	N	N	N	N	N	Table 40.03.522	<u>Section 40.03.339</u>		

Section 2. *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, including logistics services related to the distribution of goods (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...

Sec. 40.03.339. Commercial Uses.

The following requirements apply to heavy retail and service, vehicular sales, rental and service uses established within one hundred (100) feet of a residentially zoned parcel or use:

- A. A noise study must be submitted to evaluate potential noise impact on adjacent properties.
- B. The site must be designed so that parking, loading, and circulation minimize the glare from vehicular lights visible to neighboring residential properties.

- C. The bufferyards, street trees, berming, and on-lot landscaping is upgraded to mask the development.
- D. Lighting must be designed so that there is zero (0) footcandle at the property line of the residential area.

Section 3. *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 4. *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 DelDOT 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 5. *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, ~~[/]~~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.* ...

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 minimize visual impact~~[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, including the use of common facade materials, window treatment, and 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 must~~[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 must 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, as set forth below.

Sec. 40.33.270. Industrial uses.

- A. *Compost operations* (NAICS 325314). ...
- B. *Extraction*. ...
- C. *Heavy industry*. ...

D. *Light industry*. This category is designed to accommodate limited intensity levels of manufacturing and assembly activities, storage, warehousing, services, associated offices and similar uses. This includes the following uses:

Construction of buildings (NAICS 236) ...

Warehousing and storage facilities, including logistics services related to the distribution of goods (NAICS 493)

Information industries (NAICS 51) ...

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] <u>Type 1 (Commercial Corridor Development)/Type 2 (Employment-based Corridor Development)/Community Development Areas</u>	- 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</u>	High intensity commercial and employment-based uses, <u>[with] permitting integrated residential, redevelopment,</u>	Mix of commercial or employment-based uses; may include supportive residential

	Residential Neighborhood	Mixed Residential Neighborhood	Corridor	<u>Commercial and Employment Centers</u>	New Community Development
			<u>centers,</u> <u>transit supportive</u>	<u>or mixed-use</u> <u>centers,</u> <u>transit supportive</u>	
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 [located near the sidewalk edge] <u>set back from the sidewalk edge or along sidewalks at exterior</u>	Buildings set back from the sidewalk edge or along sidewalks at exterior
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
of 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. 40.03.110. This amendment makes heavy retail and service as well as vehicular sales, rental and service limited uses pursuant to limitations in Section 40.03.339.

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. The amendment updates the warehouse storage facilities consistent with changes to Section 40.3.270.

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

Sec. 40.03.339. This amendment establishes limited use standards for heavy retail and service, vehicular sales, rental, and service uses established within one hundred (100) feet of a residentially zoned parcel or use.

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

Sec. 40.05.050. This amendment clarifies the bulk standards that apply to proposed development and redevelopment and updates 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.

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. This amendment also requires a public hearing by the Planning Board for the applicant to receive feedback from the Planning Board and the public regarding the application for a large industrial structure. The hearing is to be conducted in the same manner as that of a major land development review.

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

Sec. 40.33.270. This amendment clarifies that logistics services related to the distribution of goods are considered light industry uses as warehousing and storage facilities (NAICS 493), consistent with the NAICS definition for Warehousing and Storage.

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. Carter
Date of introduction: July 25, 2023

ORDINANCE NO. 23-105

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 13 (“STORMWATER MAINTENANCE DISTRICTS”) REGARDING STORMWATER MAINTENANCE AND WHISPERING WOODS COMMUNITY

WHEREAS, stormwater is an important water resource which supports, among other things, groundwater recharge for drinking water supplies and base-flow of streams; and

WHEREAS, the requirements of the United States Environmental Protection Agency and the Delaware Department of Natural Resources and Environmental Control demand a comprehensive approach to stormwater management by New Castle County; and

WHEREAS, the federal regulations and Delaware state regulations require the County to implement and fund a program of stormwater controls that address discharges from the County’s regulated stormwater flows to local water bodies; and

WHEREAS, inadequate management of stormwater runoff throughout a watershed can increase flood depths and velocities, contribute to erosion and sediment, overtax the carrying capacity of existing streams and storm sewers, greatly increase the cost of public facilities to convey and manage stormwater, undermine floodplain management and flood reduction efforts in upstream and downstream communities, reduce groundwater recharge, and impact other related water resource needs and threaten public health and safety; and

WHEREAS, in order to establish, operate, enhance, and maintain an effective and efficient stormwater management, ensure the continued effective operation of the system through installation and best management practices, and to provide other services such as appropriate inspections, asset management, and regulatory oversight associated with stormwater and watershed management, sufficient and stable funding is required to fund these public services; and

WHEREAS, given the above, New Castle County Council determined it to be in the best interests of the County and its residents to create stormwater maintenance districts to accomplish the above and, thereby, promote more attractive, safer, and healthier neighborhoods; and

WHEREAS, in 2021, County Council enacted *New Castle County Code* Chapter 13, Sections 13.01.001 – 13.01.007 (by means of Ordinance No. 21-144), creating stormwater maintenance districts to provide an alternative to and assist property owners who are responsible for performing maintenance of stormwater management facilities within residential and mixed-use subdivisions, and to relieve property owners of the burden of the actual maintenance; and

WHEREAS, Chapter 13 provides that a maintenance organization responsible for a stormwater management facility within a subdivision established prior to enactment thereof may petition to establish a stormwater maintenance district (“SWD”), using forms established by the Public Works Department (the “Department”); moreover, the Department is authorized to determine whether a SWD should be established based on a maintenance organization’s compliance with *New Castle County Code* Chapter 12, Article 6 (“Stormwater Management Facility and Watercourse Maintenance”); and

WHEREAS, the stormwater management facility in Whispering Woods falls under the County’s jurisdiction, and is, in the opinion of County government, necessary for efficient and economical stormwater management; and

WHEREAS, by way of background, the Whispering Woods maintenance organization timely petitioned the Department for creation of a SWD (between July - September, 2022); the petition (attached hereto) reflects the affirmative vote for inclusion in the SWD program by the Whispering Woods community; and

WHEREAS, the petition includes, among other things, the requisite description of the area incorporated in the proposed SWD, a list of the community members and mailing addresses, applicable parcel numbers, signatures of the community members by parcel, and the individual votes, either yes or no, by community members; and

WHEREAS, the Department supports the petition, which awaits the approval of County Council; and

WHEREAS, if County Council enacts this ordinance, the SWD program will be approved for the Whispering Woods community; subsequent to any approval by County Council, all relevant information evidencing the establishment of the SWV will be recorded with the Office of the Recorder of Deeds; and

WHEREAS, County Council has determined that the provisions of this Ordinance substantially advance and are reasonably and rationally related to legitimate government interests, including, but not limited to, promoting the public health, safety, welfare, and quality of life of the present and future inhabitants of New Castle County, generally, and the Whispering Woods community, in particular.

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

Section 1. *New Castle County Code* Chapter 13 (“Stormwater Maintenance Districts”) is hereby amended by adding the material that is underscored and deleting the material that is stricken, as set forth below:

...

Sec. 13.01.008. Stormwater maintenance districts - approved.

A. Following are the Stormwater Maintenance Districts approved by County Council:

1. Whispering Woods.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
of New Castle County

SYNOPSIS: By way of this Ordinance, New Castle County Council approves a Stormwater Maintenance District in the Whispering Woods community.

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

**New Castle County
Stormwater Maintenance District Petition**

We the members of Whispering Woods ("Maintenance Organization") hereby submit this petition to New Castle County for acceptance in the Stormwater Maintenance District Program.

The Maintenance Organization is responsible for the following stormwater management facility(ies):

Stormwater Management Facilities 1, 2, and 3

We the members of the Maintenance Organization are fully aware of our rights and responsibilities pursuant to *New Castle County Code* Chapter 13 and *Delaware Code* Title 9, Chapter 34. In summary New Castle County will determine the annual cost of maintaining the stormwater management facility(ies) which will be divided equally and billed to each member of the Maintenance Organization on the New Castle County tax bill as the "Stormwater Maintenance Fee".

The initial Stormwater Maintenance Fee to maintain the above listed facility(ies) will be \$130.84/lot for Year 1 and \$92.23 for Year 2. The fee for Year 1 and Year 2 totaling \$34,365.15, will be paid in full by the Whispering Woods Maintenance Organization. Subsequent years' fees will be divided by lot and will be billed to each member. Subsequent or future rates shall be at the discretion of the County based on its' cost to maintain the identified facilities and the associated administrative cost.

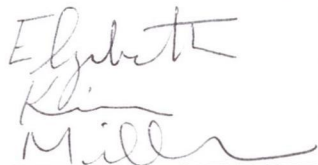
The initial Stormwater Maintenance fee is based on maintaining the stormwater management facility beginning on January 1st after the Petition has been accepted by the Department and approved by County Council. The initial stormwater maintenance fee will cover maintenance cost of the facility for approximately 18 months because the tax bill is not due until September. Please note that maintenance costs are typically lower in the winter.

A Maintenance Organization is not permitted to unenroll from the Stormwater Maintenance District Program.

My **yes vote** below is for the Maintenance Organization **to enroll** into the Stormwater Maintenance District Program.

My **no vote** below is for the Maintenance Organization **not to enroll** into the Stormwater Maintenance District Program.

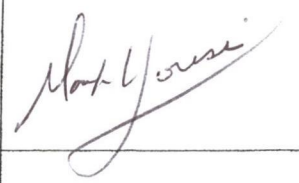
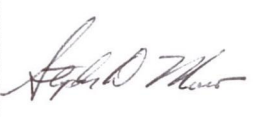
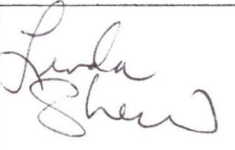
Page 1 of 25

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
DAVID + Patricia PEARSALE	1301224015 450 Contemplation	450 Contemplation MIDDLETOWN DE 576-242-3166	YES	
Larry & Ellen Stanton	338 Tranquility Way 1301 222 019	302 584 5561 338 Tranquility Way Middletown DE	YES	
Dr. Christian & Elizabeth Miller	324 Tranquility 1301222012	908-797-4167 324 Tranquility Way Middletown DE	yes	
SUSAN & Ralph Tutthill	358 Tranquility Way 1301222074	631-678-8855 358 Tranquility Way Middletown, DE 19709	YES	
Celestino + JEAN MARROCCO	561 Contemplation Way Middletown DE 19709 1301224030	(908) 902-0827 561 Contemplation Way Middletown DE 19709	YES	
DAWN & Bob Wilson	1405 Whispering Woods Rd. 1301222056	302-332-9976 1405 Whispering Woods Middletown DE 19709	Yes	

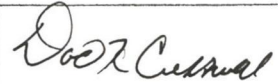
Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Raymond Baur	435 Contemplation Way 1301224024	610-955-1177 435 Contemplation Way Same Middletown DE 19709	yes	Eileen Baur
Diane Lancaster	526 Contemplation Way 1301224054	617-945-3824 526 Contemplation Way Same Middletown DE 19709	YES	Diane Lancaster
Cecilia Strecken	1455 Whispering Woods 1301222093	302-998-109 1455 Whispering Woods Same Middletown DE 19709	yes	Cecilia Strecken
Linda Schwarz	1447 Whispering Woods 1301222090	403-477-7720 Same 1447 Whispering Woods Rd Middletown DE 19709	yes	L. Schwarz
BARRY DEARDORFF	1326 WHISPERING WOODS Rd. 1301222006	302 545 5835 1326 Whispering Woods Rd Middletown DE 19709	YES	Barry Deardorff
Joy Steel	356 Tranquility Way Middletown, DE 1301222073	434-409-5788 356 Tranquility Way Middletown DE 19709	Yes	J. Steel

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Debbie Cycyk	1409 Whispering Woods Rd. 1301 222 058	443-907-7400 1409 Whispering Woods Rd Middletown, DE 19709	YES	Debbie Cycyk
CLAUDIA KELLIEHAN	336 TRANQUILITY TRANQUILITY WAY 1301 222 018	302 784-9421 336 TRANQUILITY WAY 19709	YES	Claudia V. Kelliehan
LOUISE THALMANN	326 TRANQUILITY WAY 19709 1301 222 013	326 TRANQUILITY WAY Middletown DE 19709 410-304-3972	YES	Louise Thalmann
Michael McGuire	1482 Whispering Woods Road 1301 222 080	1482 Whispering Woods Road Middletown DE 19709 410-209-3845	YES	Michael McGuire
STANLEY BLAIR	506 Contemplation Way 1301 224 059	506 Contemplation Way Middletown DE 19709 609 432 2346	YES	Stanley Blair
DUONG NGUYEN LAI NGUYEN	355 Tranquility Way, M. DE 19709 1301 222 054	355 Tranquility Way Middletown DE 19709 610-763-5215 1184-269-7568	Yes	

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Donna Kuczmariski	1301 222 113 1499 Whispering Woods Rd Middletown DE	302 598 0795 1499 Whispering Woods Rd Middletown	yes	Donna Kuczmariski
PAUL CANNON	114 SERENITY CIRCLE 1301 222 001	(302) 603-2799 114 SERENITY CIRCLE Middletown DE 19709	YES	Paul Cannon
KATHLEEN NEWMAN	346 Tranquility Way 1301 222 023	484-802-1777 346 Tranquility Way Middletown DE 19709	yes	Kathleen Newman
John D. Nielsen	1479 Whispering Woods Rd 1301 222 104	808-220-2222 1479 Whispering Woods Rd Middletown DE 19709	yes	John D. Nielsen
Sue TANZLER	1403 Whispering Woods Rd 1301 222 055	267-918-1272 1403 Whispering Woods Middletown DE 19709	YES!	Sue Tanzler
Ed Blomquist	517 Contemplation Way 1301 224 041	856-237-6869 Blomquist 350 6 Comcast 517 Contemplation Way Middletown DE 19709	yes	Ed Blomquist

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
John Mann	1301 224 026 445 Contemplation ^{way}	302-242-3216 445 Contemplation Way Middletown, DE 19709	Yes	
Mark Youssi	1301 224 010 424 Contemplation Way	484-746-9076 424 Contemplation Way Middletown DE - SAME 19709	YES	
Deborah Saridaki	1301 224 025 441 Contemplation Way	732-208-2962 441 Contemplation Way Middletown, DE 19709	Yes	
STEVE MORROW	1301 224 028 453 Contemplation Way	(914) 420-8942 453 Contemplation Way SAME ADDRESS Middletown DE 19709	YES	
Linda Shaw	1301 222 086 1494 Whispering Woods Rd	908-507-2344 1494 Whispering Woods Rd Middletown, DE 19709	YES	
ANDREW RIBDAGH	1301 222 026 309 TRANQUILITY Way	610-322-5060 309 TRANQUILITY Way MIDDLETOWN DE 19709	YES	

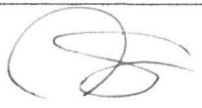
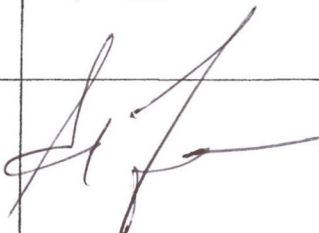
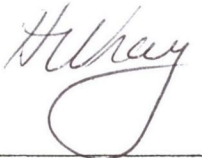
Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
DAVID WARREN	307 TRANQUILITY WAY 1301 222 027	843-368-0046 307 Tranquility Way Middletown DE 19709	YES	David Warren
Sharon Bryskun	427 Contemplation Way 1301 224 022 139 Lot	427 Contemplation Way Middletown DE 19703 267-300-7008	yes	Sharon Bryskun
Craig Varguez	314 TRANQUILITY WAY 1301 222 007	610-299-0746 314 TRANQUILITY WAY Middletown DE 19709	Yes	Craig Varguez
Liane Beddes	Lot 80 1427 W.W Rd. 1301 222 067	610-299-4339 1427 W.W. Rd. Middletown, DE	yes	Liane Beddes
Bonnie J TREBETZEN	LOT #99 1301 222 103 1477 Whispering woods	410 803-0763 1477 Whispering woods Middletown DE 19705	Yes	Bonnie J Trebetzen
MARY ANNE FONTANA	1301 224 042 LOT #110 566 Contemplation way	908-415-8812 566 CONTEMPLATIONS Middletown DE	Yes	Maryanne Fontana

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
MATTHEW MONGRO	525 CONTEMPLATION WAY 1301 224 040 LOT 125	609 929 1432 525 CONTEMPLATION WAY MIDDLETOWN DE 19709	YES	
Allen Brooke	1301 222 083 1488 WHISPERING WOODS RD	1488 WHISPERING WOODS MIDDLETOWN DE 19709 brooke6266@yahoo.com	YES	
Xiang Xu	1475 WHISPERING WOODS RD 1301 222 102	928-8909857 xiangz@hotmail.com 1475 WHISPERING WOOD RD	YES	
DAN BUNKHOLDER	1492 WHISPERING WOODS RD 1301 222 085	302 824 2835 SAME 1492 WHISPERING WOODS RD MIDDLETOWN DE 19709	YES	
DAVID CROSSWELL	553 CONTEMPLATION WAY 1301 224 032	302-743-3415 553 CONTEMPLATION WAY MIDDLETOWN DE 19709	YES	
ROBERT DOMINICK	818 REFLECTION CT MIDDLETOWN DE 19709 1301 224 017	302. 593. 9031 818 REFLECTION COURT MIDDLETOWN DE 19709	YES	

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Anthony Cassano	549 Contemplation way 1301 224 033	302 378 4858 549 contemplation way middletown, DE 19709	yes	Anthony Cassano
David Stacy	1451 Whispering Woods Road 1301 222 091	612-366-2155 1451 Whispering Woods Rd Middletown DE 19709	yes	David Stacy
Judi Perrini	509 Contemplation way 1301 224 029	973-722-7285 509 Contemplation Way Middletown DE 19709	yes	J. Perrini
Sant Galazq	335 Tranquility way 1301 222 036	732-768-5964 335 Tranquility Way Middletown DE 19709	yes	Santa Galazq
FRANCES ALBAVESC	1428 WHISPERING WOODS RD. 1301 222 048	302-518-0877 1428 Whispering Woods Rd Middletown DE 19709	YES	Frances albavesc
Edward Skirel	1485 Whispering Woods Rd 1301 222 107	302-357-0096 1485 Whispering Woods Rd Middletown DE 19709	yes	Edward Skirel

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Gail M Mason	1417 R Whispering Woods Rd. Middletown, DE 19709 <i>1301 222 062</i>	302 528 1231 1417 Whispering Woods Rd Middletown, DE 19709	Yes	Gail M Mason
Susan Y Storch	414 Contemplation Way Middletown DE 19709 #168 <i>1301 224 604</i>	414 Contemplation Way Middletown DE 19709 <i>410 707 2536</i>	Yes	Susan Y Storch
Peter Bzik	<i>1300 744 010</i> 102 Serenity Circle Whispering Woods, Middletown, DE 19709	<i>609-892-8368</i> 102 Serenity Circle Middletown, DE 19709	Yes	Peter Bzik
KATHY WRIGHT	<i>1301 222 057</i> 1407 WHISPERING WOODS RD. MIDDLETOWN DE 19709	302 540 0792 1407 WHISPERING WOODS RD MIDDLETOWN DE 19709	YES	Kathy Wright
LAURA OWEN	<i>1301 222 059</i> 1411 WHISPERING WOODS RD MIDDLETOWN DE 19709	856 313 5753 1411 WHISPERING WOODS RD MIDDLETOWN DE 19709	YES	Laura A. Owen
Robert Seibold Jr.	<i>1301 222 112</i> 1497 Whispering Woods Middletown DE 19709 Lot 108	1497 Whispering Woods Rd, 19709 <i>970-260-5472</i>	Yes	Robert Seibold Jr.

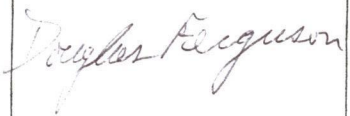
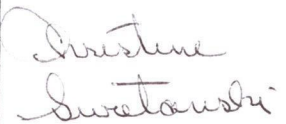
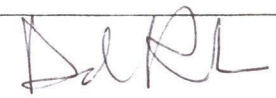
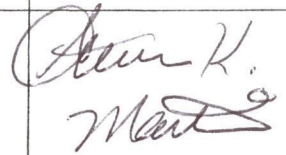
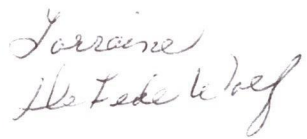
Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Kathy Montagna	432 Contemplation Way 1301 224 012	914 268-7012 432 Contemplation Way Middletown DE 19701	Yes	Kathy Montagna
William Armitage	816 Reflection Ct 1301 224 016	860 912 0807 816 Reflection Ct Middletown, DE 19709	Yes	William Armitage
DONALD SCHUCK	1418 WHISPERING WOOD ROAD 1301 222 043	856-375-3469 1418 Whispering Woods Rd Middletown DE 19709	YES	Don Schuck
PAULA ROSS	560 Contemplation Way 1301 224 045	302 753-6418 560 Contemplation Way Middletown, DE 19709	Yes	Paula Ross
ARTHUR WILLIAMS	329 TRANQUILITY 1301 222 033 Arthur Williams	302-828-2590 329 TRANQUILITY WAY Middletown DE 19709	Yes	Arthur Williams
Rebecca D. Olson	1301 222 064 1421 Whispering Woods Rd.	302-494-8245 1421 Whispering Woods Rd. Middletown, DE 19709	yes	Rebecca D Olson

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
CELVIN, BRUCE	1301 222 061 1415 W. W. RD	843-540-3065 1415 Whispering Woods Rd - Middletown DE 19709	yes	
DERK, RICHARD	1301 222 082 1486 W. W. RD	757 963-8859 1486 W. W. RD - Middletown DE 19709	yes	
Davies Mary & Bob	1471 Whispering Woods 1301 222 101	207-701-1183 WW RD 1471 Middletown DE 19709	yes	
Ed Figueroa	410 Contemplation Way 1301 224 003	410 Contemplation Way Middletown DE 19709 215 983-0906	yes	
GREGORY Symes	1300 744 006 112 Serenity Circle	302 300-0858 112 Serenity Cir. Middletown DE 19709	yes	
Heather Wray	110 Serenity Circle 1300 744 005	443 466 6086 110 Serenity Circle Middletown DE 19709	yes	

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
Joanne Tipping	535 Contemplation Way 1301224037	267-279-0161 535 Contemplation Way Middletown DE 19709	No	Joanne Tipping
STAN & DONNA COOLKY	512 CONTEMPLATON WAY MIDDLETOWN 1301224062	240 765-5210 512 Contemplation Way Middletown DE	YES	Stan Coolky
JOHN + Irv LAIRD	522 CONTEMPLATION WAY 1301224055	302-897-1363 522 Contemplation Way Middletown DE	YES	John Laird
SANDY JONES	1301224043 564 CONTEMPLATION WAY	564 CONTEMPLATION WAY 917-714-9174 MIDDLETOWN DE 19709	YES	Sandra Jones
Ted Lee	337 Tranquility Way 1301222037	302-766-3441 337 Tranquility Way Middletown DE 19709 LeeNews9698@gmail.com comcast.net	Yes	Ted Lee
Karen Gretsuk	1301222042 1416 Whispering Woods Rd	908-347-6458 1416 Whispering Woods Rd Middletown DE 19709	Yes	Karen Gretsuk

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
MATTHEW JACK	529 Contemplation Way. 1301 224 039	732 979 5440 529 Contemplation Way Middletown DE 19709	YES	Matthew Jack
JOAN TAYLOR	342 TRANQUILITY Way 1301 222 021 MIDDLETOWN, DE 19709	342 TRANQUILITY Way MIDDLETOWN, DE 19709 610-331-6530	YES	Joan Taylor
Christina Watson	1414 Whispering Woods Road Middletown DE 19709 1301 222 041	1414 Whispering Woods Road Middletown, DE 19709 302-547-6676	YES	Christina Watson
Cynthia Greenmoyer	305 TRANQUILITY DR WHISPERING WOOD MIDDLETOWN, DE 19709 1301 222 028	305 TRANQUILITY DR WHISPERING WOODS MIDDLETOWN, DE 19709 302-588-0238	Yes	Cynthia A. Greenmoyer
Olguicia Juan	332 tranquility way 1301 222 016	484-343-7311 332 tranquility way Middletown DE 19709	yes	Olguicia Juan
Charlene Bell	106 Serenity Circle 1300 744 012	724-570-0455 106 Serenity Circle Middletown DE 19709	yes	Charlene Bell

Printed Name	Tax Parcel No. & Address	Daytime Phone Number and mailing address	Yes or No	Signature
WANDA WATSON	1301222060 1413 WHISPERING WOODS RD MIDDLETOWN DE 19709	364 482-1869 1413 WHISPERING WOODS RD MIDDLETOWN DE 19709	YES	<i>Wanda Watson</i> ↓
ANGELA WASHINGTON CAROLE WASHINGTON	1301222032 327 TRANQUILITY WAY MIDDLETOWN, DE 19709	610-263-2526 327 TRANQUILITY WAY MIDDLETOWN, DE 19709	YES	<i>Angela Washington</i>
William Bombard Robert Belsher	1301224052 534 CONTEMPLATION WAY MIDDLETOWN DE 19709	617-970-7629 534 CONTEMPLATION WAY MIDDLETOWN DE 19709	ABSTAIN	<i>William Bombard</i>
Tammy Shields Jim Shields	1301224050 544 Contemplation Way Middletown DE 19709	302-983-2568 544 Contemplation Way Middletown DE 19709	N/O	<i>Jim Shields</i>
Michael Healy Thomas Burkett	1301222076 364 Tranquility Way Middletown, DE 19709	302-540-5569 (Mike) 484-802-3424 (Tom) 364 Tranquility Way Middletown, DE 19709	YES	<i>Michael Healy</i>
LINDA SILVERSTEIN	1301222072 354 Tranquility Way Middletown, DE 19709	408-265-9095 354 Tranquility Way Middletown DE 19709	YES	<i>Linda Silverstein</i>

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
ALAN SAMITT	807 REFLECTION CT 1301224057	914-400-5296 807 REFLECTION CT Middletown DE 19709	YES	
DOUG FERGUSON	308 TRANQUILITY WAY 1301222003	713-252-2994 308 TRANQUILITY WAY Middletown DE 19709	YES	
Christine Swietanski	428 Contemplation Way 1301224011	856-325-0643 428 Contemplation Way Middletown DE 19709	Yes	
Stephanie & Dave Radin	406 Contemplation Way 1301224002	914-373-9242 406 Contemplation Way Middletown DE 19709	YES	
Steven K Martin	1483 Whispering Woods Rd 1301222106	732-597-1873 1483 WHISPERING WOODS Middletown DE 19709	Yes.	
Lorraine Heide Wolf	1469 Whispering Woods Rd 1301222100	443-553-8131 1469 Whispering Woods Rd Middletown DE 19709	Yes	

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Denis Harrigan	104 Serenity Circle 1300744011	(302) 737-7376 104 Serenity Circle Middletown, De. 19709	Yes	Denis Harrigan
MARGUERITE CROCK	348 Tranquility 130222024	727 272 4006 348 Tranquility Way Middletown DE 19709	YES	Marguerite Crock
BERYL ATONLEY	1412 WHISPERING WOODS RD 1301222040 1301224048	803-984-8022 1412 Whispering Woods Rd Middletown DE 19709	NO	Beryl Atonley
Sally Musick	554 Contemplation Way 1301224036	508-341-0106 554 Contemplation Way Middletown DE 19709	No	Sally Musick
Beth Myers	537 Contemplation Way 1301224036	774 764 8897 537 Contemplation Way Middletown DE 19709	No	Beth Myers
JEANNE CARNEY	331 Tranquility Way 1301222034	862-438-0001 331 Tranquility Way Middletown DE 19709	Yes	Jeanne Carney

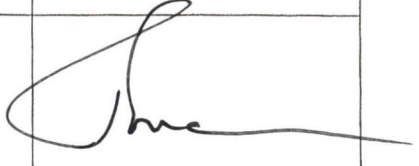
Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Maryann Ridall	^{1301 222 077} 366 Tranquility Way	302-828-2139 366 Tranquility Way Middletown DE 19709	NO	Maryann Ridall
LINDA SPIRO	^{1301 222 066} 1425 WHISPERING WOODS RD	302-605-2565 1425 Whispering Woods Rd Middletown DE 19709	YES	Linda Spiro
Scott Ralph	304 Tranquility Way ^{1301 222 005}	(302) 521-5705 304 Tranquility Way Middletown DE 19709	YES	Ralph
Dorothy Donovan	340 Tranquility ^{1301 222 020}	302-293-9801 340 Tranquility Way Middletown DE 19709	Yes	Donovan
Ray Rucier	^{1301 222 094} 1457 Whispering Woods	215-913-6291 1457 Whispering Woods Rd Middletown DE 19709	yes	Rucier
Carolyn Thompson	1423 WW ^{1301 222 065}	443-2431111 1423 Whispering Woods Rd Middletown DE 19709	yes	C. Thompson

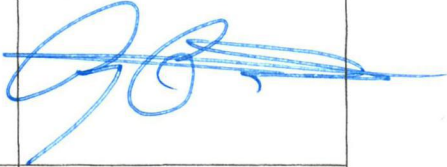
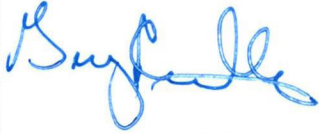
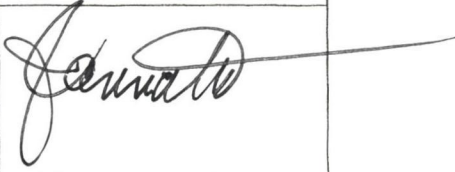
Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Edward R. McCullough	415 ^{1301 224 019} CONTEMPLATION WAY	302 ⁸⁴⁶⁴ 640 ^{Cal} 415 Contemplation Way Middletown DE 19709	Yes	Edward R. McCullough
JOSEPH V PARISI	^{1301 222 111} 1495 WHISPERING WOODS RD	302-463-3789 1495 Whispering Woods Rd Middletown DE 19709	YES	Joseph V Parisi
William Filipowski	^{1301 222 088} 1443 WHISPERING WOODS RD	630-461-2562 1443 Whispering Woods Middletown DE 19709	YES	William Filipowski
Robert Shumate	1453 Whispering Woods Road ^{1301 222 092} ^{1301 222 011}	302 943 5569 1453 Whispering Woods Middletown DE 19709	Yes	Robert Shumate
Lula E. Webb Mobley	^{1301 222 011} 322 Tranquility Way	510-484-6448 1453 Whispering Woods Middletown DE 19709	Yes	Lula E. Webb Mobley
Barbara Simmons	^{1301 222 031} 325 Tranquility Way	(843) 599-3717 325 Tranquility Way Middletown DE 19709	Yes	Barbara Simmons

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Thomas Kinslow	1301 224 020 419 Contemplation Way	973-476-3909 419 Contemplation Way Middletown DE 19709	Yes	TK
Linda Tull	1301 222 087 1441 Whispering Woods Rd	443-350-3993 1441 Whispering Woods Middletown DE 19709	Yes	Linda Tull
Mindy Mifsud	1301 224 007 416 Contemplation Way	518-796-2523 416 Contemplation Way Middletown DE 19709	Yes	Mindy Mifsud
Grady Reynolds	1301 222 071 352 Tranquility	301 466 7722 352 Tranquility Way Middletown DE 19709	Yes	Grady Reynolds
SANDY FASANO	1432 Whispering Woods Rd 1301 222 050	410-920-0645 1432 Whispering Woods Rd Middletown DE 19709	YES	Sandy Fasano
Jane Berger	402 Contemplation Way 1301 224 001	484-432-5088 402 Contemplation Way Middletown DE 19709	yes	Jane Berger

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Janet Garner	1467 W.W. Rd 1301 222 099	240 688 6473 1467 Whispering Woods Rd Middletown DE 19709	yes	Janet Garner
Sirina Talley	1300 744 013 108 Serenity Cir	516-425-2104 PO Box 1402 Bear, DE 19701	yes	Sirina Talley
ROBERT FINKLE	1301 222 004 306 TRANQUILITY WAY	856 / 261-7746 306 TRANQUILITY WAY MIDDLETOWN, DE 19709	YES	Robert Finkle
RYAN D DOUGLAS	316 TRANQUILITY WAY 1301 222 008	951-543-8773 316 Tranquility Way MIDDLE TOWN, DE 19709	yes	Ryan Douglas
Darlene Woolman	1430 Whispering Woods Rd 1301 222 049	302-388-2459 1430 Whispering Woods Rd Middletown DE 19709	Yes	Darlene Woolman
Robert Brent Chellev	1301 222 078 368 Tranquility Way	901 400 0396 belair 1979 again 1 368 Tranquility Way Middletown DE 19709	yes	R. Chellev

Page 21 of 25

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Jeffrey + Vida Mann	^{1301 222084} 1490 Whispering Woods Rd	202- 439-2367 1490 Whispering Woods Rd	Yes.	
WARRREN MOLZOW	502 contemplation ^{1301 224058}	302-376-1063 502. contemplation Middletown DE 19709	yes	Warren Molzon
Fred Hentnerby	1431 WHISPERING WOODS RD. ^{1301 222069}	484-680-9055 1431 whispering woods Rd Middletown DE 19709	Yes	Fred Hentnerby
James Janaitis	1489 Whispering Woods Rd. Middletown, DE 19709 ^{1301 222108}	302 828 2217 1489 Whispering Woods Middletown, DE 19709	yes	James Janaitis
Mary Ann Rzuclido	1420 Whispering Woods Road ^{1301 222094} Middletown, DE	1420 Whispering Wood Rd Middletown DE 19709 443-309-5365	yes	
Archib W. Potter	531 Contemplation Way ^{1301 224038} Middletown DE	718-297-3338 531 Contemplation Way Middletown DE 19709	YES	Archib W. Potter

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Karen Motzel	320 Tranquility 1301222010	609-680-7634 320 Tranquility Way Middletown DE 19709	yes	
ROBERT COAN	1301224034 545 CONTEMPLATION WAY	302-650-5941 545 Contemplations Way Middletown DE 19709	YES	
Craig Edwards	344 Tranquility way 1301 222 022	(917) 658-1587 344 Tranquility way Middletown, DE 19709	YES	
Greg Ambrieu	1429 WHISPERING WOODS RD 1301 222 068	410-459-0226 1429 WHISPERING WOODS RD	YES	
Barbara Reuben	353 Tranquility way 1301 222 053	484-340-2015 353 Tranquility way Middletown, DE 19709	yes	
JOE CANNARA	323 TRANQUILITY 1301222039 1301222030 WAY 19709	302-540-1257 323 Tranquility Way Middletown DE 19709	YES	

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Harvey Nimmerichter	1484 Whispering Woods Road 1301222081	302-547-7120 1484 Whispering Woods Road	Yes	Harvey Nimmerichter
Diane Hastings	116 Serenity Drive 1301222002	302 378-7000 116 Serenity Drive	yes	Diane Hastings
Robert Peterson	1301222035 333 Tranquility	302-367-4266 333 Tranquility Way Middletown, DE 19709	yes	Robert Peterson
Joan Wiest	330 Tranquility 1301222015	646 465 0576 330 Tranquility Way Middletown, DE 19709	YES	Joan Wiest
Aruta Nake	1493 Whispering Woods Rd 1301222110	443-207-0513 1493 Whispers Woods Rd 19709	yes	Barbara Aruta Nake
Barbara Worthington	607 Daydream Ct. 1301224008	484-941-2927 607 Daydream Ct. Middletown, DE 19709	Yes	Barbara Worthington

Printed Name	Tax Parcel No. or Address	Daytime Phone Number and mailing address	Yes or No	Signature
Carolyn Brennan	608 Daydream Ct 1301224005	215-208-1653 608 Daydream Ct Middletown, DE 19709	Yes	Carolyn Brennan
Mae Bellon	362 Tranquility Way 1301222075	302-828-2514 362 Tranquility Way Middletown DE 19709	No	Mae Bellon
Eileen Butler	1424 Whispering Woods 1301222046	1424 Whispering Woods Rd Middletown DE 19709 302-561-0798	yes	Eileen Butler
Mechelle Rochester	1410 Whispering Woods Rd. 1301222039	1410 Whispering Woods Rd. Middletown, DE 19709 302-312-4101	Yes	Mechelle Rochester
Matt Skettary	508 Contemplation Way 1301224060	(302) 828-1333 508 Contemplation Way Middletown DE 19709	Yes	Matt Skettary
				

Introduced by: Mr. Bell, Ms. Hartley-Nagle
Co-Sponsored by: Mr. Carter, Mr. Cartier,
Ms. Durham, Ms. George,
Mr. Hollins, Ms. Kilpatrick,
Mr. Sheldon, Mr. Smiley,
Mr. Street, Mr. Tackett,
Mr. Toole
Date of introduction: July 25, 2023

RESOLUTION NO. 23-126

**CONGRATULATING AND COMMENDING CHIEF JEFFREY MILLER ON HIS RETIREMENT
FROM THE NEW CASTLE COUNTY EMERGENCY COMMUNICATIONS DIVISION**

WHEREAS, Chief Jeffrey Miller served New Castle County for more than 24 years. He retired from the New Castle County Emergency Communications Division on July 24, 2023; and

WHEREAS, Chief Miller began his full-time career with New Castle County Government in November 1999 and served in various positions throughout his service. Chief Miller originally started in October 1989 as an Emergency Call Operator; however, in October 1994, pursued other interests until August 1996 when he returned as a part-time Fire/Medical Dispatcher. In July 2008, he was transferred to the Emergency Management Office as an Emergency Management Planner but returned to the Emergency Communications Division in October 2010 as the Quality Assurance Coordinator. In September 2013, Chief Miller was promoted to Chief of Emergency Communications; and

WHEREAS, Chief Miller was instrumental in advancing the New Castle County 911 Center. His accomplishments were implementing an official career development process, the SMART911 Program, the 911 Center receiving texts to 911, and expanded the workforce by 16 new positions; and

WHEREAS, Chief Miller is an active 41-year life member of the Talleyville Fire Company. He joined the fire company as a Junior Member. Once becoming a senior member of the fire company, he served on the fire side in the positions of Ambulance Lieutenant, Engine Captain, 1st Assistant Chief, Deputy Chief, and Fire Chief; and administrative positions as Chairman of the Board of Directors, Vice President and currently serving as President; and

WHEREAS, Chief Miller served on the International Association of Public Safety Communications Officials, the National Emergency Number Association, and the International Association of Fire Chiefs; and

WHEREAS, to honor Chief Miller's enduring contributions, the County Council deems it fitting to establish July 7th as Chief Jeffrey Miller Day in perpetuity, a day dedicated to recognizing his remarkable achievements and lasting impact.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby congratulates and commends Chief Jeffrey Miller on his retirement and thanks him for his years of outstanding service to the citizens of New Castle County. We also wish him much success in his future endeavors.

Adopted by the Council of
New Castle County on: 7/25/23

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.

Introduced by: Ms. Kilpatrick
Date of Introduction: July 25, 2023

RESOLUTION NO. 23-127

**CONSENTING TO THE APPOINTMENT OF ROBERT W. EHEMANN TO THE
NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD**

WHEREAS, pursuant to *New Castle County Code* Section 2.05.306, the Open Space Advisory Board is vested with a responsibility to advise the Department of Land Use and Department of Public Works on implementing best practices in preserving open space within New Castle County; and

WHEREAS, the Open Space Advisory Board shall consist of five (5) members appointed by the County Executive with the advice and consent of County Council who, except for the one (1) member designated by the Secretary of DNREC, shall be residents of New Castle County, shall consist of two (2) “professional” members with at least five years of professional expertise in land conservation programs, parks acquisition/management, knowledge in the fields of open space or historic resource protection/management, and/or environmental protection, and two (2) “citizen at large” members with professional or volunteer background in land conservation; and

WHEREAS, the Open Space Advisory Board shall further consist of four (4) members, all of whom shall be residents of New Castle County who are appointed by County Council with the advice and consent of the County Executive, comprised of one (1) “citizen at large” member with either a professional or volunteer background in land conservation, one (1) member with expertise in the restoration/remediation/conversion of brownfields/greyfields into greenfields or expertise with urban park creation/development, one (1) member from an underserved or an “environmental justice” community, and one (1) Youth member who has a proven interest and involvement in conservation; and

WHEREAS, the County Executive has submitted for the advice and consent of County Council a four (4) year term appointment of Robert W. Ehemann, who is designated by the Secretary of Delaware Natural Resource and Environmental Control (DNREC) pursuant to *New Castle County Code* Section 2.05.306 (A)(1); and

WHEREAS, Mr. Ehemann holds a Bachelor of Science Degree with distinction in Natural Resource Management from the University of Delaware. He was hired by Delaware State Parks to assist with the Statewide Comprehensive Outdoor Recreation Plan. Mr. Ehemann currently manages the three sections of Park Resource Office, which include the Land Preservation Office, the Cultural Resource Unit and the Planning Section. He has been involved in the Delaware State Park’s first Strategic Plan, as well as manages land acquisitions, conservation easements, and nature preserves. Mr. Ehemann oversees the Outdoor Recreation Parks and Trails grant program, which provides annual funding to municipalities and counties in Delaware for park acquisition, planning and development. He was also a member of the New Castle County Task Force to identify suitable locations for county parks in Southern New Castle County.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the appointment of Robert W. Ehemann to the New Castle County Open Space Advisory Board for a term to begin immediately upon adoption of this Resolution, with such term to expire on July 25, 2027.

Adopted by the County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

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

RESOLUTION NO. 23-128

**APPOINTING JASON HOOVER TO THE
NEW CASTLE COUNTY OPEN SPACE ADVISORY BOARD**

WHEREAS, pursuant to New Castle County Code Section 2.05.306, the Open Space Advisory Board is vested with the responsibility to advise the Department of Land Use and the Department of Public Works on implementing best practices in preserving open space within New Castle County; and

WHEREAS, the Open Space Advisory Board shall consist of five (5) members appointed by the County Executive with the advice and consent of County Council who, except for the one (1) member designated by the Secretary of DNREC, shall be residents of New Castle County, shall consist of two (2) “professional” members with at least five years of professional expertise in land conservation programs, parks acquisition/management, knowledge in the fields of open space or historic resource protection/management, and/or environmental protection, and two (2) “citizen at large” members with professional or volunteer background in land conservation; and

WHEREAS, the Open Space Advisory Board shall further consist of four (4) members, all of whom shall be residents of New Castle County who are appointed by County Council with the advice and consent of the County Executive, comprised of one (1) “citizen at large” member with either a professional or volunteer background in land conservation, one (1) member with expertise in the restoration/remediation/conversion of brownfields/greyfields into greenfields or expertise with urban park creation/development, one (1) member from an underserved or an “environmental justice” community, and one (1) Youth member who has a proven interest and involvement in conservation; and

WHEREAS, the membership of the Open Space Advisory Board shall endeavor to include representation from a broad cross section of New Castle County Planning and Council Districts and shall generally have four-year renewable terms, except for the Youth member who serves a single two-year term, and the inaugural nominations for one of the “professional” seats and one of the “citizen at large” seats appointed by the County Executive; and

WHEREAS, a resident of the City of Wilmington, Mr. Hoover has worked in a volunteer capacity as an open space advocate for nearly fifteen years. Towards that end, he founded an advocacy group in northern New Castle County to work for the preservation of the 600+ acres of unprotected land surrounding Delaware’s only national park, the *First State National Historical Park*; and

WHEREAS, County Council hereby approves the nomination of Mr. Hoover for the Open Space Advisory Board for the “citizen at large” member with a volunteer background in land conservation. The seat is for a full four-year term, pending the consent of the County Executive.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby gives its approval for the nomination of Jason Hoover to the New Castle County Open Space Advisory Board, and upon consent of the County Executive, for a term to begin immediately upon enactment of this Resolution and to expire on July 25, 2027.

Adopted by the County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

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

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

RESOLUTION NO. 23-129

**PLAN OF I-495 LOGISTICS CENTER; NEW CASTLE HUNDRED;
NORTHEAST CORNER OF ROUTE 13 AND ROGER'S ROAD; MAJOR LAND
DEVELOPMENT PLAN THAT PROPOSES TO CONSTRUCT A 125,820 SQUARE FOOT
WAREHOUSE WITH 7,800 SQUARE FEET OF OFFICE SPACE; CR/HI ZONING;
APPLICATION NO. 2022-0360; COUNCIL DISTRICT 10**

NOW, THEREFORE, BE IT RESOLVED, by and for the County Council of New Castle County that County Council hereby approves the following major land development plan, Plan of I-495 Logistics Center (Application No. 2022-0360), as heretofore approved by the Land Use Department, and the President of County Council is hereby authorized to endorse her approval upon the following plan.

**PLAN OF I-495 LOGISTICS CENTER
New Castle Hundred**

Adopted by County Council of
New Castle County on: 7/25/2023

President of County Council
of New Castle County

SYNOPSIS: Same as title

FISCAL IMPACT: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.

MEMORANDUM

To: Council President
Members of County Council
Council to Council
Clerk of County Council

From: Charuni Patibanda

Re: Application No. 2022-0360
I-495 Logistics Center
Record Major Land Development Plan

Date: July 5, 2023

Enclosed for Council's review and consideration of approval are paper prints of the above-referenced plan. The Department has determined that this proposal complies with all applicable requirements of the New Castle County Code.

A suggested title, synopsis, and fiscal note are attached.

cc: Matthew Meyer, County Executive
Vanessa Phillips, Chief Administrative Officer
Brian Boyle, Senior Policy Director

Plan of I-495 Logistics Center; New Castle Hundred; Northeast corner of Route 13 and Roger's Road; Major Land Development Plan that proposes to construct a 125,820 SF warehouse with 7,800 SF of office space; CR/HI zoning.

Synopsis: Same as title

Fiscal Note: This will have no immediately discernible fiscal impact on the county but, if the parcel is developed in accordance with this record plan, there may be one or more fiscal effects on New Castle County government including, but not limited to, an increase in the assessed value of the property with the resultant increase in taxes collectible thereon and an increased demand for County services.

23. SIDEWALKS: UNLESS OTHERWISE SPECIFIED ON THE PLAN, SIDEWALKS SHALL BE INSTALLED IN THE LOCATIONS SHOWN ON THIS PLAN PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING. SIDEWALKS SHALL BE FIVE (5) FEET MINIMUM IN WIDTH AND CONSTRUCTED OF PORTLAND CEMENT CONCRETE.
24. POSTAL ADDRESS: 1101 S. HEALD STREET, WILMINGTON, DE 19801
25. ADDRESSES ARE AS ASSIGNED BY THE NEW CASTLE COUNTY GIS SERVICES.
26. COMMON FACILITIES: ALL COMMON FACILITIES INCLUDING, BUT NOT LIMITED TO, PAVED AREAS, SIDEWALK, CURBING, LANDSCAPING, OPEN SPACE, DRAINAGE AND STORMWATER MANAGEMENT FACILITIES SHALL BE KEPT IN GOOD REPAIR AND MAINTAINED IN A SAFE AND SANITARY CONDITION IN ACCORDANCE WITH THE PROVISIONS OF THE UNIFIED DEVELOPMENT CODE.
27. A STORMWATER MANAGEMENT ACCESS EASEMENT IN FAVOR OF NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS IS HEREBY CREATED ON, OVER, UNDER AND ACROSS THE ENTIRE AREA OF ALL STORMWATER MANAGEMENT FACILITIES INCLUDING, STORMWATER CONVEYANCE SYSTEMS, BASINS, AND ALL COMPONENTS THEREOF, IDENTIFIED ON THE PLAN AND ALL WATERCOURSES FOR THE PURPOSE OF INSPECTING, EVALUATING AND MAINTAINING THE STORMWATER MANAGEMENT FACILITIES AND WATERCOURSES. THE EASEMENT SHALL EXTEND 10' FROM THE OUTER EDGES OF EACH SUCH STORMWATER MANAGEMENT FACILITY. A GENERAL ACCESS EASEMENT IS HEREBY CREATED OVER AND ACROSS THE PROPERTY SHOWN ON THIS PLAN GRANTING NEW CASTLE COUNTY, ITS AGENTS AND ASSIGNS THE RIGHT, PRIVILEGE AND AUTHORITY TO ENTER UPON AND TRAVEL ACROSS THE PROPERTY TO EACH STORMWATER MANAGEMENT FACILITY. THE EASEMENTS HEREIN CREATED SHALL BE FOR PEDESTRIAN, VEHICULAR AND EQUIPMENT USE. IF NEW CASTLE COUNTY, ITS AGENTS OR ASSIGNS DETERMINES THAT MAINTENANCE IS REQUIRED TO A STORMWATER MANAGEMENT FACILITY, NEW CASTLE COUNTY SHALL PROVIDE NOTICE OF THE REQUIRED MAINTENANCE AND THE TIME FRAME IN WHICH SUCH MAINTENANCE SHALL BE COMPLETED TO THE PROPERTY OWNER OR RESPONSIBLE PARTY. NO NOTICE SHALL BE REQUIRED WHERE NEW CASTLE COUNTY PERFORMS MAINTENANCE WHERE THERE IS IMMINENT THREAT TO LIFE, HEALTH OR PROPERTY. IN THE EVENT NEW CASTLE COUNTY ELECTS TO MAINTAIN THE STORMWATER MANAGEMENT FACILITIES, ALL EXPENSES SHALL BE ASSESSED JOINTLY AND SEVERALLY AGAINST THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN.
28. VARIANCES:
- NO VARIANCES ARE CONTEMPLATED AS A PART OF THIS PLAN.
29. SUPERSEDURE NOTE: THIS PLAN SUPERSEDES, IN PART, THE RECORD MAJOR LAND DEVELOPMENT PLAN HATZIS PROPERTY DATED 02/18/2008 AND RECORDED 01/28/2009 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, ON INSTRUMENT NO. 20090126-0004403.
30. PRIOR PLAN APPROVALS:
- EXPLORATORY PLAN APPROVAL: 01-19-2023
31. OPEN SPACE REQUIREMENT:
- | | CR | HI |
|--------------------|-------|-------|
| REQUIRED: | 25% | 10% |
| PROVIDED PER PLAN: | 28.0% | 56.5% |
32. FOREST DISTURBANCE: 0.00 ACRES
PER SECTION 40.10.110
33. ALL STORMWATER MANAGEMENT FACILITIES ARE TO BE OWNED AND MAINTAINED BY THE PROJECT'S OWNER.
34. A GEOTECHNICAL EVALUATION HAS BEEN PERFORMED TO APPROXIMATE THE SEASONAL HIGH WATER TABLE (SHWT) ELEVATION AND NO LOTS REQUIRE FURTHER EVALUATION, AS IT PERTAINS TO THEIR LOWEST PROPOSED FLOOR ELEVATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
35. THE OWNER/DEVELOPER SHALL PAY, TO NEW CASTLE COUNTY, FUNDS FOR LONG TERM STORMWATER MAINTENANCE AND INSPECTION FUND PURSUANT TO UDC §40.27.240 OF THE COUNTY CODE. THE FUNDS SHALL BE USED FOR THE COSTS ASSOCIATED WITH INSPECTIONS. AN AMOUNT OF \$4800 SHALL BE FUNDED PRIOR TO RECEIVING THE FIRST CERTIFICATE OF OCCUPANCY. THE DEPARTMENT OF LAND USE SHALL WITHHOLD THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY UNTIL SATISFACTORY WRITTEN PROOF THAT THE FUNDS HAVE BEEN PAID TO NEW CASTLE COUNTY IS FURNISHED IN ACCORDANCE WITH THE REQUIREMENTS.
36. THE CONTRACTOR IS TO PROVIDE ANY REQUIRED DETAILS FOR RETAINING WALL PRIOR TO ISSUANCE OF A BUILDING PERMIT. ANY PROPOSED RETAINING WALL IN EXCESS OF 4- FEET OF EXPOSED HEIGHT MUST BE DESIGNED AND CERTIFIED BY A QUALIFIED PROFESSIONAL ENGINEER WITH ALL DETAILS AND COMPUTATIONS SUBMITTED TO THE DEPARTMENT BUILDING PLAN REVIEW SECTION FOR REVIEW AND PERMITTING.
37. THE DEVELOPER SHALL BE PERMITTED TO TRESPASS FOR A PERIOD OF ONE YEAR PAST ISSUANCE OF A CERTIFICATE OF OCCUPANCY TO COMPLETE DRAINAGE OR LANDSCAPING REQUIREMENTS.

[illegible]

*DISTURBANCE PER FLOODPLAIN PERMIT #2023-0255 AND NCCC §40.10.115

**THE PURPOSE OF THIS PLAN IS TO CONSTRUCT A
125,820 SF WAREHOUSE WITH A 7,800 SF OFFICE
SPACE AND ASSOCIATED IMPROVEMENTS**

I, CRAIG M. LYNCH, E., HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE AND THAT ALL OF THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES AND BY THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

I, CRAIG M. LYNCH, E., HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER WITH A BACKGROUND IN CIVIL ENGINEERING IN THE STATE OF DELAWARE AND THAT ALL OF THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES AND BY THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

I, ROBERT BUCCINI of INDUSTRIAL PARTNERS V HEALD LLC, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT MY DIRECTION AND THAT I AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

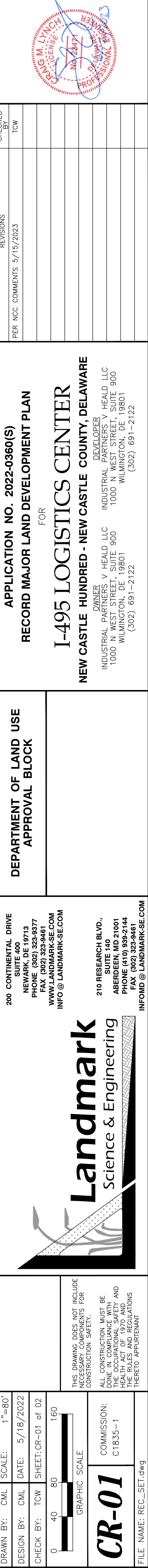
I, ROBERT BUCCINI of INDUSTRIAL PARTNERS V HEALD LLC, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY WHICH IS SUBJECT OF THIS PLAN AND THAT THE LAND USE ACTION PROPOSED BY THIS PLAN IS MADE AT MY DIRECTION AND THAT I AUTHORIZE THIS PLAN TO BE RECORDED IN ACCORDANCE WITH THE REGULATIONS OF THE NEW CASTLE COUNTY UNIFIED DEVELOPMENT CODE.

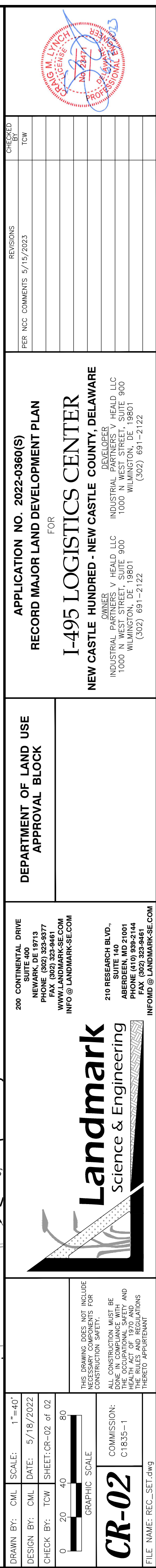
APPROVED: _____ BY: _____
DATE _____ GENERAL MANAGER
FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY

APPROVED: _____ BY: _____
DATE _____ PRESIDENT OF COUNCIL
FOR COUNTY COUNCIL OF NEW CASTLE COUNTY

APPROVED: _____ BY: _____
DATE _____ GENERAL MANAGER
FOR DEPARTMENT OF LAND USE OF NEW CASTLE COUNTY

APPROVED: _____ BY: _____
DATE _____ PRESIDENT OF COUNCIL
FOR COUNTY COUNCIL OF NEW CASTLE COUNTY





RESOLUTION NO. 23-130

**AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH FAMILY
PROMISE OF NORTHERN NEW CASTLE COUNTY, INC. IN THE AMOUNT OF
\$4,000,000.00**

WHEREAS, New Castle County, as an eligible recipient, received a total of \$108,531,220.00 in Coronavirus State and Local Fiscal Recovery funds under the American Rescue Plan Act of 2021, Pub. Law. No. 117-2 from the United States Department of the Treasury (“Department of the Treasury”); and

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

WHEREAS, the Ordinances appropriated funding for Affordable Housing, and Family Promise of Northern New Castle County, Inc., (“Family Promise”) was selected, based on their application, to receive a grant for their Hospitality Center 2.0 Transitional Housing for Families with Children project located at 2501 Milltown Road; and

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

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

WHEREAS, the subaward agreement with Family Promise contemplates transfers of up to \$4,000,000.00 toward the construction of The Hospitality Center 2.0, a transitional housing facility for families experiencing homelessness. The project includes the construction of 8 new two-bedroom units for families and children.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed subaward agreement.

Department of Administration, Office of Finance

Family Promise of Northern New Castle County, Inc. \$4,000,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$4,000,000.00. Funding is included in the FY2024 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION			VENDOR INFORMATION				
NAME	Ben Morris-Levenson		FISCAL YR	2024	NAME	Family Promise of Northern New Castle County, Inc.	
DEPARTMENT	ADMINISTRATION_12		FUND	110 GRANTS	ADDRESS	2104 St. James Road	
ORGANIZATION	11122013 ADMIN - FIN - GRANTS					Wilmington, DE 19808	
PHONE	302-395-5126		REQ#	2401207			
DELIVERY LOCATION							
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Tyler Shade	
CURRENT VENDOR	☒ YES	☐ NO			PHONE	(302) 998-2222	EXT
VENDOR #	101547				EMAIL	tyler@familypromise.org	FAX #

ADDITIONAL NOTES	

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

Provide funds to Family Promise of Northern New Castle County for their Hospitality Center 2.0 Transitional Housing for Families with Children project located at 2501 Milltown Road.

For Family Promise to fund construction of Hospitality Center 2.0, a shelter for families experiencing homelessness. The project includes the construction of 8 new two-bedroom units for families and children.

Family Promise will lack the funds for the contemplated The Hospitality Center 2.0 project, a transitional housing facility for families experiencing homelessness.

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

IF YES, AGENCY

--

Page 116 of 170

RESOLUTION NO. 23-131

**AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH
INTERFAITH COMMUNITY HOUSING OF DELAWARE, INC. IN AMOUNT OF
\$2,300,000.00**

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

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

WHEREAS, the Ordinances appropriated funding for Affordable Housing, and Interfaith Community Housing of Delaware, Inc., (“Interfaith Community Housing of Delaware”) was selected, based on their application, to receive a grant for their Overlook Colony Revitalization project, to rehabilitate thirty-six (36) affordable rental housing units in Claymont; and

WHEREAS, New Castle County must enter into a subaward agreement with Interfaith Community Housing of Delaware to comply with the Uniform Guidance, 2 CFR Part 200; and

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

WHEREAS, the subaward agreement with Interfaith Community Housing of Delaware contemplates transfers of up to \$2,300,000.00 to fund the fund the renovation of thirty-six apartments in the Overlook Colony Apartments. These rental units will be made available to low income (25% - 60% of Area Median Income) families.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed subaward agreement.

Department of Administration, Office of Finance

Interfaith Community Housing of Delaware, Inc. \$2,300,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$2,300,000.00. Funding is included in the FY2024 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION					VENDOR INFORMATION			
NAME	Ben Morris-Levenson		FISCAL YR	2024	NAME	Interfaith Community Housing of Delaware, Inc.		
DEPARTMENT	ADMINISTRATION_12		FUND	110 GRANTS	ADDRESS	613 N Washington St		
ORGANIZATION	11122013 ADMIN - FIN - GRANTS					Wilmington, DE 19801		
PHONE	302-395-5126		REQ#	2401206				
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Darlene Sample		
CURRENT VENDOR	☒ YES	☐ NO			PHONE	(302) 652-3991	EXT	
VENDOR #	100683				EMAIL	dsample@ichde.org	FAX #	

ADDITIONAL NOTES	

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

Provide funds to Interfaith Community Housing of Delaware for their Overlook Colony Revitalization project, to rehabilitate thirty-six (36) affordable rental housing units in Claymont.

For Interfaith Community Housing of Delaware to fund the rehabilitation of thirty-six (36) affordable rental housing units in 3207 E. Brandywine Avenue, Claymont, DE 19703.

Interfaith Community Housing of Delaware will lack the funds to support the contemplated renovation of thirty-six apartments in the Overlook Colony Apartments. These rental units will be made available to low income (25% - 60% of Area Median Income) families.

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

IF YES, AGENCY

--

Page 119 of 170

RESOLUTION NO. 23-132

AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH YOUNG MEN'S CHRISTIAN ASSOCIATION OF DELAWARE IN THE AMOUNT OF \$500,000.00

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

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

WHEREAS, the Ordinances appropriated funding for Affordable Housing, and Young Men's Christian Association of Delaware ("YMCA of Delaware") was selected, based on their application, to receive a grant for their Central YMCA Male Supportive Housing program, to renovate the units that provide housing for single homeless males at their facility in Wilmington; and

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

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

WHEREAS, the subaward agreement with YMCA of Delaware contemplates transfers of up to \$500,000.00 to fund the refurbishment of 102 rooms, including flooring, paint, electric, bedding, and other modifications in the Central YMCA Residence, which provides safe and stable housing for homeless, formerly homeless, and single men. These units are provided to clients referred from the Delaware Housing Alliance via the Central Intake Housing System.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed subaward agreement.

Department of Administration, Office of Finance

Young Men’s Christian Association of Delaware \$500,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$500,000.00. Funding is included in the FY2024 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION			
NAME	Ben Morris-Levenson		FISCAL YR	2024	NAME	Young Men's Christian Association of Delaware	
DEPARTMENT	ADMINISTRATION_12		FUND	110 GRANTS	ADDRESS	501 W. 11th St.	
ORGANIZATION	11122013 ADMIN - FIN - GRANTS					Wilmington, DE 19801	
PHONE	302-395-5126		REQ#	2401204			
DELIVERY LOCATION							
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Dandan Ren	
CURRENT VENDOR	☒ YES	☐ NO			PHONE	(302) 571-6978	EXT
VENDOR #	100334				EMAIL	dren@ymcade.org	FAX #

ADDITIONAL NOTES	

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

Provide funds to YMCA of DE for their Central YMCA Male Supportive Housing program, to renovate the units that provide housing for single homeless males at their facility in Wilmington.

For YMCA of DE to fund the refurbishment of 102 rooms, including flooring, paint, electric, bedding and other modifications in the Central YMCA Residence, which provides safe and stable housing for homeless, formerly homeless and single men.

YMCA of DE will lack the funds to support the contemplated renovation of 102 of the total 180 rooms in the existing Central YMCA facility. These units are provided to clients referred from the Delaware Housing Alliance via the Central Intake Housing System.

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

IF YES, AGENCY	
----------------	--

[illegible]

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

RESOLUTION NO. 23-133

**CONSENTING TO THE APPOINTMENT OF AARON JOHNSON FOR THE
POSITION OF THE READER'S CAFÉ CHEF**

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

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

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

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

WHEREAS, the Reader's Café Chef will oversee all aspects of the Reader's Café operation, including staffing, training, menu development, purchasing & procurement, receiving, safe food prep & production, service to the customer, managing catering orders & delivery, maintaining business hours of operation. In addition, the Chef will develop and manage a culinary youth workforce program in partnership with local schools and New Castle County Youth Workforce Development program, develop and execute cooking classes for youth, adults, and families to foster awareness of healthy cooking and eating and promote awareness of the Café. The Chef will also develop menus & recipes and conduct training in the unique Reader's Café teaching kitchen environment for youth, adults, and families, expand access and availability of fresh foods to the surrounding communities, conduct outreach, marketing, and promotion to engage new and existing customers and maintain a functional cafe garden that will support the new USDA-funded Farm to Table Produce Stand; and

WHEREAS, the Reader's Café Chef is an Executive Assistant II position, at pay grade 26; and

WHEREAS, the County Executive has presented for Council's advice and consent the proposed appointment of Aaron Johnson as the Reader's Café Chef; and

WHEREAS, Aaron Johnson is a resident of New Castle County and most recently worked as a Food Service Director for Recency Healthcare & Rehabilitation, responsible for planning menus and training staff. In addition, Mr. Johnson has served as Assistant Food Service Director for Broomall Rehabilitation Nursing Center and Penn Center for Rehab and Care. Mr. Johnson holds a Bachelor in Science degree in Hospitality Institutional Management, an Associate in Science degree in Culinary Arts, and an Associate Degree in Hotel and Restaurant Management, all from Johnson & Wales University; and

WHEREAS, New Castle County Council has considered the qualifications of Aaron Johnson in accordance with the requirements set forth in Ordinance 22-012 for the position of the Reader's Café Chef.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby consents to the appointment of Aaron Johnson as the Reader's Café Chef position for New Castle County.

Adopted by the County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

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

RESOLUTION NO. 23-134

**AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE
DELAWARE CHILDREN’S MUSEUM, INC. IN THE AMOUNT OF \$100,000.00**

WHEREAS, New Castle County, as an eligible recipient, received a total of \$108,531,220.00 in Coronavirus State and Local Fiscal Recovery (“CSLFR”) funds under the American Rescue Plan Act of 2021 (“ARPA”), Pub. Law. No. 117-2 from the United States Department of the Treasury (“Treasury”); and

WHEREAS, New Castle County Ordinance 21-129 and Ordinance 22-097 (the “Ordinances”) appropriated the full amount of these CLSFR funds from the Department of the Treasury to the American Rescue Plan Act Grant for New Castle County to respond to the COVID-19 public health emergency and its negative economic impacts, including \$9,550,000.00 for Non-Profit Grants; and

WHEREAS, The Delaware Children’s Museum, Inc. (“DCM”) has requested funds to mitigate financial hardship experienced by DCM during the COVID-19 pandemic; and

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

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

WHEREAS, the grant agreement with DCM contemplates transfers of up to \$100,000.00 to DCM to assist in recovering from losses incurred due to closure of DCM during the COVID-19 pandemic.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed grant agreement.

Department of Administration, Office of Finance

The Delaware Children’s Museum, Inc. \$100,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one grant agreement totaling \$100,000.00. Funding is included in the FY2024 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION					VENDOR INFORMATION			
NAME	Ben Morris-Levenson		FISCAL YR	2024	NAME	The Delaware Children's Museum, Inc.		
DEPARTMENT	ADMINISTRATION_12		FUND	110 GRANTS	ADDRESS	550 Justison Street		
ORGANIZATION	11122013 ADMIN - FIN - GRANTS					Wilmington, DE 19801		
PHONE	302-395-5126		REQ#	2401148				
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Jennifer Bush		
CURRENT VENDOR	☒ YES	☐ NO			PHONE	302-654-2340	EXT	
VENDOR #	101540				EMAIL	jbush@delawarechildrensmuseum.org	FAX #	

ADDITIONAL NOTES	

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

RESOLUTION NO. 23-135

**AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH THE
WEST END NEIGHBORHOOD HOUSE INCORPORATED IN THE AMOUNT OF
\$308,174.73**

WHEREAS, New Castle County, as an eligible recipient, received a total of \$108,531,220.00 in Coronavirus State and Local Fiscal Recovery (“CSLFR”) funds under the American Rescue Plan Act of 2021 (“ARPA”), Pub. Law. No. 117-2 from the United States Department of the Treasury (“Treasury”); and

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

WHEREAS, the Ordinances appropriated funding for Workforce Development, which contemplated providing funds for The West End Neighborhood House Incorporated (“WENH”) to provide entrepreneurship training and technical assistance to low-income, BIPOC communities throughout New Castle County; and

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

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

WHEREAS, the subaward agreement with WENH contemplates transfers of up to \$308,174.73 to WENH to implement the Launcher Community Business Resources project, which will use funds to provide entrepreneurship training and technical assistance to low-income, BIPOC communities throughout New Castle County, DE, with participants either residing in, hiring from, or locating their businesses in qualified census tracts.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed subaward agreement.

Department of Administration, Office of Finance

The West End Neighborhood House Incorporated \$308,174.73

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$308,174.73. Funding is included in the FY2024 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION					VENDOR INFORMATION			
NAME	Ben Morris-Levenson		FISCAL YR	2024	NAME	The West End Neighborhood House Incorporated		
DEPARTMENT	ADMINISTRATION_12		FUND	110 GRANTS	ADDRESS	710 N. Lincoln Street		
ORGANIZATION	11122013 ADMIN - FIN - GRANTS					Wilmington, DE 19805		
PHONE	302-395-5126		REQ#	2401150				
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Paul F. Calistro, Jr.		
CURRENT VENDOR	☒ YES	☐ NO			PHONE	(302) 658-4171	EXT	107
VENDOR #	101540				EMAIL	pcalistro@westendnh.org		FAX #

ADDITIONAL NOTES	

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

Provide funds to The West End Neighborhood House Incorporated ("WENH") to provide entrepreneurship training and technical assistance to low-income, BIPOC communities throughout New Castle County.

For WENH to implement the Launcher Community Business Resources project, which will use funds to provide entrepreneurship training and technical assistance to low-income, BIPOC communities throughout New Castle County, DE, with participants either residing in, hiring from, or locating their businesses in qualified census tracts.

WENH will lack the funds to implement the Launcher Community Business Resources project as described, and the intended communities will not receive the contemplated entrepreneurship training and technical assistance services.

--

Introduced by: Ms. Hartley-Nagle
Date of introduction: July 25, 2023

RESOLUTION NO. 23-136

**APPROVING REVISED CLASS SPECIFICATION FOR INFORMATION SYSTEMS
ASSISTANT MANAGER PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION
26.03.105(F)**

WHEREAS, the *New Castle County Code*, Section 26.03.105 (F), mandates that any change in a position description for a position in either the classified or unclassified service at a pay grade of 28 or above shall be submitted to the County Council for its approval before the change may take effect; and

WHEREAS, the Human Resources Advisory Board at its meeting on July 6, 2023, recommended the revisions to the class specification for the position title of Information Systems Assistant Manager; and

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

NOW, THEREFORE, BE IT RESOLVED by and for the Council of New Castle County that County Council hereby approves the updated class specification for the position of Information Systems Assistant Manager “Exhibit A.”

Adopted by the County Council of
New Castle County on:

President of County Council
New Castle County

SYNOPSIS: This Resolution updates the class specification for the position of Information Systems Assistant Manager. A new date will be assigned to the specification to designate when the changes were made in accordance with the *New Castle County Code*.

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

NEW CASTLE COUNTY GOVERNMENT**Number** 0246**Page** 1 of 2**Date** 11/01/03**CLASS SPECIFICATION****Title:** INFORMATION SYSTEMS ASSISTANT MANAGER**Approved:**

GENERAL STATEMENT OF DUTIES: Assists in the planning, organization, direction, and coordination of assigned aspects of information services and technology needed to support the functions required by New Castle County Government through understanding and anticipating the business and customer requirements and by translating those requirements into appropriate solutions through the application of information services and technology; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs responsible administrative and managerial work, in assigned areas of responsibility, providing leadership through ongoing communications and team building activities. This employee serves as a catalyst for continuous improvement in these areas between all County departments and Row Offices. The work includes process evaluation and design, vendor coordination and management, systems evaluation, systems design, ~~programming~~, computer operations, data image and voice networks, technical support, and end-user training and support. Significant responsibilities include participation in the development, evaluation, and support of business processes used to accomplish the objectives of the County; the planning, design, development, documentation, and presentation of an ongoing comprehensive technology strategy that anticipates the availability and costs of appropriate applications of information technology and incorporates that technology into the evolving requirements of the County; the identification, evaluation, and management of multiple, complex vendor contracts and relationships affecting core components of the County's application of information technology; the management oversight of a County-wide network, software applications, and customer service activities; ~~and coordination of County-wide participation in user groups and office automation committees.~~

EXAMPLES OF WORK: (Illustrative only)

- Manages and directs technical and professional employees performing work in the areas of application design, computer networks and operations, technical support operations
- Ensures that information technology training is provided for portions of division staff and for other County staff;
- Oversees the day-to-day operation of assigned information systems projects, data processing operations, and communications activities
- Participates in the development, presentation, and explanation of strategic and tactical County-wide information technology plans;
- Participates in the formulation of County-wide business strategies and plans;
- Participates in departmental business process planning and contributes information and costs of appropriate technology approaches;
- Identifies and evaluates information technology solutions available and evaluates their application to the County's business strategies and plans;
- Manages research activities and provides technical advice in response to requests for information from County departments and Row Offices;
- ~~Provides consulting help for business process redesign activities, computer systems development, and network management;~~

NEW CASTLE COUNTY GOVERNMENT**CLASS SPECIFICATION**

Number 0246

Page 2 of 2

Date 11/01/03

Title: INFORMATION SYSTEMS ASSISTANT MANAGER

Approved:

- Manages special projects and responds to various requirements for information not otherwise provided by current system capabilities;
- Directs the preparation of office procedures, reports, policies, and operations manuals;
- ~~— Manages and directs technical and professional employees performing work in the areas of application design, computer networks and operations, user training, and administrative and clerical support;~~
- ~~— Ensures that information technology training is provided for portions of division staff and for other County staff;~~
- ~~— Oversees the day to day operation of assigned information systems projects, data processing operations, and communications activities;~~
- ~~Administers complex contracts and coordinates relationships with multiple vendors for the delivery and maintenance of critical information systems products and services;~~
- 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 data processing terminal, personal computer, and other related equipment in the course of the work.~~

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES: Thorough knowledge of appropriate aspects of information systems analysis, design, construction, integration, operation, security, and maintenance; good knowledge of local government functions, organizations, and management procedures; good knowledge of the principles and practices of project management, contract management, vendor relationships, and process innovation and redesign; good knowledge of contract design and implementation including development, procurement, and negotiation; knowledge of budgetary planning, input, and development techniques; ability to analyze complex technical data and draw valid conclusions; ability to organize, plan, and direct a variety of complex technical operations; ability to establish and maintain effective working relationships with associates, other governmental agencies, private organizations, the general public, and customers and to promote an ongoing attitude of dedication to overall exceptional customer service; ability to work with managers to identify business opportunities and to achieve success through effective employment of technology; ability to present, justify, and defend controversial ideas effectively and to negotiate agreements which accommodate the interests and viewpoints of numerous groups and organizations, including County managers; ability to communicate courteously and effectively, both verbally and in writing; ability to pass a Class III County physical examination.

ACCEPTABLE EXPERIENCE AND TRAINING: At least two years progressively responsible managerial experience in applying information technology to meet the needs of a medium to large government or business organization; or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

HISTORY OF REVISIONS:

Established: 08/30/99
Revised: 11/01/03

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

Date of introduction: July 25, 2023

RESOLUTION NO. 23-137

URGING THE MEYER ADMINISTRATION TO IMMEDIATELY FORMULATE A PLAN TO ADDRESS PUBLIC SAFETY CONCERNS IN NEW CASTLE COUNTY PARKS

WHEREAS, Our parks in New Castle County are a prized gem and the envy of many local governments in the State of Delaware; and

WHEREAS, Individuals utilize County parks for many diverse purposes, from the more sophisticated – celebration of birthdays, cultural events, life milestones – to the more casual – walks with friends, exercise, yoga, taking in the sights and sounds to decompress from a hard day’s work, and more; and

WHEREAS, When our citizens visit our parks, they expect to have an enjoyable time and not worry about anything, let alone be concerned that they might experience a physical confrontation or other troubling event; and

WHEREAS, The calmness and tranquility in some of our parks has been seriously disturbed; and

WHEREAS, Although alarming incidents have been reported in a few of our parks, these types of incidents or the *concern* for potentially similar incidents occurring in other County parks can easily spread, leading to apprehension about the safety of County parks, generally; and

WHEREAS, Statistically, “crimes against the person” (for example, assault, battery) are more likely to occur during summer months; and

WHEREAS, Given the above, it is imperative that the Administration work with the Division of Police and the Public Works Department, and anyone else it feels necessary to tackle these issues, to immediately formulate a plan to allay our citizens’ concerns and ensure that they, again, feel safe in all our parks; and

WHEREAS, In furtherance of the above, New Castle County Council urges the Administration to present this plan, with tangible action steps and a timeline, to County Council at a public meeting so our citizens personally hear the seriousness with which the County is taking these matters; and

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby urges the Administration to immediately formulate a plan with tangible action steps to address recent incidents in our parks to ensure similar situations do not reoccur or occur elsewhere, and to present the plan in a public forum to ensure the public is aware of the seriousness with which New Castle County government treats the safety of our citizens.

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.

Introduced by: Mr. Tackett
Date of introduction: July 11, 2023

ORDINANCE NO. 23-089

**TO REVISE CHAPTER 14 OF THE *NEW CASTLE COUNTY CODE* TO
PROVIDE A FINITE TAX EXEMPTION FOR ROHM AND HAAS
ELECTRONIC MATERIALS CMP, LLC, TAX PARCEL NO. 11-018.00-061, 2001
OLD COOCHS BRIDGE RD, NEWARK, DELAWARE, IN SUPPORT OF
ECONOMIC DEVELOPMENT**

WHEREAS, Article VIII, Section 1 of the *Delaware Constitution of 1897* authorizes New Castle County to exempt from County taxation such property as in its opinion will best promote the public welfare; and

WHEREAS, Rohm and Haas Electronic Materials CMP, LLC (“Rohm and Haas”), a subsidiary of Dupont de Nemours, Inc., is a leading manufacturer of specialty chemicals and semiconductors for leading edge markets; and

WHEREAS, Rohm and Haas has entered into a lease agreement with LPC First State Holding Company LP to lease a parcel of real property located at 2001 Old Coochs Bridge Rd., Newark, DE 19702, identified as Tax Parcel Number 11-018.00-061 (the “Property”); and

WHEREAS, Rohm and Haas intends to complete construction of an approximately 300,000 square foot facility for manufacturing semiconductors on the Property in the first quarter of calendar year 2024; and

WHEREAS, Rohm and Haas’s development of the Property will create job opportunities and generally benefit the economy of New Castle County; and

WHEREAS, pursuant to the Strategic Grant Agreement dated December 8, 2022 (attached hereto as Exhibit A, the “State Grant Agreement”), by and between the Delaware Economic Development Authority (the “Authority”) and Rohm and Haas, the State of Delaware will provide (a) up to \$65,550 for performance-based funding, (b) up to \$1,578,000 capital expenditure grant funding or a three percent (3%) match of qualified expenditures; and

WHEREAS, pursuant to paragraph 5(b) of the State Grant Agreement, Rohm and Haas is obligated to make reasonable commercial efforts to employ 11 new-full time employees by December 25, 2025; and

WHEREAS, Rohm and Haas represented that this facility will allow them to retain 73 jobs in Delaware that may have moved out of state; and

WHEREAS, the New Castle County Council (“Council”) recognizes the substantial costs for the planned capital expenditures for infrastructure and equipment, and other costs associated with the utilization of the Property, which are estimated to be a minimum of \$50 million; and

WHEREAS, the Council joins the State of Delaware in seeking to increase the likelihood for Rohm and Haas’s success by eliminating the County property tax burden for a period of five years up to a maximum cumulative amount of \$300,000.00; 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. *New Castle County Code* Chapter 14 (“Finance and Taxation”), Article 6 (“Exemption from Real Property Taxation”), is hereby amended by the addition of the underlined text as set forth below:

Section 14.06.1204. Special exemption for new or renovated commercial or manufacturing project.

1. 2001 Old Coochs Bridge Road, Newark, DE 19702, identified as tax parcel number 11-018.00-061 (the “Property”), shall be exempt from County property tax. The exemption shall commence in Fiscal Year 2024.
2. The County property tax exemption for the Property shall terminate in its entirety on the earlier of: (i) June 30, 2028; (ii) when a total of \$300,000.00 in County property tax has been exempted; (iii) the failure of Rohm & Haas to finish construction of its facility on the Property on or before December 31, 2024; (iv) if Rohm and Haas has not created 11 new full-time positions at the facility on the Property by December 25, 2025; or (v) if Rohm and Haas applies for bankruptcy protection, makes an assignment for the benefit of its creditors or seeks similar relief, or consents to the appointment of a receiver, trustee or liquidator of all or a substantial part of its assets, or takes advantage of any insolvency law, or submits an answer admitting the material allegations of a petition in bankruptcy, reorganization or insolvency proceeding.
3. Nothing in this Section shall prevent the County from increasing the assessed value of all property taxable under 9 Del. C. § 8101 to reflect improvements made to the Property during the Exemption Period.
4. Nothing in this Section shall entitle Rohm and Haas or the Owner to an exemption from County sewer service charges, ditch taxes, taxes imposed by any school district, or any other fee associated with the Property.

5. Nothing in this Section shall entitle Rohm and Haas or the Owner to an exemption from real estate transfer tax obligations that may be associated with the transfer of any interest in of the Property.

6. In any County Fiscal Year in which Rohm and Haas fails to comply with the conditions of the Delaware Economic Development Authority ("DEDA") Strategic Grant Agreement, the otherwise applicable County tax exemption shall be forfeited for the following County Fiscal Year.

7. In any County Fiscal Year in which the County sewer service charges or annual school taxes for the Property that are not subject to dispute or timely appeal are not paid timely, the otherwise applicable County tax exemption shall be forfeited for the following County Fiscal Year.

8. This property tax exemption shall sunset no later than June 30, 2028.

Section 2. This ordinance shall become effective upon passage by the New Castle County Council and approval by the County Executive or as otherwise set forth 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 legislation provides for a five year or \$300,000 exemption, whichever comes first, from County taxes for 2001 Old Coochs Bridge Rd, Newark, DE 19702 (Parcel # 11-018.00-061) to encourage the development of a semiconductor manufacturing facility and associated job creation.

FISCAL NOTE: Based on the current property tax rates, this Ordinance, if adopted, would result in an estimated minimum annual tax revenue decrease of \$4,491.96.

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

ORDINANCE NO. 23-090

**TO DECLARE SURPLUS CERTAIN LANDS OF NEW CASTLE COUNTY
ASSOCIATED WITH THE NEW CASTLE COUNTY AIRPORT AND TO AUTHORIZE
THE TRANSFER OF LANDS TO THE STATE OF DELAWARE FOR A PUBLIC
PURPOSE**

WHEREAS, New Castle County (“County”) owns certain lands constituting the New Castle County Airport (the “Airport”), located along the north and south sides of Old Churchmans Road, and along Churchmans Road, being part of Tax Parcel No. 10-018.00-006 (the “Airport Property”); and

WHEREAS, the County acquired the Airport Property from the United States of America, acting by and through the War Assets Administration, in 1947, subject to certain restrictions; and

WHEREAS, one of these restrictions requires the approval of the Federal Aviation Administration (“FAA”) prior to transferring any part of the Airport Property for non-aviation related purposes; and

WHEREAS, 49 U.S.C. § 47107 requires that the revenues generated by a public airport be expended for the capital or operating costs of the airport; and

WHEREAS, Title 14, Part 155 of the *Code of Federal Regulations* states that proceeds from the sale of any of the Airport Property are considered revenue generated by the Airport and therefore must be re-invested in the Airport; and

WHEREAS, the Delaware River and Bay Authority (“DRBA”) leased the Airport Property from New Castle County in 1995 for a thirty-year term with a thirty year renewal option (the “Lease Agreement”), and, under the Lease Agreement, the DRBA manages the operation of the Airport; and

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

WHEREAS, the Delaware Army National Guard (the “Guard”) currently leases 24 ± acres of land at the Airport; and

WHEREAS, the Guard has a need to expand their facilities to add a Readiness Center for the 126th Army Aviation Company (UH-60) Air Ambulance and to have space for staging in relation to pandemic response; and

WHEREAS, the Guard currently leases a portion of the Airport, commonly referred to as 12 Penns Way (Tax Parcel No. 10-018.00-006L0027, the “Premises”); and

WHEREAS, the Premises sits on 2.94 ± acres and contains an office building totaling 27,000 sq. ft.; and

WHEREAS, the Guard, through the Office of Management and Budget of the State of Delaware, desires to purchase the Premises and has received American Rescue Plan Act funds for the purchase; and

WHEREAS, the Offices of Law and Finance, and the Chief Administrative Officer are satisfied that the State has demonstrated that the 2.94 ± acre property is required for the public purpose of a Readiness Center for the Guard (as set forth in the January 27, 2023 letter from the Office of the Governor attached hereto as Exhibit “A”); and

WHEREAS, DRBA has consented to the Guard’s acquisition of the Premises; and

WHEREAS, the FAA has approved the transfer of the Premises to the Guard for non-aviation related purposes, including, specifically, the public purpose of a Readiness Center for the Guard; and

WHEREAS, in accordance with *Federal Register*, Volume 64, Number 30 (February 16, 1999), the State must pay fair market value in consideration for the release of airport property for non-aeronautical purposes; and

WHEREAS, to complete the transfer, the State will be required to pay the fair market value of the 2.94 ± acres into the DRBA’s airport fund; and

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

**NOW, THEREFORE, THE COUNTY COUNCIL OF NEW CASTLE COUNTY
HEREIN ORDAINS:**

Section 1. The property described below is land that is required by the State of Delaware for a public purpose in accordance with Title 9, Section 1521(g) of the *Delaware Code*. The State of Delaware requires this property to use as a Readiness Center for the Delaware National Guard. Therefore, subject to the approval of the Federal Aviation Administration, the County Executive is authorized to execute all documents necessary to transfer and convey the following land to the State of Delaware:

2.94 ± acre Parcel, with an address of 12 Penns Way, New Castle, New Castle County, Delaware 19720, consisting of County Tax Parcel No. 10-018.00-006L0027.

New Castle County shall not receive the proceeds from the sale of this property, except ten dollars (\$10.00) may be recited in the deed. In accordance with the law cited above, the State of Delaware will pay the purchase price to the Delaware River and Bay Authority airport fund.

Section 2. 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 3. 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 the valid provisions of this ordinance are so essentially and inseparably connect 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 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 and not as new enactments regardless if severability is possible.

Section 4. 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.

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, declares certain real property owned by the County as surplus and further authorizes the County Executive to execute all documents necessary to transfer the property described above to the State of Delaware. The property will be used as a Readiness Center for the Delaware National Guard.

FISCAL NOTE: This Ordinance, if adopted, would authorize the County Executive to sign the documents necessary for the transfer of the 2.94 ± acre Parcel of land located on New Castle County Airport Property, as described above. New Castle County shall not receive the proceeds of the sale of this property, except ten dollars (\$10.00) may be recited in the deed. In accordance with the law cited above, the State of Delaware will pay the fair market value to the Delaware River and Bay Authority Airport Fund to be invested in the Airport Property. New Castle County is not responsible for any portion of the closing costs.

ORDINANCE NO. 23-091

**AMEND THE GRANTS BUDGET:
APPROPRIATE INVESTMENT INCOME TO JUSTICE ASSISTANCE GRANT
(JAG) 2019 ENHANCED CRIME PREVENTION AND OFFICER WELLNESS
INITIATIVE AND THE JUSTICE ASSISTANCE GRANT (JAG) 2018 FORTIFYING
OFFICER AND COMMUNITY GRANT FOR THE NEW CASTLE COUNTY
DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE**

WHEREAS, original allocated funding from the Bureau of Justice Assistance was previously approved by County Council and appropriated to the Justice Assistance Grants (JAG) for 2017, 2018, 2019 and 2020 via Ordinances 18-082, 18-122, 19-098 and 20-120; and

WHEREAS, investment and program income previously approved by County Council and appropriated to the Justice Assistance Grants (JAG) for 2017, 2018, 2019 and 2020 via Ordinance 21-072, 22-136 and 23-034; and

WHEREAS, the JAG program, administered by the Bureau of Justice Assistance, is the leading source of Federal Justice funding to State and Local jurisdictions and provides New Castle County with critical funding to support a range of programs within the New Castle County Division of Police; and

WHEREAS, authorization is being sought for the appropriation of \$1,766.41 in investment income to the JAG 2019 – Enhanced Crime Prevention and Officer Wellness Initiative Grant to be used to cover purchase of needed supplies for the K9 unit; and

WHEREAS, authorization is being sought for the appropriation of \$32.33 in investment income to the JAG 2018 – Fortifying Office and Community Grant to facilitate grant close out; and

WHEREAS, investment and program income received is 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 underscored and deleting the material stricken on the attached Exhibit “A.”

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

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 \$1,766.41 in investment income to the Justice Assistance Grant (JAG) 2019 Enhanced Crime Prevention and Officer Wellness Initiative Grant to cover purchase of needed supplies for the K9 unit and \$32.33 in investment income to the Justice Assistance Grant (JAG) 2018 Fortifying Officer and Community Grant to facilitate grant close out. These grants are administered by the Department of Public Safety, Division of Police.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$1,766.41 in investment income to the Justice Assistance Grant (JAG) 2019 Enhanced Crime Prevention and Officer Wellness Initiative Grant and \$32.33 in investment income to the Justice Assistance Grant (JAG) 2018 Fortifying Officer and Community Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget totaling \$1,798.74. This increase will affect FY2024 only since the targeted program completion date of the most recent grant is September 30, 2023. There is no fiscal impact beyond FY2024 as a result of this grant award.

DEPARTMENT: Public Safety

EXHIBIT: "A"

GRANT TITLE: JAG 2019 Enhanced Crime Prevention and Officer Wellness Initiative

Ordinance No. 23-091

PROGRAM TITLE: JAG 2019 Enhanced Crime Prevention and Officer Wellness Initiative

Expense	Current	Change	Revised
Salaries and Wages	\$ 69,972.00	\$ -	\$ 69,972.00
Benefits	\$ 6,912.00	\$ -	\$ 6,912.00
Training/Civic Affairs	\$ 85,850.00	\$ -	\$ 85,850.00
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 4,487.46	\$ 1,766.41	\$ 6,253.87
Contractual Services	\$ 5,400.00	\$ -	\$ 5,400.00
Equipment	\$ 8,869.21	\$ -	\$ 8,869.21
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 181,490.67	\$ 1,766.41	\$ 183,257.08

Revenue	Current	Change	Revised
Federal	\$ 172,058.00	\$ -	\$ 172,058.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ 7,952.78	\$ -	\$ 7,952.78
Interest	\$ 1,479.89	\$ 1,766.41	\$ 3,246.30
Total	\$ 181,490.67	\$ 1,766.41	\$ 183,257.08

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 10/1/2018

Estimated Program Completion: 9/30/2023

The Local Match: \$ 32,903.00

Found in (ORG): Police 10200305-10200308

Ordinance 19-098, 21-072, 22-136, 23-034
Passed:

Date Revised: 11/12/2019, 6/16/2021, 12/22/2022, 3/28/23

PROGRAM DESCRIPTION:

The Justice Assistance Grant (JAG) Program provides crucial funding to the New Castle County Division of Police. This grant will support police overtime to reduce crime in identified high crime areas of the County, fund training for police officers and support the purchase of specialized equipment.

~~3/14/2023~~ 7/11/2023

DEPARTMENT: Public Safety

GRANT TITLE: JAG 2018 - Fortifying Officer and Community

PROGRAM TITLE: JAG 2018 - Fortifying Officer and Community

EXHIBIT: "B"

Ordinance No. 23-091

Expense	Current	Change	Revised
Salaries and Wages	\$ 105,056.00	\$ 83.59	\$ 105,139.59
Benefits	\$ 11,011.00	\$ (687.17)	\$ 10,323.83
Training/Civic Affairs	\$ 35,475.00	\$ 767.68	\$ 36,242.68
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ 3,283.00	\$ 12.11	\$ 3,295.11
Contractual Services	\$ 7,802.88	\$ (1.88)	\$ 7,801.00
Equipment	\$ 21,128.00	\$ (142.00)	\$ 20,986.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 183,755.88	\$ 32.33	\$ 183,788.21

Revenue	Current	Change	Revised
Federal	\$ 172,973.00	\$ -	\$ 172,973.00
State	\$ -	\$ -	\$ -
County	\$ -	\$ -	\$ -
Program Income	\$ 9,277.09	\$ -	\$ 9,277.09
Other	\$ 1,505.79	\$ 32.33	\$ 1,538.12
Total	\$ 183,755.88	\$ 32.33	\$ 183,788.21

SUPPLEMENTAL INFORMATION

Estimated Program Initiation: 10/1/2017 **Estimated Program Completion:** 9/30/2021

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

Ordinance 18-122, 21-072 **Date Revised:** 12/11/2018, 5/25/2021

Passed:

PROGRAM DESCRIPTION:

The Justice Assistance Grant (JAG) Program provides crucial funding to the New Castle County Division of Police. This grant will support police overtime to reduce crime in unidentified high crime areas of the County, fund training for police officers and support the purchase of specialized equipment.

~~5/15/2021~~ 7/11/2023

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

ORDINANCE NO. 23-093

**AMEND THE FY2024 APPROVED OPERATING BUDGET:
APPROPRIATE \$1,245,950 FROM THE GENERAL FUND TAX STABILIZATION RESERVE
ACCOUNT TO THE DEPARTMENT OF ADMINISTRATION, HUMAN RESOURCE
MANAGEMENT FOR 25-YEAR RETIREMENT UNFUNDED LIABILITY**

WHEREAS, Ordinance 23-092 contained revisions to the County 2011 Plan; and

WHEREAS, in accordance with New Castle County Code Chapter 2, Section 2.05.505, the Employees Retirement System Board of Trustees considered the County 2011 Plan changes and delivered its recommendation to County Council; and

WHEREAS, the reduction to the credit service requirement to twenty-five (25) years for certain County Emergency Medical Services Division Employees and County Emergency Communications Division Employees based upon the nature of the job duties would result in an estimated unfunded liability of \$1,245,950; and

WHEREAS, additional funding is needed to fund the unfunded liability in the amount of \$1,245,950; 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 Approved Annual Operating Budget as hereinafter amended.

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

Section 1. The Annual Operating Budget for the fiscal year beginning July 1, 2023, is hereby amended by deleting the material 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, 2023, and shall be effective retroactively as though incorporated initially in the Annual Operating Budget.

Section 3. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Section 4. The provisions of this Ordinance shall become effective on 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: Companion Ordinance 23-092 TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 4 (“PENSIONS”), COUNTY 2011 PENSION PLAN TO PROVIDE FOR SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES) must be approved prior to the consideration of this Ordinance.

This Ordinance, if approved, amends the FY2024 Approved Operating Budget by appropriating \$1,245,950 from the General Fund Tax Stabilization Reserve Account to the Department of Administration, Human Resources Benefits Budget Line Item.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$1,245,950 from the General Fund Tax Stabilization Reserve Account to the Department of Administration, Human Resources Benefits Budget Line Item. Companion Ordinance 23-092 (TO AMEND NEW CASTLE COUNTY CODE CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 4 (“PENSIONS”), COUNTY 2011 PENSION PLAN TO PROVIDE FOR SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES) must be approved prior to the consideration of this Ordinance.

The revised FY2024 Approved Operating Budget will be \$332,719,358. The General Fund Tax Stabilization Reserve balance upon passage of this Ordinance is estimated to be \$73,456,203.

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		<u>8,338,475</u>
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	\$	<u>29,304,581</u>
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		2,179,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,007,498
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		<u>74,358,843</u>
Training and Civic Affairs			674,983
Communication and Utilities			35,219,820
Materials and Supplies			7,354,063
Contractual Services			24,137,839
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>	<i>331,473,408</i>	\$	<u>332,719,358</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,661</i>		

RESERVE ACCOUNTS AS OF JULY 1, 2023

Tax Stabilization Reserve Account (Unaudited)	74,702,153		<u>73,456,203</u>
Sewer Rate Stabilization Reserve Account (Unaudited)			10,915,451
General Fund Budget Reserve Account (Unaudited)			45,512,418
Sewer Fund Budget Reserve Account (Unaudited)			18,872,304
<i>Total Reserves:</i>	<i>150,002,326</i>		<u>148,756,376</u>

Introduced by: Mr. Cartier, Ms. Kilpatrick,
Mr. Sheldon
Date of introduction: July 11, 2023

ORDINANCE NO. 23-094

**AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 6 (“BUILDING CODE”)
AND CHAPTER 7 (“PROPERTY MAINTENANCE CODE”)
TO ESTABLISH ROUTINE INSPECTIONS
FOR CERTAIN COMMON INTEREST COMMUNITY BUILDINGS,
INCLUDING CONDOMINIUMS, IN NEW CASTLE COUNTY**

WHEREAS, failing building infrastructure in common interest communities, like condominiums, can lead to loss of life and personal property and serious injuries; and

WHEREAS, structural failures and building collapses in the United States continue to occur, including a recent deadly building collapse in Iowa and a balcony collapse in Sea Isle City, New Jersey, in addition to the catastrophic collapse of Champlain Towers South in Surfside, Florida that resulted in 98 deaths and dozens of serious injuries; and

WHEREAS, New Castle County, unfortunately, has its own examples of common interest community buildings that present concerns, including multi-story buildings located at Le Parc Condominiums, which are currently under observation by the County due to structural stability concerns; and

WHEREAS, the above have led growing concerns and increased attention on the structural and façade integrity of residential buildings in New Castle County; and

WHEREAS, currently there is no requirement that common interest community buildings undergo routine structural and façade inspections to ensure the safety of a building over its service life; and

WHEREAS, in light of the above, it is appropriate for New Castle County to enact procedures for inspecting, evaluating, and maintaining the structural and façade integrity of common interest community buildings, including condominiums, within the County; and

WHEREAS, routine inspections of these buildings and structures, especially older ones, will help avert structural and façade failures causing injury and loss of life; and

WHEREAS, a routine inspection program also will reduce life cycle costs by averting unexpected and expensive remediation or replacement projects; and

WHEREAS, New Castle County Council finds and declares that:

- a. The structural and facade integrity of residential common interest community buildings in New Castle County has become a growing concern, especially in the wake of the tragic collapse of a multifamily residential building in Florida.

- b. Given these concerns, it is appropriate for County Council to enact procedures for inspecting, evaluating, and maintaining the structural and façade integrity of certain residential common interest community buildings, including condominiums, within the County; and

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

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

Section 1. *New Castle County Code* Chapter 6 (“Building Code”), Article 2 (“Definitions”) and Article 4 (“Building Code”) are hereby amended by adding the material that is underscored, and deleting the material with strikethroughs, as set forth below.

Chapter 6 – BUILDING CODE...

ARTICLE 2. – DEFINITIONS...

Section 6.02.001. – Definitions...

The following terms and related language as underlined are to be added alphabetically as new definitions to read as follows:

...

Corrective maintenance means maintenance to be undertaken following the detection of deterioration of the primary load bearing system or the façade with the goal of remediating conditions reported by the design professional.

Covered building, for purposes of a structural inspection, means a residential building or a mixed use building that is, wholly or in part, residential and is a *common interest community building*, including, for example, a *condominium* or *cooperative building*, as such terms are defined in *Delaware Code* Title 25, Chapter 81 (the “Delaware Uniform Common Interest Ownership Act” or the “DUCIOA”), and has a *primary load bearing system* constructed of concrete, masonry, steel, or heavy timber, in addition to such buildings with structural slabs over unconditioned space.

Covered building, for purposes of a *façade* inspection, means a residential building or a mixed use building that is, wholly or in part, residential and is a *common interest community building*, including, for example, a *condominium* or *cooperative building* as such terms are defined in the DUCIOA, and is 4 stories or taller as measured from the lowest elevation of grade plane around the perimeter of the building, unless the building is 3 stories or less and has balconies or decks in which case only the balconies and decks on the second and third stories above grade plane shall be inspected.

Covered building owner means the owner, the owners’ authorized agent, or the person having charge or control of a *covered building*.

Façade means all areas on the exterior of a building including all exterior walls and exterior wall covering; without limitation, a façade further includes cornices, belt courses, corbels, terra cotta trim, wall facings, and other decorative features, parapets, architectural trim and embellishments, and all connected or attached appurtenances such as balconies and decks and attached handrails, fire escapes, chimneys, hanging air conditioners, and window washing and exterior maintenance systems.

Primary load bearing system ("PLBS") means the assemblage of structural components within a building comprised of columns, beams, and/or bracing that by contiguous interconnection form a path by which external and internal forces applied to the building are delivered to the foundation.

...

ARTICLE 4. – BUILDING CODE...

Sec. 6.04.002. – Amendments to the International Building Code...

The following sections of the International Building Code, 2018 edition, are revised as follows...

Note: Although the International Building Code does not identify sections with a "B" designation, such a designation is utilized to avoid any confusion as to which Code the amendment relates...

CHAPTER 17. SPECIAL INSPECTIONS AND TESTS...

CHAPTER 17, SPECIAL INSPECTIONS AND TESTS is amended by adding the following underlined language into a newly added SECTION 1710 immediately following existing SECTION 1709, PRECONSTRUCTION LOAD TESTS, as indicated by underscore as follows:

Section B1710 Structural and façade inspections for certain residential common interest community buildings, including condominiums.

Section B1710.1 General. New Castle County Council finds that maintaining the structural and façade integrity of a building and structure throughout its service life is of paramount importance to ensure that buildings and structures do not pose a threat to the public health, safety, or welfare. Accordingly, County Council finds that requiring structural and façade inspections for common interest buildings, including condominiums, in the County is necessary to ensure that the buildings and occupants thereof are safe.

Section B1710.1.1 Applicability. Covered buildings, as defined in this Chapter, shall have a structural and façade inspection completed in accordance with Section B1710.2.

Section B1710.2. Inspections: Pre-issuance of certificate of occupancy.

1. When a construction application that proposes to create, amend, or modify the PLBS or façade of a covered building is filed with the Department, prior to issuance of a certificate of occupancy, the Department shall consult with the design professional chosen by the covered building owner to confirm that the PLBS and/or facade as-built is equivalent to the proposed design.
2. All inspections required herein shall be performed by or under the direction of a design professional. All structural and façade inspection reports shall be signed and sealed by the design professional. The design professional may be assisted by other professionals qualified in various special disciplines, including geotechnical and civil engineering practices, as needed to conduct the inspections required by this Section.
3. In conducting inspections pursuant to subsections 1. and 2., the design professional shall review the construction plans submitted with the construction application and issue a written report determining whether the PLBS and/or facade conforms with the building plans. If the design professional determines that the PLBS and/or the façade is not in conformance with the building plans, the applicant shall provide additional plans which show conformance with a modification to the PLBS and/or façade. No certificate of occupancy shall be issued until the design professional issues a written report that confirms that the construction of the PLBS and/or the façade of the building is equivalent with the approved construction plans.
4. The covered building owner shall record with the Recorder of Deeds Office signed and sealed structural and/or façade drawings, special inspection reports, and a maintenance plan, as provided in the Community Associations Institute Best Practices Report on Maintenance or a similar nationally-recognized guide, along with a copy of the certificate of occupancy within 10 business days of the issuance of the certificate of occupancy.
5. The creation of or repair, renovation, alteration, or modification of the PLBS and/or façade of a covered building required pursuant to any inspection shall be conducted by a design professional prior to issuance of a certificate of occupancy.
6. The Department may adopt rules and regulations consistent herewith as necessary and helpful to effectuate the intent and purpose of this Section, and such authority includes the ability of the Department to adopt forms necessary to further the intent and purposes of this Section.

Section 2. *New Castle County Code* Chapter 7 (“Property Maintenance Code”), Article 1 (“Standards for Property Maintenance”), Section 7.01.002 (“Amendments to the Property Maintenance Code”) are hereby amended by adding the material that is underscored and deleting the material as struck through, as set forth below.

Chapter 7 – PROPERTY MAINTENANCE CODE...

ARTICLE 1. – STANDARDS FOR PROPERTY MAINTENANCE...

Section 7.01.002. - Amendments to the Property Maintenance Code...

Certain sections and subsections of the International Property Maintenance Code, 2018 edition, adopted in Section 7.01.001 and/or Section 7.01.002, are hereby added, deleted, amended, changed, and/or clarified as follows by underline and/or strikethrough. *Note:* Although the International Property Maintenance Code, 2018 edition, does not identify sections with a "PM" designation, such a designation is utilized to avoid any confusion as to what Code the amendment relates...

...

Section PM 202. DEFINITIONS

The following words, terms, and phrases, when used in this Chapter, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

...

The following terms and related language as underlined are to be added alphabetically as new definitions to read as follows:

Corrective maintenance means maintenance to be undertaken following the detection of deterioration of the primary load bearing system or the façade with the goal of remediating conditions reported by the design professional.

Covered building, for purposes of a structural inspection, means a residential building or a mixed use building that is, wholly or in part, residential and is a common interest community building, including, for example, a condominium or cooperative building, as such terms are defined in Delaware Code Title 25, Chapter 81 (the "Delaware Uniform Common Interest Ownership Act" or the "DUCIOA"), and has a primary load bearing system constructed of concrete, masonry, steel, or heavy timber, in addition to such buildings with structural slabs over unconditioned space.

Covered building, for purposes of a façade inspection, means a residential building or a mixed use building that is, wholly or in part, residential and is a common interest community building, including, for example, a condominium or cooperative building as such terms are defined in the DUCIOA, and is 4 stories or taller as measured from the lowest elevation of grade plane around the perimeter of the building, unless the building is 3 stories or less in which case only the balconies and decks on the second and third stories above grade plane shall be inspected.

Covered building owner means the owner, the owners' authorized agent, or the person having charge or control of a covered building.

Facade means all areas on the exterior of a building including all exterior walls and exterior wall covering; without limitation, a façade further includes cornices, belt courses, corbels, terra cotta trim, wall facings, and other decorative features, parapets, architectural trim and embellishments, and all connected or attached appurtenances such as balconies and decks, and attached handrails, fire escapes, chimneys, hanging air conditioners, and window washing and exterior maintenance systems.

Grade plane means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

Primary load bearing system (“PLBS”) means the assemblage of structural components within a building comprised of columns, beams, and/or bracing that by contiguous interconnection form a path by which external and internal forces applied to the building are delivered to the foundation.

Section PM 304. EXTERIOR STRUCTURE is amended by the addition of underlined language as follows, which is followed by the addition of new **Section PM 310** and its subparts as indicated by the following underlined language...

...

Section PM 304.1 General. The exterior of a structure and the façade, which is defined in this Section, shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety or welfare. “Covered buildings,” as defined in this Chapter, shall also comply with Section PM 310 of this Chapter.

...

SECTION PM 310 INSPECTIONS OF COVERED BUILDINGS.

Section PM 310.1 Primary load bearing system inspections. For each covered building where the certificate of occupancy was issued prior to the effective date of this Section, an initial structural inspection of the PLBS, which shall include inspection of the foundation, shall be performed in accordance with the most recently published American Society of Civil Engineers (“ASCE”) Guideline for Structural Condition Assessment of Existing Buildings or other recognized equivalent standards by a design professional retained by the covered building owner to determine if conditions exist which potentially affect the structural capacity of the system within the earlier of:

- a. 2 years from the effective date of this Section; or
- b. 60 days after observable damage to the PLBS.
- c. If the design professional determines that unsafe and imminently dangerous conditions exist such that the observable damage compromises the structural integrity of the PLBS, immediate action is required. When such conditions are discovered, remedial steps to avoid harm to people or property shall be taken as required under Section PM 109.
- d. For each covered building where a certificate of occupancy was issued after the effective date of this Section, an initial structural inspection shall be undertaken by a design professional within 15 years of the effective date of this Section.

Section PM 310.1.1 Structural Report. After a design professional has performed a structural inspection pursuant to Section PM 310.1., the design professional shall issue a written report describing the condition of the PLBS. The structural report shall:

- a. Set forth with specificity all corrective maintenance or repairs necessary for the PLBS;
- b. Determine when the subsequent inspection of the PLBS shall be performed, based on Section 310.1.3.
- c. Be provided to the Code Official and the Department;
- d. Be prepared in accordance with protocol established by the most recently published ASCE or other recognized equivalent standards for the structural condition assessment of a covered building or a similar protocol by another nationally recognized structural engineering organization;
- e. Provide any other information or guidance necessary to maintain the structural integrity of a covered building;
- f. Provide additional detailed evaluations necessary to evaluate any observed concerns.
- g. The structural report shall be recorded with the Office of the Recorder of Deeds.

Section PM 310.1.2. Corrective Maintenance. If the design professional's report created pursuant to Section PM 310.1.1 concludes that corrective maintenance of the PLBS is needed, the report shall specify with reasonable detail the required corrective maintenance including the estimated timing and an engineering cost estimate for the work to be performed.

Section PM 310.1.3. Subsequent Inspections. Notwithstanding the design professional's initial inspection and report undertaken pursuant to this Section, subsequent structural inspections and reports shall be provided for as set forth by the design professional's preceding report as follows:

- a. The design professional will determine a reasonable period of time within which the next structural inspection will take place provided, however, that any subsequent inspection shall not occur:
 - 1) More than 10 years after a preceding inspection during the first 20 years following issuance of a certificate of occupancy; or
 - 2) More than 5 years after a preceding inspection if the covered building is more than 20 years old.
- b. The design professional shall review the preceding structural report prior to undertaking a subsequent structural inspection of the covered building. After the design professional completes this review and inspection, the design professional will then issue a subsequent structural report which shall:
 - 1) Make note of any new or progressive deterioration;
 - 2) Set forth the corrective maintenance required to address any new or progressive deterioration;
 - 3) Describe any additional, more detailed evaluations that must be performed to evaluate in greater detail any observed concerns; and

- 4) Be provided to the covered building owner, who shall undertake measures necessary to effectuate the corrective maintenance, including engaging the services of a design professional licensed by the State and qualified in structural repairs or maintenance to create plans or specifications to implement the corrective maintenance. The covered building owner shall cause any plans or specifications created pursuant to this Section to be filed with the Department.
- c. If the structural inspection by the design professional finds that there is no need for corrective maintenance, the written report will reflect this and shall be recorded with the Department and the Office of the Recorder of Deeds.
- d. Any written report issued by the design professional pursuant to this Section shall be provided to the covered building owner and shall be made available to any resident of the covered building upon request and posted in the building in a prominent location.

Section PM 310.2. Façade inspections of covered buildings.

Following the issuance of a certificate of occupancy after the effective date of this Section, an initial facade inspection of a covered building shall be undertaken in accordance with the most recently published ASCE *Guideline for Condition Assessment of the Building Envelope* or other recognized equivalent standards by a design professional retained by the covered building owner to review the condition of the façade to determine if conditions exist that potentially affect the integrity of the façade components that are supported by the PLBS as well as the potential for deterioration of moisture protection systems such as visually observable joints, flashings, and weeps that could lead to deterioration of the underlying building components. If conditions, which do not pose an immediate threat of harm to people or property which will be addressed under Section PM 109, are identified as a result of the inspection, a more detailed evaluation must be performed. The initial façade inspection must be performed within the earlier of:

- a. 5 years of the date on which the covered building was issued a certificate of occupancy; or
- b. 60 days after observable damage to the facade.
- c. If a covered building was issued a certificate of occupancy prior to the effective date of this Section, then an initial facade inspection shall be undertaken by a design professional within 2 years of the effective date of this Section.

Section PM 310.2.1 Façade report. After the design professional has performed an inspection following issuance of a certificate of occupancy pursuant to Section PM 310.2, the design professional shall issue a written report describing the condition of the facade. The inspection report shall:

- a. Identify with specificity any required corrective maintenance or repairs, not of an unsafe and imminently hazardous nature which shall be addressed immediately under Section PM 109, relating to both the condition of the façade as well as the weatherproofing of the façade;

- b. Identify when the next inspection of the façade shall be performed, but in no event shall a subsequent inspection occur more than 5 years after the initial inspection;
- c. Describe any additional evaluations necessary to further evaluate any observed conditions;
- d. Be provided to the Code Official and the Department;
- e. Be prepared in accordance with protocol established by the most recently published ASCE *Guideline for Condition Assessment of the Building Envelope*, or a similar protocol by another nationally recognized organization; and
- f. Provide any further information or guidance necessary to maintain the facade of a covered building.

Section PM 310.2.2. If the design professional determines that an unsafe and imminently dangerous condition exists, necessary remedial steps to avoid harm to people or property shall immediately be taken under Section PM 109.

Section PM 310.2.3. If the design professional's report created pursuant to Section PM 310.2.1 concludes that corrective maintenance of the façade is needed, which is not of an unsafe and imminently dangerous nature, the report shall specify with reasonable detail the required corrective maintenance including the estimated timing and an engineering cost estimate for the work to be performed.

Section PM 310.2.4. Notwithstanding the initial façade inspection and report undertaken pursuant to Sections PM 310.2 and PM 310.2.1., subsequent façade inspections and reports shall be provided for as set forth by the design professional's preceding report as follows:

- a. The design professional will determine a reasonable time period within which the subsequent inspection shall occur, provided, however, that any subsequent inspection shall occur within 5 years of the preceding inspection.
- b. The design professional shall review the preceding inspection report prior to undertaking subsequent inspections of the covered building. After the design professional completes this review and façade inspection, the design professional will then issue a subsequent inspection report which shall:
 - 1) Identify any new or progressive deterioration;
 - 2) Identify corrective maintenance necessary to address any new or progressive deterioration;
 - 3) Describe any further evaluations that must be performed to more fully assess any observed conditions; and
 - 4) Be provided to the covered building owner, who shall undertake measures necessary to effectuate the corrective maintenance, including, but not limited to, engaging the services of a design professional who is qualified in façade repairs or maintenance to create a plan to implement corrective maintenance. The covered building owner shall cause any plans or specifications created pursuant to this subparagraph to be filed with the Department.

- c. If, upon inspection, the design professional determines that corrective maintenance is not necessary, the written report shall reflect this determination and be filed with the Department.
- d. Written reports issued by the design professional pursuant to this Section shall be promptly provided to the covered building's owner and shall be made available to any resident of the covered building upon request and posted in a prominent location in the building.
- e. The facade report shall be recorded with the Office of the Recorder of Deeds.

Section PM 310.3. Miscellaneous.

Section PM 310.3.1. Costs incurred by the Department relating to inspections of a covered building made under this Section shall be recovered through a fee as determined by the Department, and shall be paid by the covered building owner.

Section PM 310.3.2. The Department may adopt rules and regulations consistent herewith as necessary and helpful to effectuate the intent and purpose of this Section, and such authority includes the ability of the Department to adopt forms necessary to further the intent and purposes of this Section.

Section 3. This Ordinance shall become effective after its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
of New Castle County

SYNOPSIS: On June 24, 2021, Champlain Towers South, a 12-story condominium building built in 1981 in Surfside, Florida, collapsed, killing 98 people and seriously injuring many others. Although the exact cause of the building collapse remains under investigation, many reports have surfaced stating that the building had major structural issues. In addition, some experts argue that the repeal of a 2010 Florida law requiring that condominiums plan for certain repairs, may have contributed to this tragic building collapse.

Currently, there is no requirement in New Castle County to inspect the structural integrity and facades of common interest community buildings on a regular basis. Such inspections would help to ensure the safety of buildings and the occupants thereof. This ordinance would require that the structure and façade of *covered buildings* be inspected by a design professional such as a licensed engineer or architect during the building's construction and post-construction phases.

In addition, this ordinance would require that a design professional review the construction plans submitted with a construction application, establish an inspection schedule to confirm that the primary load bearing system (“PLBS”) and the façade conform with the building plans, and issue a written report which expresses whether the PLBS conforms to the building plans.

A certificate of occupancy will not be issued until the design professional’s report confirms that the construction of the PLBS and the building façade are in conformance with the approved construction plans. Relatedly, the issuance of a certificate of occupancy would be precluded until all necessary repairs, renovations, alterations, or modifications to the covered building are made pursuant to the design professional’s report. Costs incurred by the Department as a result of required inspections would be recovered through a fee associated with the construction application as determined by the Department.

FISCAL NOTE: There is no immediate fiscal impact.

Introduced by: Ms. Durham, Mr. Tackett,
Mr. Cartier, Mr. Carter,
Mr. Smiley, Mr. Hollins,
Mr. Bell, Ms. Kilpatrick,
Mr. Toole

Date of introduction: July 25, 2023

RESOLUTION NO. 23-138

RECOGNIZING THE CENTENNIAL OF THE NEW CASTLE COUNTY BOARD OF REALTORS

WHEREAS, the New Castle Board of Realtors (“NCCBOR”) was established on July 24, 1923 as a not-for-profit, tax-exempt trade board, formed to promote, develop, educate, and further the real estate industry. The NCCBOR’s principal membership class consists of individuals engaged in real estate brokerage, property management, and appraisal; and

WHEREAS, the NCCBOR was created by a group of brokers who wanted to establish more uniformity in the buying and selling of homes in New Castle County and to ensure a high standard of ethical practices and procedures; and

WHEREAS, another purpose of the NCCBOR is to provide essential resources, services, leadership, and ethics training to its members. In addition to promoting effective partnerships, the NCCBOR promotes the REALTOR® brand within the marketplace; and

WHEREAS, the NCCBOR has nearly 3,000 active members working throughout New Castle County and neighboring counties; and

WHEREAS, the NCCBOR is a proponent for fair housing and is committed to promoting the widest distribution of ownership by continuing to support programs relating to the right to equal housing opportunities in and around New Castle County; and

WHEREAS, the NCCBOR engages with the community in a variety of ways; some of their volunteer efforts include park cleanups, food drives, fundraisers, home repair assistance, and providing mental health services for its members and the community. The NCCBOR also forms alliances with groups who share like-minded missions on behalf of the welfare of the community; and

WHEREAS, the NCCBOR is the local representative of the Delaware Association of REALTORS® and the National Association of REALTORS®.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby congratulates the New Castle County Board of Realtors for reaching the impressive milestone of 100 years as an integral member of the New Castle County business community and for its decades of service to the community.

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 discernable fiscal impact upon the approval of this resolution.

Introduced by: Ms. Hartley-Nagle
Date of introduction: July 25, 2023

RESOLUTION NO. 23-139

**HONORING THE EXTRAORDINARY MUSICAL JOURNEY
AND SERVICE OF ELDER ALAN LLOYD**

WHEREAS, it is with great pleasure and heartfelt appreciation that we, the members of New Castle County Council, recognize and celebrate the exceptional accomplishments and dedication of Elder Alan Lloyd, a man whose profound impact on our community has been nothing short of inspiring; and

WHEREAS, the wisdom of William Shakespeare reminds us that "If music be the food of love, play on," and indeed, Elder Alan Lloyd has exemplified the essence of this sentiment throughout his life's journey; and

WHEREAS, we acknowledge with gratitude that Elder Alan Lloyd is the cherished son of Esther Barnes and Claraveal and the youngest of six beloved siblings, a testament to the values instilled within his family that have undoubtedly contributed to his remarkable character and unwavering commitment; and

WHEREAS, from a tender age, Elder Alan Lloyd displayed an extraordinary talent as a self-taught drummer, astonishing all who had the privilege of witnessing his musical prowess by the mere age of fifteen, a testament to his innate dedication and passion for the art form; and

WHEREAS, from the years 1986 to 2001, Elder Alan Lloyd nurtured and expanded his musical talents at the Revival Fellowship Church, a period that played a pivotal role in shaping his musical aptitude and fostering a deep connection to the spiritual essence of music; and

WHEREAS, we proudly acknowledge that Elder Alan Lloyd has unselfishly shared his musical gifts with our beloved county, bringing joy, harmony, and a sense of togetherness through his performances and service at Greater Works Around the World since 2009, a testament to his commitment to enriching the lives of others through his artistic expression; and

WHEREAS, in 2012, Elder Alan Lloyd courageously answered his divine call to minister under the wise and inspiring leadership of Stephanie Jones, marking the beginning of a remarkable journey of spiritual growth and guidance; and

WHEREAS, through unwavering dedication and profound spiritual insight, Elder Alan Lloyd's role evolved from Minister to Evangelist, and he now holds the revered position of Elder, a testament to his exemplary commitment to serving his community and nurturing the spiritual well-being of those around him; and

WHEREAS, we take this moment to wholeheartedly recognize and celebrate Elder Alan Lloyd's manifold achievements, steadfast commitment, and continued service to our community, and we extend our deepest gratitude for his tireless efforts in bringing music, joy, and spiritual enlightenment to all who have had the pleasure of crossing paths with him.

NOW, THEREFORE, BE IT RESOLVED that the New Castle County Council, hereby honors and commends Elder Alan Lloyd for his exceptional musical talent, unwavering dedication, and the uplifting spirit he brings to all, making a lasting impact on the lives of countless individuals within our county.

Adopted by County Council of
New Castle County on: 7/25/2023

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