



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

October 10, 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

°23-135: AMEND THE GRANTS BUDGET: APPROPRIATE \$160,000 FROM THE STATE OF DELAWARE FY2024 GRANT-IN-AID BILL TO THE FY2024 POLICE BEHAVIORAL HEALTH GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-136: AMEND THE GRANTS BUDGET: APPROPRIATE \$506,147.12 FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2024 FUNDS TO COMBAT VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-137: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS WITH LIGHT EMITTING DIODE (LED) BULBS IN THE GARRETT WOODS SUBDIVISION LOCATED IN THE NEW CASTLE HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS Introduced by: Mr. Toole

°23-138: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$230,233 IN FEDERAL FUNDING RECEIVED FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR, UNITED STATES FISH AND WILDLIFE SERVICE TO THE DEPARTMENT OF PUBLIC WORKS, WATER QUALITY IMPROVEMENT PLAN CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Carter

°23-139: AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDS FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT IN THE AMOUNT OF \$129,000 TO THE DEPARTMENT OF ADMINISTRATION, RECORDER OF DEEDS HOA PORTAL CAPITAL PROJECT Introduced by: Mr. Smiley, Mr. Cartier

°23-140: AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$8,000 IN FUNDING RECEIVED FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE CONTRACTUAL SERVICES BUDGET LINE ITEM Introduced by: Mr. Smiley, Mr. Cartier

°23-141: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 2 ("ADMINISTRATION"), ARTICLE 5 ("DEPARTMENTS AND OFFICES"), SECTION 303 ("PURCHASING OF CONTRACT CONSTRUCTION") AND SECTION 502 ("PURCHASING OF SUPPLIES AND CONTRACTUAL SERVICES") Introduced by: Mr. Smiley, Mr. Cartier

°23-142: REVISE PREVIOUSLY APPROVED MAJOR LAND DEVELOPMENT PLAN WITH REZONING FOR PROMENADE AT CHRISTIANA; WHITE CLAY CREEK HUNDRED; WEST SIDE OF EAGLE RUN ROAD, APPROXIMATELY 2,000 FEET NORTH OF CHRISTIANA ROAD (ROUTE 273); TAX PARCEL NO. 09-030.00-001, (VMDT PARTNERSHIP) (The plan for Promenade at Christiana proposes to revise the previously approved design of the major land development plan to allow for 140,940 square feet of vehicle sales, rental, and service facilities GFA; 19,280 square feet of commercial retail sites GFA; and 3,200 square feet of office site GFA. This new plan will supersede the previously approved major land development plan with rezoning. Section 40.31.113 of the New Castle County Code requires that the submitted record plan be in general conformance with the development on the approved plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 08-003 in July 2008. CR (Commercial Regional) zoning district. App. 2023-0397-S/Z.) Introduced by: Mr. Toole

E. Reports from Select and Special Committees

F. Consent Calendar

R23-172: HONORING THE LIFE AND LEGACY OF THOMAS D. GREEN Introduced by: Ms. Kilpatrick

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

G. Presentations

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

R23-173: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER WITH DOCUMENT TECHNOLOGY SYSTEMS FOR THE DEPARTMENT OF ADMINISTRATION, OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT OF \$63,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-174: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH BE READY COMMUNITY DEVELOPMENT CORPORATION TO ASSIST IN PROVIDING ACCESS TO AFFORDABLE RENTAL HOUSING IN WILMINGTON FOR THE DEPARTMENT OF COMMUNITY

SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$250,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-175: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH DELAWARE VALLEY DEVELOPMENT CORPORATION TO ASSIST IN THE NEW CONSTRUCTION OF AFFORDABLE RENTAL HOUSING UNITS FOR SENIORS AND VETERANS IN NEW CASTLE COUNTY FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$3,500,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-176: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH STUART ALEXANDER AND ASSOCIATES, INC. TO ASSIST IN PROVIDING ACCESS TO AFFORDABLE RENTAL HOUSING UNITS IN WILMINGTON FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$250,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-177: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH TODMORDEN FOUNDATION TO ASSIST IN THE CREATION OF NEW AFFORDABLE RENTAL HOUSING UNITS IN WILMINGTON FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$400,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R23-178: APPROVING THE DEVELOPMENT AND IMPLEMENTATION OF AN ASSET MANAGEMENT PLAN FOR THE DEPARTMENT OF PUBLIC WORKS Introduced by: Mr. Sheldon, Mr. Carter

I. Consideration of Ordinances

°23-125: AMEND THE GRANTS BUDGET: APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2024 COLD CASE DNA GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE Introduced by: Mr. Bell, Ms. Hartley-Nagle

°23-126: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES FOR THE CLASS SPECIFICATION OF COMMUNITY SERVICES MANAGER FOR THE DEPARTMENT OF COMMUNITY SERVICES Introduced by: Ms. Hartley-Nagle

°23-127: AMEND THE FY2023 APPROVED OPERATING BUDGET: REALIGN \$89,602 WITHIN THE SEWER FUND IN ORDER TO PROVIDE FUNDING FOR SALARIES AND WAGES Introduced by: Mr. Smiley, Mr. Cartier

°23-128: AUTHORIZING THE ISSUANCE OF \$22,033,016 IN GENERAL OBLIGATION BONDS THROUGH THE DELAWARE CLEAN WATER STATE REVOLVING LOAN FUND FOR THE DEPARTMENT OF PUBLIC WORKS, UPPER WEST WING SANITARY SEWER AS PART OF THE SOUTHERN SEWER SERVICE AREA CAPITAL PROJECT Introduced by: Mr. Sheldon, Mr. Carter

°23-129: 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 AND EMPLOYEE BENEFITS BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF PARKS Introduced by: Mr. Smiley

°23-130: AMEND SECTION 14.02.006 OF THE NEW CASTLE COUNTY CODE TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO WAIVE COLLECTION FEES FOR RETURNED PAYMENTS UNDER CERTAIN CIRCUMSTANCES Introduced by: Mr. Tackett, Ms. George

°23-131: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 10 ("REAL PROPERTY TRANSFER TAX") TO PROVIDE AN INCOME QUALIFIED EXEMPTION FROM THE NEW CASTLE COUNTY PORTION OF REAL ESTATE TRANSFER TAX RELATING TO NEWLY BUILT HOUSES WITH RESIDENTIAL FIRE PROTECTION SPRINKLERS Introduced by: Mr. Carter, Mr. Smiley, Mr. Bell

°23-133: AMENDING CHAPTER 14 ("FINANCE AND TAXATION"), ARTICLE 1 ("IN GENERAL"), SECTION 14.01.014 OF THE *NEW CASTLE COUNTY CODE* REGARDING THE TAX STABILIZATION RESERVE ACCOUNT Introduced by: Mr. Smiley

°23-134: (STATUS: TO BE TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 7 ("PROPERTY MAINTENANCE CODE"), SECTION 7.01.002 ("AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE"), AS AMENDED, SECTION PM 308 ("RUBBISH AND GARBAGE") AND CHAPTER 19 ("RESIDENTIAL RENTAL PROPERTIES"), ARTICLE 3 ("RENTAL CODE"), ARTICLE 4 ("ENFORCEMENT"), AND APPENDIX RELATING TO REMOVAL OF RUBBISH AND GARBAGE Introduced by: Ms. George

J. Time Sensitive Congratulatory/Honorary Resolutions

R23-179: CONGRATULATING JUDITH MONEY PUCKETT ON RECEIVING THE "DISTINGUISHED SERVICE TO AGRICULTURE AWARD" Introduced by: Mr. Carter, Mr. Bell, Ms. Durham, Ms. Hartley-Nagle

R23-180: HONORING THE PHIPPS FAMILY FOR RECEIVING THE "NEW CASTLE COUNTY FARM FAMILY OF THE YEAR AWARD" FOR 2023 Introduced by: Mr. Carter, Mr. Bell, Ms. Durham, Ms. Hartley-Nagle

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: October 3, 2023

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

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

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

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.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.

ORDINANCE NO. 23-135

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$160,000 FROM THE STATE OF DELAWARE FY2024
GRANT-IN-AID BILL TO THE FY2024 POLICE BEHAVIORAL HEALTH GRANT TO
BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF POLICE**

WHEREAS, the Department of Public Safety, Division of Police has been awarded \$160,000 in funding from the State of Delaware FY2024 Grant in Aid Bill; and

WHEREAS, the funding will be used to continue to support the mental health team, enhancing the level of service to those suffering from mental illness by providing additional hours of coverage during the week and expanding into the weekend; and

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

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

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

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

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to 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: Appropriate \$160,000 in State of Delaware FY2024 Grant in Aid Bill funds to the FY2024 Police Behavioral Health Grant to continue to support the mental health team, enhancing the level of service to those suffering from mental illness by providing additional hours of coverage during the week and expanding into the weekend. This is the fifth year of funding for this grant.

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

FISCAL NOTE: This Ordinance, if approved, will appropriate \$160,000 in State of Delaware FY2024 Grant in Aid Bill funds to the FY2024 Police Behavioral Health Grant. The funding will be used to continue to support the mental health team by funding a contracted Mental Health Clinician through Christiana Care (previously an Executive Assistant II), overtime when necessary for the assigned police officers and related operating expenses.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$160,000. The increase will affect FY2024 only as the program end date is June 30, 2024. There is no anticipated fiscal impact on the Operating Budget.

DEPARTMENT:

Public Safety

GRANT TITLE:

FY2024 Police Behavioral Health

PROGRAM TITLE:

FY2024 Police Behavioral Health

EXHIBIT:

"A"

Ordinance No.

23-135

Expense	Current	Change	Revised
Salaries and Wages	\$ 15,000.00	\$ -	\$ 15,000.00
Benefits	\$ 8,823.30	\$ -	\$ 8,823.30
Training/Civic Affairs	\$ 26,000.00	\$ -	\$ 26,000.00
Communication/Utilities	\$ 15,000.00	\$ -	\$ 15,000.00
Materials/Supplies	\$ 5,000.00	\$ -	\$ 5,000.00
Contractual Services	\$ 83,870.00	\$ -	\$ 83,870.00
Equipment	\$ 6,306.70	\$ -	\$ 6,306.70
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 160,000.00	\$ -	\$ 160,000.00

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 160,000.00	\$ -	\$ 160,000.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 160,000.00	\$ -	\$ 160,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2023

Estimated Program Completion:

6/30/2024

The Local Match:

\$ -

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

To continue to provide funding for the Mental Health programs in the Division of Police inclusive of funding a Mental Health Clinician through Christiana Care, overtime when necessary for the assigned police officers and related operating expenses.

Introduced by: Mr. Bell, Ms. Hartley-Nagle
Date of introduction: October 10, 2023

ORDINANCE NO. 23-136

**AMEND THE GRANTS BUDGET:
APPROPRIATE \$506,147.12 FROM THE STATE OF DELAWARE DEPARTMENT OF
SAFETY AND HOMELAND SECURITY TO THE FY2024 FUNDS TO COMBAT
VIOLENT CRIME GRANT FOR THE DEPARTMENT OF PUBLIC SAFETY,
DIVISION OF POLICE**

WHEREAS, funding has been awarded from the State of Delaware, Department of Safety and Homeland Security to the FY2024 Funds to Combat Violent Crime Grant; and

WHEREAS, the funding will be used by the New Castle County Department of Public Safety, Division of Police for overtime patrols in high crime areas, specialized training and the purchase of essential police equipment; and

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

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

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

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

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

Section 3. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to September 12, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$506,147.12 from the State of Delaware Department of Safety and Homeland Security to the FY2024 Funds to Combat Violent Crime Grant. The funding will be used by the New Castle County Department of Public Safety, Division of Police for overtime patrols in high crime areas, specialized training and the purchase of essential police equipment.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to September 12, 2023.

FISCAL NOTE: The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$506,147.12. This increase will impact FY2024 and FY2025 since the targeted program completion date is September 30, 2024. In addition, New Castle County is providing a cash match within the Department of Public Safety, Division of Police of \$81,174.36 to cover the full costs of employee benefits.

There will be no fiscal impact beyond FY2025 as a result of this grant award.

DEPARTMENT:

Public Safety

GRANT TITLE:

FY2024 Funds to Combat Violent Crime

PROGRAM TITLE:

FY2024 Funds to Combat Violent Crime

EXHIBIT:

"A"

Ordinance No.

23-136

Expense	Current	Change	Revised
Salaries and Wages	\$ 138,000.00	\$ -	\$ 138,000.00
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ 137,147.12	\$ -	\$ 137,147.12
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ -	\$ -	\$ -
Equipment	\$ 231,000.00	\$ -	\$ 231,000.00
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 506,147.12	\$ -	\$ 506,147.12

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 506,147.12	\$ -	\$ 506,147.12
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 506,147.12	\$ -	\$ 506,147.12

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

9/12/2023

County Match:

\$ -

Operating Impact:

\$ 81,174.36

Estimated Program Completion:

9/30/2024

Found in (ORG):

Found in (ORG):

10200304-10200308

Ordinance Passed/
Date Revised:

PROGRAM DESCRIPTION:

The Funds to Combat Violent Crime Grant is funded by the State of Delaware and is distributed by the Department of Safety and Homeland Security for use by local law enforcement agencies in connection with initiatives to combat violent felonies pursuant to Section 4201(c) of Title 11 of the *Delaware State Code*.

ORDINANCE NO. 23-137

**TO PROVIDE FOR THE INSTALLATION OF GRANVILLE WITH RIBS STREET LIGHTS
WITH LIGHT EMITTING DIODE (LED) BULBS IN THE GARRETT WOODS
SUBDIVISION LOCATED IN THE NEW CASTLE HUNDRED AND FOR A LIGHT TAX
BASED ON THE COST OF STREET LIGHTS**

WHEREAS, a petition has been filed with the Clerk of New Castle County Council for the establishment of a street light tax district in the **GARRETT WOODS SUBDIVISION** and for the installation of Granville with Ribs street lights with 100 watt light emitting diode (LED) bulbs, therein.

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

Section 1. The County Executive is hereby authorized to execute a contract, in accordance with 9 *Del. C.* Chapter 21, to provide GRANVILLE WITH RIBS street lights with 100 watt light emitting diode (LED) bulbs, according to the standards established by the New Castle County Department of Land Use, to be erected along THOMAS GARRETT DR., REUSCH CIR., HARRIET TUBMAN LA., ARIANNA CT. and REGINALD JACKSON LA. as set forth in the petition.

Section 2. The properties set forth in the petition shall be subject to an annual tax based upon the full annual cost of the street lighting in an amount to be provided for in the Annual Revenue Ordinance.

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

Adopted by County Council of
New Castle County on:

President of Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance approves the installation of GRANVILLE WITH RIBS street lights with 100 watt light emitting diode (LED) bulbs in the GARRETT WOODS SUBDIVISION.

FISCAL NOTE: This Ordinance provides for the installation of GRANVILLE WITH RIBS street lights with 100 watt light emitting diode (LED) bulbs and the assessment of a light tax based on the rates set in the Annual Revenue Ordinance.

The light tax assessed on these GARRETT WOODS SUBDIVISION properties set forth in the petition filed with the Clerk of County Council will be billed in conjunction with the annual property tax billing. The increased expenditure to the County resulting from the installation and maintenance will be offset by the increased revenues realized from the light tax assessment.



OFFICE OF FINANCE

BUILDERS PETITION FOR STREET LIGHTING

STATE OF DELAWARE :

SS :

NEW CASTLE COUNTY :

TO: The Honorable President and Members of County Council of New Castle County, Delaware

BE IT KNOWN, that on this 11th Day of September, A.D. 2023 __ personally
appeared before me, the undersigned Notary Public, Paulette Baker

of the State of Delaware, known to me as such, and being first duly sworn by me according to law, stated and
said as follows:

1. Barry J. Baker holds
record title to Garrett Woods, LLC

a subdivision located in Newark Delaware, New Castle County,
Delaware, the metes and bounds for which are set forth in the Deed dated
19th of July 2023, between David M
Cantara and Matthew G. Jackson

as grantors, and Garrett Woods, LLC

as grantee, recorded in the
Office for the Recorder of Deeds in and for New Castle County at Wilmington, Delaware, in Deed Instrument
Number 20230719-0047492 and 20230719-00474496, a
copy of which is attached hereto and made a part hereof as EXHIBIT A. A substantially reduced copy of the
record subdivision plan for the portion of the lands known as Garrett Woods

New Castle County, Delaware, being known as Subdivision Instrument No. 20220323-0033210,
is attached hereto and made a part hereof as EXHIBIT B.

2. Barry J. Baker
as sole owner of _____ an
unincorporated community in Newark Delaware, New Castle County,
Delaware, hereby petitions New Castle County pursuant to 9 Del. C. 2101, et seq. (Rev. 1974) to enter into a
contract for the purpose of providing light for the streets running through and within _____
_____, the boundary lines of which are set forth on EXHIBIT A
attached hereto and made part hereof, and more visually represented in EXHIBIT B attached hereto and made
part hereof.

3. The type of street lights being requested are Granville with Ribs with 100 watt LED
bulbs

4. List names of all streets you wish to have lights installed on Streets:
Thomas Garrett Drive, Reusch Circle, Harriet Tubman Lane, Arianna Court, Reginald Jackson
Lane

BY

Barry J. Baker

BY

SWORN TO AND SUBSCRIBED before me the day and year
aforesaid.

Notary Public

Paulette Baker



ORDINANCE NO. 23-138

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE \$230,233
IN FEDERAL FUNDING RECEIVED FROM THE UNITED STATES DEPARTMENT
OF THE INTERIOR, UNITED STATES FISH AND WILDLIFE SERVICE TO THE
DEPARTMENT OF PUBLIC WORKS, WATER QUALITY IMPROVEMENT PLAN
CAPITAL PROJECT**

WHEREAS, the Department of Public Works has received documentation certifying that the United States Department of the Interior, United States Fish and Wildlife Service has appropriated \$230,233 to New Castle County from the National Fish and Wildlife Foundation; and

WHEREAS, this funding will be used for phase one of a multiphase restoration for Banning Regional Park to utilize ecologically focused restoration and land management; and

WHEREAS, this includes invasive plant control on mature forest, conversion of some turfgrass lawn to forest and enhancement of wetland and riparian forest; and

WHEREAS, this award is provided on the condition that these funds will be matched by \$230,000 in matching contributions; and

WHEREAS, the match will be provided by \$100,000 from the State of Delaware Department of Natural Resources and Environmental Control (DNREC), \$10,000 from Sarver Ecological via in-kind volunteer services, \$100,000 from New Castle County with funds already authorized within the Water Quality Improvement Plan Capital Project and \$20,000 in New Castle County staff time.

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

Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023 is hereby amended by deleting the material that is stricken and adding the material that is underscored on the attached Exhibit "A."

Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2023 is hereby amended by adding the material on the attached Exhibit "B," which shall be considered underscored in its entirety.

Section 3. State funding in the amount of \$230,233 is appropriated to the Department of Public Works, Water Quality Improvement Plan Capital Project for phase one of a multiphase restoration for Banning Regional Park to utilize ecologically focused restoration and land management.

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 appropriate \$230,233 in funding received from the United States Department of the Interior, United State Fish and Wildlife Service from the National Fish and Wildlife Foundation to the Water Quality Improvement Plan Capital Project for phase one of a multiphase restoration for Banning Regional Park to utilize ecologically focused restoration and land management.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating \$230,233 in funding received from the United States Department of the Interior, United State Fish and Wildlife Service from the National Fish and Wildlife Foundation to the Water Quality Improvement Plan Capital Project.

The revised FY2024 Capital Budget amount for the Water Quality Improvement Plan Capital Project will be \$230,233.

The revised FY2024 New Castle County Capital Budget grand total will be \$75,908,396.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-138

DEPARTMENT OF ADMINISTRATION

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

DEPARTMENT OF COUNTY EXECUTIVE

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

DEPARTMENT OF COMMUNITY SERVICES

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

DEPARTMENT OF PUBLIC SAFETY

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

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

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

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-138

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$	1,500,000
Banning Park Improvements		500,000
Bechtel Park Improvements		2,000,000
Carousel Park		276,120
Delcastle Park Improvements		1,100,000
Game Court Improvements 2021		100,000
General Parkland Improvements 2021		100,000
General Parkland Improvements 2024-2025		2,250,000
Historic Structure Rehabilitation		3,000,000
Middle Run Valley Reforestation		300,000
Open Space Preservation		1,000,000
Park Bridge Replacements		300,000
Pavilion Renovations		100,000
Play Area Improvements 2024-2025		2,000,000
Rockwood Park		1,800,000
Weiss Park Improvements		700,000
Subtotal	\$	17,026,120

Sewer/Stormwater

Asset Management	\$	100,000
Backwater Valve Improvement		50,000
Christina River Force Main		4,400,000
Countywide Drainage		500,000
DelDOT Coordination Project 2021		2,000,000
Edgemoor System Rehabilitation		600,000
General Sewer Improvements		750,000
General Stormwater Improvements		358,954
North Delaware Interceptor System		650,000
Pump Station Rehabilitation 2024-2025		2,000,000
Sewer Fleet Equipment 2022		(650,000)
Sewer Fleet Equipment 2024		2,162,169
Sewer Repairs and Rehabilitation 2024-2025		1,000,000
Stoney Creek Basin		500,000
Stormwater Basin Renovation		725,000
Terminal Avenue System Rehabilitation		275,000
<u>Water Quality Improvement Plan</u>		230,233
White Clay System Rehabilitation		2,800,000
Subtotal	18,221,123	\$ 18,451,356

CAPITAL BUDGET TOTAL

75,678,163	\$ 75,908,396
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EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - SEWER/STORMWATER (continued)**

Project Name (Number): Water Quality Improvement Plan (C301903)					
Description: Develop and implement the Water Quality Improvement Plans (WQIP's).				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 3,004,900	\$ -	\$ 997,000	\$ 7,500	\$ 4,009,400
FY2024	-		-	-	
	-	230,233	-	-	230,233
FY2025	-	-	-	-	-
FY2026	1,000,000	-	-	-	1,000,000
FY2027	1,000,000	-	-	-	1,000,000
FY2028	1,000,000	-	-	-	1,000,000
FY2029	1,000,000	-	-	-	1,000,000
Future Years	2,000,000	-	-	-	2,000,000
Total	\$ 9,004,900	\$	\$ 997,000	\$ 7,500	\$ 10,009,400
		\$ 230,233			<u>\$ 10,239,633</u>
Available Authorizations:		\$ 3,612,300			
Available Funding:		\$ 381,885			
Operating Budget Impact:		\$ -			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Construction of WQIP projects (Woodland Run), required by NPDES permit. Phase one of multiphase restoration for Banning Regional Park.

Future Activity:

Construction of WQIP projects, required by NPDES permit, including Dragon Run in coordination with DelDOT.

ORDINANCE NO. 23-139

**AMEND THE FY2024 CAPITAL PROGRAM AND BUDGET: APPROPRIATE FUNDS
FROM THE RECORDER OF DEEDS TECHNOLOGY FEE ACCOUNT IN THE
AMOUNT OF \$129,000 TO THE DEPARTMENT OF ADMINISTRATION,
RECORDER OF DEEDS HOA PORTAL CAPITAL PROJECT**

WHEREAS, this legislation will amend the FY2024 Capital Budget by appropriating \$129,000 in funds received from the Recorder of Deeds Technology Fee Account to the Department of Administration, Recorder of Deeds HOA Portal Capital Project; and

WHEREAS, funding in the amount of \$79,000 will be used for the migration of the TrakRecord Services software for the Office of the Recorder of Deeds to Software as a service (SaaS) and \$50,000 will be used for the cost of hosting services.

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

Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2023 is hereby amended by deleting the material that is stricken and adding the material that is underscored on the attached Exhibit "A."

Section 2. The Capital Program Resolution 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 "B."

Section 3. Funding in the amount of \$129,000 from the Recorder of Deeds Technology Fee Account is appropriated to the Department of Administration, Recorder of Deeds HOA Portal Capital Project, for move current TrackRecords Software to Cloud managed hosting service.

Section 5. This Ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* § 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate funds from the Recorder of Deeds Technology Fee Account in the amount of \$129,000 to the Department of Administration, Recorder of Deeds HOA Portal Capital Project for the migration of the TrakRecord Services software for the Office of the Recorder of Deeds to Software as a service (SaaS) and for the cost of hosting services.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Capital Budget by appropriating funds from the Recorder of Deeds Technology Fee Account in the amount of \$129,000 to the Department of Administration, Recorder of Deeds HOA Portal Capital Project.

The revised FY2024 Capital Budget amount for the Recorder of Deeds HOA Portal Capital Project will be \$129,000.

The revised FY2024 New Castle County Capital Budget grand total will be \$75,807,163.

The balance in the Recorder of Deeds Technology Fee Account as of September 27, 2023 is \$347,825.68. The revised balance after this appropriation of funding will be \$218,825.68.

The appropriation of funding from the Recorder of Deeds Technology Fee Escrow Account is within the adopted Key Financial Policies.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-139

DEPARTMENT OF ADMINISTRATION

Land Use Information System		\$	3,000,000
<u>Recorder of Deeds HOA Portal</u>	<u> </u>		<u>129,000</u>
Subtotal	<u>3,000,000</u>	\$	<u>3,129,000</u>

DEPARTMENT OF COUNTY EXECUTIVE

Executive GF Capital Contingency		\$	500,000
Executive SF Capital Contingency			<u>250,000</u>
Subtotal		\$	750,000

DEPARTMENT OF COMMUNITY SERVICES

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

DEPARTMENT OF PUBLIC SAFETY

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

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

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

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2024

23-139

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$ 1,500,000
Banning Park Improvements	500,000
Bechtel Park Improvements	2,000,000
Carousel Park	276,120
Delcastle Park Improvements	1,100,000
Game Court Improvements 2021	100,000
General Parkland Improvements 2021	100,000
General Parkland Improvements 2024-2025	2,250,000
Historic Structure Rehabilitation	3,000,000
Middle Run Valley Reforestation	300,000
Open Space Preservation	1,000,000
Park Bridge Replacements	300,000
Pavilion Renovations	100,000
Play Area Improvements 2024-2025	2,000,000
Rockwood Park	1,800,000
Weiss Park Improvements	700,000
Subtotal	\$ 17,026,120

Sewer/Stormwater

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

CAPITAL BUDGET TOTAL

<u>75,678,163</u>	<u><u>\$ 75,807,163</u></u>
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EXHIBIT B**PROJECT PROFILES
ADMINISTRATION (continued)**

Project Name (Number): Recorder of Deeds HOA Portal (C122202)					
Description: Purchase and configure a new system for the Recorder of Deeds Homeowners Association portal.				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ -	\$ -	\$ -	\$ 81,500	\$ 81,500
FY2024	-	-	-		
	-		-	129,000	129,000
FY2025	-	-	-	-	-
FY2026	-	-	-	-	-
FY2027	-	-	-	-	-
FY2028	-	-	-	-	-
FY2029	-	-	-	-	-
Future Years	-	-	-	-	-
Total	\$ -	\$ -	\$ -	\$ 81,500	\$ 81,500
				\$ 210,500	\$ 210,500
Available Authorizations:		\$ -			
Available Funding:		\$ -			
Operating Budget Impact:		\$ -			

*Available Authorizations / Funding as of February 28, 2023, net of obligations.

FY2024 Activity:

Complete the development of the New Castle County HOA Portal Search Website. Migraation of the TrakRecord Services software to Software as a service (SaaS).

Future Activity:

Sunset project as of July 1, 2024.

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

ORDINANCE NO. 23-140

AMEND THE FY2024 APPROVED OPERATING BUDGET: APPROPRIATE \$8,000 IN FUNDING RECEIVED FROM THE NEW CASTLE COUNTY TECHNOLOGY FEE ACCOUNT WITHIN THE OFFICE OF THE RECORDER OF DEEDS TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE CONTRACTUAL SERVICES BUDGET LINE ITEM

WHEREAS, this legislation will amend the FY2024 Approved Operating Budget by appropriating \$8,000 in funding received from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds to the Department of Administration, Office of Finance Contractual Services Budget Line Item; and

WHEREAS, these funds will be used for the purpose of modifying the image cash letter for acceptance by our new banking institution; and

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

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

Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July 1, 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 Ordinance.

Section 3. The provisions in 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 amend the FY2024 Approved Operating Budget by appropriating \$8,000 in funding received from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds to the Department of Administration, Office of Finance Contractual Services Budget Line Item for the purpose of modifying the image cash letter for acceptance by our new banking institution.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2024 Approved Operating Budget by appropriating \$8,000 in funding received from the New Castle County Technology Fee Account within the Office of the Recorder of Deeds to the Department of Administration, Office of Finance Contractual Services Budget Line Item.

The revised FY2024 Approved Operating Budget will be \$332,743,358. There will be no fiscal impact to FY2025 and FY2026.

The balance in the New Castle County Technology Fee Account within the Office of the Recorder of Deeds as of September 27, 2023 is \$359,938.25. The revised balance in the Recorder of Deeds Technology Fee Account after this appropriation of funding will be \$351,938.25.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			71,004
Communication and Utilities			17,849
Materials and Supplies			60,926
Contractual Services			253,148
Equipment			1,600
Grants and Fixed Charges			431,482
Operating Transfer Charges			161,959
Total		\$	4,855,223
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			743,000
Contingency			55,000
Operating Transfer Charges			82,016
Total		\$	3,922,521
Total Authorized Full-Time Positions	15		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,223,612
Benefits			8,338,475
Training and Civic Affairs			130,625
Communication and Utilities			8,308,491
Materials and Supplies			158,147
Contractual Services	6,762,985		<u>6,770,985</u>
Equipment			392,056
Grants and Fixed Charges			3,925,350
Operating Transfer Charges			1,163,161
Operating Transfer Credits			(12,098,321)
Total	<u>26,379,623</u>	\$	<u>26,387,623</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		4,523,681
Contractual Services		10,366,975
Equipment		484,333
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		20,232
Communication and Utilities		949,832
Materials and Supplies		1,383,163
Contractual Services		2,335,462
Equipment		19,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,231,237
Operating Transfer Credits		(190,829)
Total	\$	25,932,415
Total Authorized Full-Time Positions		160

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,200,807
Benefits		39,140,036
Training and Civic Affairs		178,869
Communication and Utilities		1,010,888
Materials and Supplies		1,040,811
Contractual Services		2,195,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,028,498
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,111,172
Benefits		634,647
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	\$	1,953,891
Total Authorized Full-Time Positions		20

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
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	\$	2,287,316
Total Authorized Full-Time Positions	23	

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		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	45,540,069
Land and Structures		
Contingency		
Intragovernmental Service Charges		
Intragovernmental Service Credits		
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	\$	1,619,958
Total	\$	1,619,958

NEW CASTLE COUNTY

Salaries and Wages		\$	128,178,603
Benefits			74,360,214
Training and Civic Affairs			676,771
Communication and Utilities			35,269,322
Materials and Supplies			7,354,247
Contractual Services	24,123,384		<u>24,131,384</u>
Equipment			2,444,736
Grants and Fixed Charges			15,970,763
Debt Service			45,540,069
Land and Structures			35,000
Contingency			2,979,958
Operating Transfer Charges			16,333,443
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>	<i>332,735,358</i>	\$	<u>332,743,358</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,661</i>		

RESERVE ACCOUNTS AS OF SEPTEMBER 12, 2023

Tax Stabilization Reserve Account (Unaudited)	74,008,702
Sewer Rate Stabilization Reserve Account (Unaudited)	8,484,160
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	<u>145,957,584</u>

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

ORDINANCE NO. 23-141

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”),
ARTICLE 5 (“DEPARTMENTS AND OFFICES”), SECTION 303 (“PURCHASING OF
CONTRACT CONSTRUCTION”) AND SECTION 502 (“PURCHASING OF SUPPLIES
AND CONTRACTUAL SERVICES”)**

WHEREAS, in order to make the procurement process more transparent, to centralize the process and to standardize the process, it has been determined that it would be beneficial to shift the responsibility, in large part, for the procurement of contract construction from the Office of Technology and Administration Services to the Department of Public Works.

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

Section 1. *New Castle County Code* Chapter 2 (“Administration”), Article 5 (“Department and Offices”), Division 2.05.300 (“Department of Public Works”), Section 2.05.303 (“Purchasing of contract construction”), is hereby amended by adding the material that is underscored and deleting the material that is bracketed and stricken, as set forth below:

Sec. 2.05.303. Purchasing of contract construction.

A. *Definitions.* The following words, terms, and phrases, when used in this Section, shall have meanings ascribed to them in this Subsection, except where the context clearly indicates a different meaning:

Material means materials, equipment, tools, supplies and other tangible personal property used in connection with or for the performance of a ~~[special services]~~ public works contract or which becomes a component part of the finished project resulting from contract construction.

B. ...

C. *Duties.* The ~~[Office of Technology and Administrative Services]~~ Department Public Works shall have charge of and be responsible for the purchasing of all contract construction for the County and all County agencies and using agencies and the entering into of all public works contracts for such contract construction, and the Department of Public Works shall perform its functions and duties and exercise its power and authority for such purchasing and such contracting in accordance with the terms and conditions of this Section.

D. *Procedures.*

1. *Procurement of public works contracts – Formal Bid.*

- a. All contract construction shall be performed by public works contracts entered into on the open market after competitive bidding in accordance with the terms of this Section, except only in the following specified instances where competitive bidding shall not be required:
 - i. Where the probable cost of the contract construction is estimated not to exceed [~~fifty thousand dollars (\$50,000.00)~~] two hundred fifty thousand dollars (\$250,000.00).

- j. If the probable cost of the contract construction is estimated to exceed [~~fifty thousand dollars (\$50,000.00)~~] two hundred fifty thousand dollars (\$250,000.00), the [~~special services~~] public works contract for such contract construction shall be obtained only after public advertising and competitive bidding and the receipt of sealed bids as provided for in this Section.

2. *Plans and specifications for competitive bidding; descriptions; public advertisement.*

- a.
 - i. In addition to contracts subject to the bid requirements of this Section, when the County or a using agency or a County agency proposes to enter into a public works contract [~~and the probably cost of such contract is estimated to exceed twenty thousand dollars (\$20,000.00)~~], the County, the using agency or the County agency as the case may be, shall cause suitable plans and specifications for such project to be prepared for it by registered and licensed architects or engineers who shall sign such plans and specifications and affix their seals thereto; provided, however, that when the plans and specifications for the public works contract are identical to plans and specifications similarly signed and sealed for previous public works contracts awarded under this Section, such identical plans and specifications may be utilized without new or updated signatures and seals of the registered and licensed architects or engineers; provided, further, that any architect or engineer who signed and sealed the original of such identical plans will have no liability arising from the use of such architect's or engineer's plans and specifications other than the use contemplated by the contract pursuant to which the original of such plans and specifications

was created, signed and sealed, unless such architect or engineer reviews and approves such different use. The County, the using agency or the County agency, as the case may be, shall publish such plans and specifications as part of the proposed public works contract and prescribe such other terms and conditions as it deems necessary. The description of work and/or material and the plans and specifications may use a brand or trade name specifically when it is in the best interests of the County to match its existing inventory.

ii. When the County or a using agency or a County agency proposes to enter into a public works contract [~~for a public building project, not a highway and heavy project~~], and the probable cost of the contract is estimated to exceed [~~fifty thousand dollars (\$50,000.00)~~] two hundred fifty thousand dollars (\$250,000.00), there shall be a prebid meeting of prospective bidders (attendance [~~is not~~] may be mandatory) held with and called publicly upon reasonable notice by the County, the using agency or the County agency, as the case may be, at a place and time stated in such notice, which meeting shall be at least fifteen (15) calendar days before the date for the submission of bids; at the meeting all the participants, including the County, the using agency or the County agency, as the case may be, shall attempt to agree upon a listing of all subcontractor categories to be included in the bids for performing the public works contract as required by Subsection D.9. If all the participants do not agree on such a listing at the meeting, the County, the using agency or the County agency, as the case may be, itself, at least ten (10) calendar days before the due date for submission of bids, shall determine the subcontractor categories to be included in the listing. The listing, whether agreed to by all of the participants at the meeting or determined in the absence of the unanimous agreement of the participants at the meeting by the County, the using agency or the County agency, as the case may be, itself, shall be published by the County, the using agency or the County agency, as the case may be, at least ten (10) calendar days before the due date for the submission of bids, by mailing the listing to each of the participants at the meeting and to such other industry organization, as shall be determined from time to time by the County or the County agency or the using agency, as the case may be. The listing, determined in either of the manners specified in this Subsection and as so published, shall be final and binding upon all bidders and the County, the using agency or the County agency, as the case may be, and it shall be filled out completely in full without any abbreviations.

- b. When the probable cost of the proposed public works contract is estimated to exceed [~~fifty thousand dollars (\$50,000.00)~~] two hundred fifty thousand dollars (\$250,000.00) and after or in connection with compliance with Subsection D.2.a.i and, if applicable, Subsection D.2.a.ii, the County, the using agency or the County agency, as the case may be, shall then advertise for formal sealed bids for the public works contract. The advertisement for such bids shall be published at least once a week for two (2) consecutive weeks in a newspaper published and of general circulation in each county of the State. The advertisement shall state the name of the procuring or awarding agency; shall indicate with reasonable accuracy the character, quantity and location of the work and/or the characters and quantity of material; shall state the time and place of the submission and opening of bids, which place in each instance shall be within the County, and where in the County the plans and specifications or descriptions and such other terms and conditions as shall have been prepared for the contract by the County or the using agency, as provided in Subsection D.2.a.i, may be obtained.

3. *Qualifying bidders – Contractor Responsibility Certifications.*

- a. The County or a using agency or a county agency shall require any person proposing to bid on a public works contract, as a condition to submitting a bid to it for consideration, to submit to the [~~Office of Technology and Administrative Services~~] Department of Public Works a Contractor Responsibility Certification for contracts where the probable cost of the contract is expected to exceed five hundred thousand dollars (\$500,000.00). Only bids approved by the [~~Office of Administrative Services~~] Department of Public Works as meeting all requirements for Contractor Responsibility Certification may be considered by the County or a using agency or a County agency. Such Contractor Responsibility Certification shall include, at a minimum, the following:

xiii. Certification that the bidder shall abide by the County's Small Business Enterprise Program.

- b. The [~~Office of Technology and Administrative Services~~] Department of Public Works shall require bidders and subcontractors to provide appropriate documentation of the

conditions specified in the respective responsibility certifications required by this Section.

- c. The ~~[Office of Technology and Administrative Services]~~ Department of Public Works may require from bidders or subcontractors any other additional information or documents as it deems necessary to evaluate the responsibility of bidders and subcontractors. Such information may include, but shall not be limited to, detailed financial information, references from prior contract customers, past performance evaluations from prior contracts, budget, schedule and change order information from prior contracts or other information deemed necessary for reviewing the bidder's technical qualifications, background, past performance and history of business integrity and law compliance.
- d. If a bidder fails to provide the Contractor Responsibility Certification required by this Section, the bidder shall be disqualified from bidding on the public works contract. If a bidder fails to provide other information or documentation required by the ~~[Office of Technology and Administrative Services]~~ Department of Public Works, it may be disqualified from being awarded the public works contract.

- f. If the ~~[Office of Administrative Services]~~ Department of Public Works receives no qualifying bids in response to its initial invitation to bid for a contract, the invitation shall be amended to exclude the certification requirement set forth in Subsection 2.05.303.D.3.a.viii.
- g. The award of a public works contract is contingent upon the ~~[Office of Administrative Services]~~ Department of Public Works receiving documentation from bidder verifying compliance with Subsections 2.05.303.D.3.a.i—~~[xii]~~ xiii. ~~[The Office of Administrative Services]~~ The Department of Public Works shall contact the agency or group administering bidder's apprenticeship program to further verify participation.
- h. Any contractor who is awarded a public works contract that was subject to the certification requirement found in Subsection 2.05.303.D.3.a.viii. must maintain participation in its apprenticeship program until the Department of Public Works issues conditional acceptance of the work unless the contractor graduates an apprentice from the program prior to completion of the public works contract or there is an unforeseeable circumstance that arises through no fault of the contractor. Upon completion of

the contractor's work under the public works contract, the contractor must provide the ~~[Office of Administrative Services]~~ Department of Public Works with a verification that it continued to participate in its apprenticeship program until the issuance of conditional acceptance of the work by the Department of Public Works. In the event the contractor is awarded a public works contract but cannot provide verification that it maintained participation in its apprenticeship program for the duration of the contract, the contractor shall be disqualified by the ~~[Office of Administrative Services]~~ Department of Public Works from bidding on any public works contracts for six (6) months from the date the ~~[Office of Administrative Services]~~ Department of Public Works determined that the contractor had failed to maintain participation in such program.

4. *Deposit required with bids; return of security.*

- a. If the probable cost of any public works contract is estimated to exceed ~~[ten thousand dollars (\$10,000.00)]~~ two hundred fifty thousand dollars (\$250,000.00), all bids shall be accompanied by a deposit of either (i) a good and sufficient bond to the County for the benefit of the awarding agency, with corporate surety authorized to do business in this State, the form of the bond and the surety to be approved by the awarding agency, or (ii) a certified check of the bidder endorsed to or made payable to the order of the awarding agency, in either case for a sum equal to at least ten (10) percent of the bid. The bid bond need not be for a specific sum but may be stated to be for a sum equal to ten (10) percent of the bid to which it relates and not to exceed a certain stated sum, if such sum is equal to at least ten (10) percent of the bid.

5. *Opening of bids; award of public works contracts; right to reject bids; licenses required at time of award; mistakes, omissions and errors in preparation of bids.*

- c. Determination of contractor responsibility.
 - i. After bids have been publicly opened and the apparent low bidder has been identified pursuant to this Section, the ~~[Office of Technology and Administrative Services]~~ Department of Public Works shall provide such bidder with a written Request for Bidder Information that shall require the bidder to provide, within fourteen (14) calendar days, the subcontractor list and Subcontractor Responsibility Certifications required by this Section. A subcontractor listed pursuant to this Section shall not be substituted unless written

authorization is obtained from the [~~Office of Technology and Administrative Services~~] Department of Public Works and a Subcontractor Responsibility Certification is provided for the substitute subcontractor.

- ii. During the period between the issuance of the Request for Bidder Information and the award of the contract, the [~~Office of Technology and Administrative Services~~] Department of Public Works shall undertake a review to determine whether the apparent low bidder and its listed subcontractors have provided all necessary information and documentation required by this Section and otherwise possess the necessary experience, financial resources, personnel resources and technical qualifications to successfully perform the public works contract and have a sufficient record of law compliance and business integrity to justify the award of a public contract. In conducting such inquiries, the [~~Office of Technology and Administrative Services~~] Department of Public Works may seek additional information from the bidder, prior customers of the bidder, or from any other relevant source.
- iii. If at the conclusion of its review, the [~~Office of Technology and Administrative Services, on the recommendation of the~~] Department of Public Works[,] determines that the qualifications, background and responsibility of the apparent low bidder and its identified subcontractors are satisfactory, it shall award the contract.
- iv. In the event that the [~~Office of Technology and Administrative Services~~] Department of Public Works determines that a prospective subcontractor listed by the apparent low bidder does not meet the responsibility standards of this Section, the Department may, after informing the awardee, exercise one (1) of the following options:

- f. If the Office of Technology and Administrative Services and/or the Department of Public Works determines that a Contractor or Subcontractor [~~Qualification~~] Responsibility Certification, or any other documentation or information submitted by the bidder, contains false or misleading material information that was provided knowingly or with reckless disregard for the truth, or omits material information that was omitted knowingly or with

reckless disregard of the truth, the firm for which the certification was submitted shall be prohibited from performing work for the County for a period of up to five (5) years, and shall be further subject to any other penalties and sanctions, including contract termination, available to the County under law. A contract terminated under these circumstances shall further entitle the County to withhold payment of any monies due to the firm as liquidated damages.

- g. To ensure compliance on public works contracts with equal employment opportunity laws and policies, and other County contracting laws and policies, the ~~[Office of Technology and Administrative Services]~~ Department of Public Works shall monitor such contracts and prepare a quarterly report to County Council that indicates the percentages of minority, women, apprentice and in-state workers employed on public works contracts. The quarterly report will be based on information submitted by the contractor in a format defined by ~~[the Office of Technology and Administrative Services]~~ the Department of Public Works at the time of request for bids and will include all active public works contracts. The report shall be considered a public document.

9. ~~[Public works contracts exceeding fifty thousand dollars (\$50,000.00) for contract construction of a public building project.]~~ Required Subcontractor Information - Any public works contract [for any contract construction of a public building project, but not of a highway and heavy project,] where the probable cost of the contract construction is estimated to exceed [fifty thousand dollars (\$50,000.00)] two hundred fifty thousand dollars (\$250,000.00), shall be subject to the following:

11. Prevailing Wage.

- k. The County is authorized to monitor all contract construction for compliance with this Section and/or investigate all claims that the prevailing wage rates as provided for under this Section are not being or have not been paid. Upon finding that an employer has not paid or is not paying the prevailing wage rates, the County shall provide the employer with a written notice of alleged violation(s) by personal service or by certified mail and shall make an effort to obtain compliance. The notice of violation shall describe the

violation(s), in addition to stating applicable sanctions and/or penalties. Upon failure to obtain compliance within ten (10) business days from the date the letter was received by the employer, the County may withhold so much of accrued payments as may be considered necessary to pay to laborers and mechanics the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics, and the accrued payments will be distributed upon resolution of the matter. An employer who disputes the alleged violation(s), sanctions or penalties may, within ten (10) days from receipt of the notice of violation, file a written request for a hearing before the General Manager of the Department of Public Works or his/her designee. The General Manager shall issue a final order within ~~[two (2)]~~ five (5) business days from the conclusion of the hearing. If no hearing is requested, the notice shall become a final order upon expiration of the ten (10) day period. Payment of the penalty is due when a final order is issued or when the notice becomes a final order. Failure to provide timely payment shall constitute a separate violation of this Section. Any sum collected as a fine or penalty pursuant to this Section shall be applied toward enforcement and administration costs of the Department of Public Works.

16. *Add-ons and overruns on public works contracts.*

- a. The County Executive may establish administrative policies to limit the allowable add-ons and overruns on public works contracts exceeding ~~[fifty thousand dollars (\$50,000.00)]~~ two hundred fifty thousand dollars (\$250,000.00) as originally executed. Such add-ons and overruns will only be allowed to account for differences between the construction specifications and drawings and actual conditions encountered during the execution of the contract.
- l. In no case shall additional work be added to a public works contract exceeding ~~[fifty thousand dollars (\$50,000.00)]~~ two hundred fifty thousand dollars (\$250,000.00), as originally executed, which is not within the scope of the original public works contract. The Office of Law ~~[Department]~~ shall determine if work is within the scope of the original public works contract. If it is not, the additional work must be contracted for pursuant to Subsection D.1.
- m. When contracts are let for less than ~~[fifty thousand dollars (\$50,000.00)]~~ two hundred fifty thousand dollars (\$250,000.00)

but due to add-ons and overruns exceed that limit, the excess must be bid unless otherwise determined by the County Executive.

18. Multiple source contracting. The County may award a contract for a particular contract construction project to two (2) or more firms if the General Manager of the Department of Public Works makes a determination that such an award is in the best interest of the County. If such a determination is made, the advertisement shall include a notification of the right of the County to make such an award and the criteria upon which such an award will be based.

19. Small Business Enterprise Program. Contracts awarded pursuant to this section shall be subject to the County's Small Business Enterprise program as further detailed in an administrative policy, which shall be made available to the public.

20. Procurement of public works contracts – Informal Public Works Contract Procedures.

- a. Applicability. Any public works contract for which the probable cost is less than or equal to two hundred fifty thousand dollars (\$250,000.00) shall be subject this section.
- b. Procedure. All informal public works contracts shall follow the procedures set by the Department of Public Works and shall include a simplified administrative process for obtaining competitive prices for contracts anticipated to be below two hundred fifty thousand dollars (\$250,000.00).
- c. Bid and performance bonds may be made a requirement for informal public works contracts made pursuant to this section.
- d. Informal public works contracts shall still be subject to the prevailing wage requirements set forth in Subjection D.11, the drug and alcohol testing requirements set forth in Section 2.05.305, and the Small Business Enterprise Program requirements set forth in Section _____ of the New Castle County Code.

Sec. 2.05.502. Purchasing of supplies and contractual services.

A. Generally

7. Exceptions generally.

- a. All purchases of and contracts for supplies and contractual services and all sales of obsolete or unusable personal property shall except as specifically provided in this Subsection, be based on competitive bids. Exceptions to competitive bidding will include repair parts for ~~[special]~~ specialized equipment, sole-source items, patented items, goods or services only available from one (1) source, professional services, relating to entertainers/performers, instructors, the purchase of insurance, the purchase of used vehicles and equipment for undercover operations, including all necessary maintenance and repairs, and emergency needs and the purchase and updates of technology and software for use by the Department of Public Safety in connection with its undercover operations. Also, the sale, donation and/or re-homing of any working animal that can no longer perform the duties for New Castle County for which the animal was originally obtained.

- c. If the cost of an exception exceeds ~~[twenty-five thousand dollars (\$25,000.00)]~~ one hundred thousand dollars (\$100,000.00) for supplies and contractual services or one hundred fifty thousand dollars (\$150,000.00) for professional services relating to entertainment/performers or instructors, the concurrence of the Law Department must be obtained.

9. *Exception for emergency purchases.* When purchases are necessary to avoid serious danger to life, impairment to property or equipment, considerable monetary loss to the County, or when there is insufficient time for competitive bidding, the Chief of Technology and Administrative Services ~~[or]~~ and the general manager of the impacted department involved may declare an exception. If the probable cost of the purchase order or contract to be made on an emergency basis exceeds ~~[twenty-five thousand dollars (\$25,000.00)]~~ one hundred thousand dollars (\$100,000.00), the County's Chief Administrative Officer must declare that an unusual emergency exists by reason of extraordinary conditions or contingencies that could not reasonably be foreseen and guarded against and which in the opinion of the general manager or head of the agency concerned requires immediate action. A complete record of the emergency purchase and the situation necessitating the purchase shall be forwarded within twenty-four (24) hours to the Chief of Technology and Administrative Services. If the purchase is in excess of ~~[twenty-five thousand dollars (\$25,000.00)]~~ one hundred thousand dollars (\$100,000.00), a record shall also be sent to the Law Department and the Chief Administrative Officer.

11. *Formal bidding and contract procedures.* All supplies and contractual services, except as otherwise provided in this Subsection A, when the estimated cost thereof shall exceed

[~~twenty-five thousand dollars (\$25,000.00)~~] one hundred thousand dollars (\$100,000.00), shall be purchased by formal, written contract from the lowest responsible bidder, after due notice inviting sealed proposals. When any other interest of the County may prevail over cost factors, the invitation for bids shall so state, and award of the contract may be based in part upon those considerations.

- g. *Bids.* Bids shall be submitted sealed to Purchasing and shall be identified as bids on the envelope or may be submitted electronically to a specified e-mail address if instructions are provided within the bid document. Late bids shall be returned to the bidder unopened, and bids submitted electronically shall be rejected. Any bid which is not in the hands of Purchasing prior to or at the precise time stated in the invitation for bids shall be deemed to be a late bid. If a bid is delayed through the fault or error of a County employee, or a proven network issue within the County the bid shall be opened when received by Purchasing and evaluated with all other bids received. Bids shall be publicly opened in the County at the time and place specified in the notice and invitation to bid. A tabulation of all bids received shall be made available to the public on request. The Purchasing Agent shall not accept the bids of any disqualified bidder. The Purchasing Agent may waive minor irregularities in a bid. A minor irregularity shall be defined for these purposes as one which does not give the bidder in whose proposal it is contained an advantage or benefit not enjoyed by other bidders. A minor irregularity which may be waived or cured is any condition attached to the bid which does not change the terms of the purchase or unfairly prejudice other bidders. The Purchasing Agent shall have the authority to reject all bids, reject parts of all bids, or reject specific bids for anyone (1) or more supplies or contractual services included in the proposed contract, when it is in the best interest of the County.

13. *Sole source / single source procurement.*

- a. A contract may be awarded for material or nonprofessional services without competition if the agency head, prior to the procurement, determines in writing that there is only one source for the required material or nonprofessional service. Sole source or single source procurement shall not be used unless there is sufficient evidence that there is only one source for the required material or service and that no other type of material or service will satisfy the requirement of the agency. The Chief of Technology and Administrative Services and the agency shall examine cost or pricing data prior to an award

under this Section. Sole source procurement shall be avoided, except when no reasonable alternatives sources exist. A written determination by the Chief of Technology and Administrative Services stating the basis for the sole source procurement shall be included in the agency contract file with ~~[a copy]~~ notification sent to County Council a week prior to the award of the contract if the contract to be awarded is ~~[under fifty thousand dollars (\$50,000.00)]~~ over one hundred thousand dollars (\$100,000.00) for goods and contractual services or one hundred fifty thousand dollars (\$150,000.00) for professional services.

16. *Add-ons and overruns.*

- c. When contracts are let for less than or equal to ~~[twenty-five thousand dollars (\$25,000.00)]~~ one hundred thousand dollars (\$100,000.00) for goods and services or one hundred fifty thousand dollars (\$150,000.00) for professional services, but due to add-ons and overruns exceed that limit, the excess must be bid.

19. *Small Business Enterprise Program.* Contracts award pursuant to this section shall be subject to the County's Small Business Enterprise program as further detailed in an administrative policy, which shall be made available to the public.

B. Professional services purchases and contracts.

3. *Scope.* Subsection B covers the purchase of and the contracting for all professional services by an agency where the probable cost of such services is estimated to exceed ~~[fifty thousand dollars (\$50,000.00)]~~ one hundred fifty thousand dollars (\$150,000.00) for professional services, or where the provisions of Section 2.03.103.C are invoked. Purchasing will insure that the provisions of Section 2.03.103.C are provided to all professional service contractors whose contracts are valued at more than five hundred dollars (\$500.00).

7. *Sole source / single source procurement.*

- a. A contract may be awarded for professional service without competition if the agency head, prior to the procurement, determines in writing that there is only one source for the required professional

service. Sole source procurement shall not be used unless there is sufficient evidence that there is only one source for the required professional service and that no other type of professional service will satisfy the requirement of the agency. The Chief of Technology and Administrative Services shall examine cost or pricing data prior to an award under this Section. Sole source procurement shall be avoided, except when no reasonable alternative sources exist. A written determination by the Chief of Technology and Administrative Services stating the basis for the sole source procurement shall be included in the contract file with a ~~[copy]~~ notification sent to County Council a week prior to the award of the contract if the contract to be awarded is [under fifty thousand dollars (\$50,000.00)] over one hundred fifty thousand dollars (\$150,000.00) for professional services.

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 will shift the responsibility, in large part, for the procurement of contract construction from the Office of Technology and Administrative Services to the Department of Public Works. The legislation also amends the thresholds for purchasing of contract construction, supplies and contractual services.

FISCAL NOTE: No discernable fiscal impact.

ORDINANCE NO. 23-142

**REVISE PREVIOUSLY APPROVED MAJOR LAND DEVELOPMENT PLAN WITH
REZONING FOR PROMENADE AT CHRISTIANA; WHITE CLAY CREEK
HUNDRED; WEST SIDE OF EAGLE RUN ROAD, APPROXIMATELY 2,000 FEET
NORTH OF CHRISTIANA ROAD (ROUTE 273); TAX PARCEL NO. 09-030.00-001,
(VMDT PARTNERSHIP)**

(The plan for **Promenade at Christiana** proposes to revise the previously approved design of the major land development plan to allow for 140,940 square feet of vehicle sales, rental, and service facilities GFA; 19,280 square feet of commercial retail sites GFA; and 3,200 square feet of office site GFA. This new plan will supersede the previously approved major land development plan with rezoning. Section 40.31.113 of the *New Castle County Code* requires that the submitted record plan be in general conformance with the development on the approved plan that was relied upon by County Council when it granted the rezoning. County Council adopted Ordinance 08-003 in July 2008. CR (Commercial Regional) zoning district. App. 2023-0397-S/Z.)

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

Section 1. The revised plan for Promenade at Christiana (area shown on Exhibits A and L, dated August 17, 2023) is approved and shall supersede the previously approved exploratory plan associated with the rezoning that was approved in July 2008 by Ordinance 08-003.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: Same as Title.

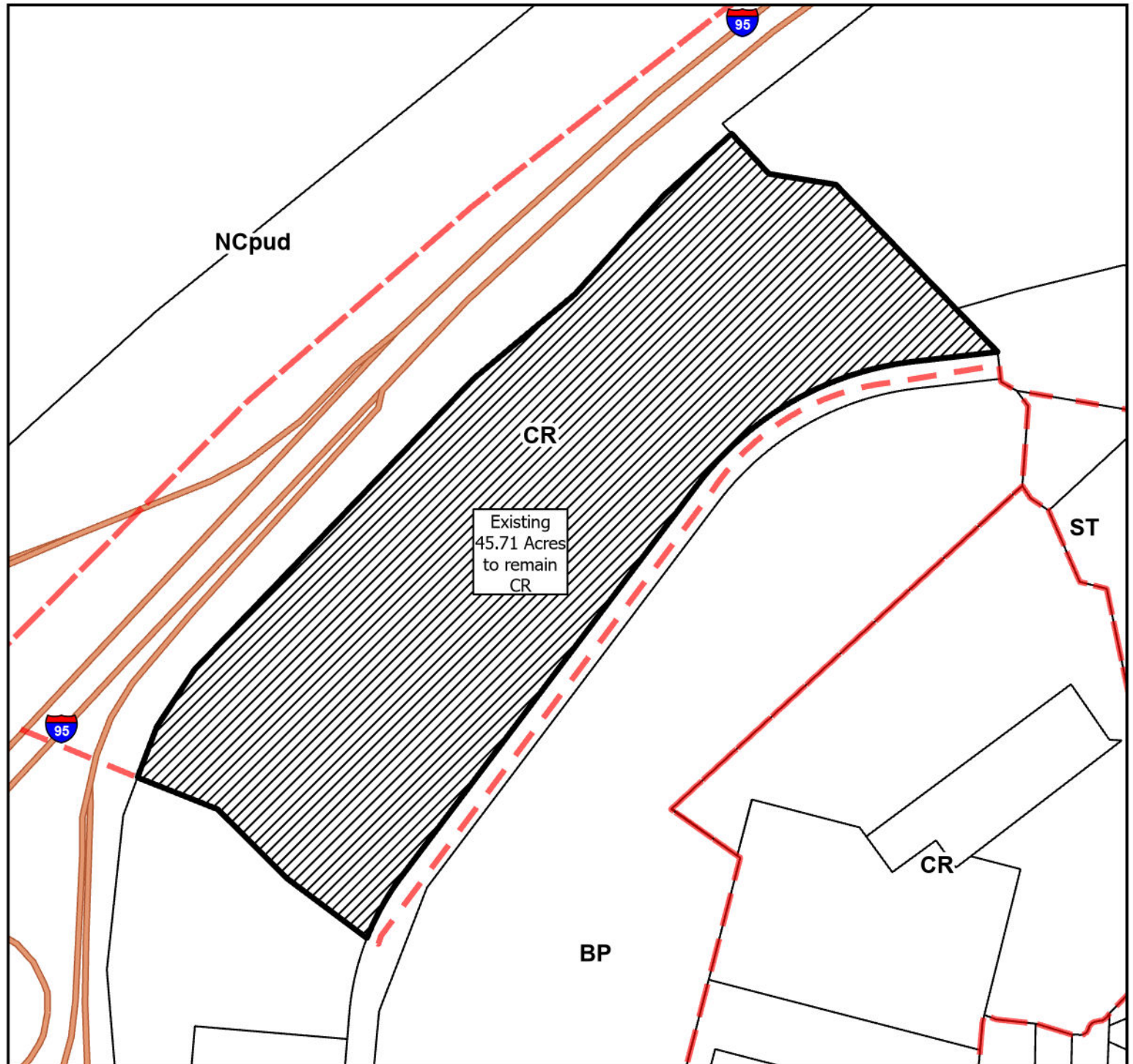
FISCAL IMPACT: This rezoning ordinance will have no immediate discernable fiscal impact on the County, but if the parcel(s) rezoned is (are) developed in accordance with the new rezoning, there may be one or more indirect fiscal effects on New Castle County government, including, but not limited to,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

PROPERTY MAP

EXHIBIT "A"
ZONING ORDINANCE AS INTRODUCED

APPLICANT: VMDT PARTNERSHIP
PROPOSED REZONING: CR REMAINING CR

APPLICATION NO. 2023-0397-SZ
TAX PARCEL NO. 09-030.00-001



HUNDRED: WHITE CLAY HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000

Prepared by: rose.n.zappacosta

Date: 8/17/2023



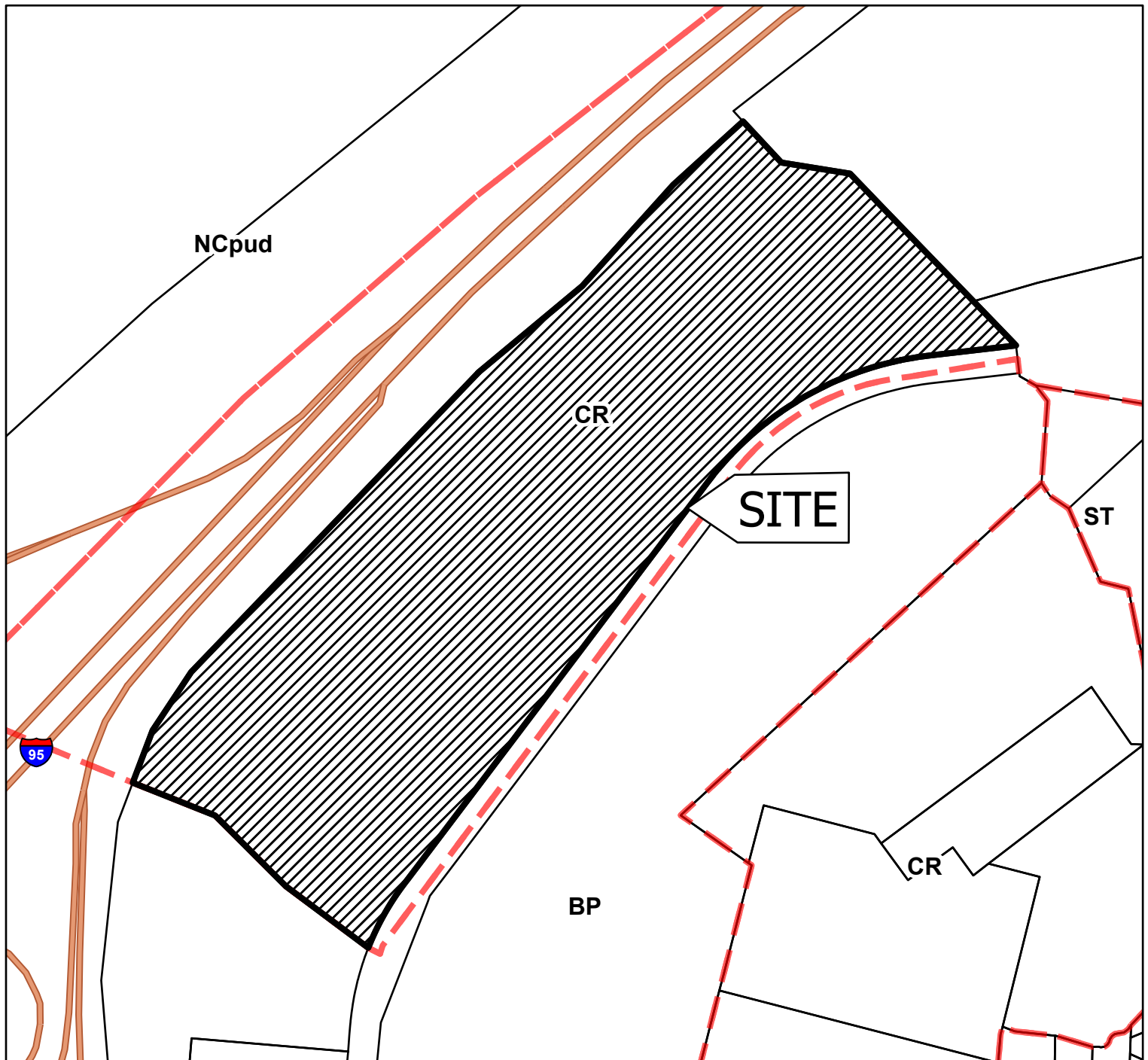
PERMANENT ORDINANCE NO. 23-142

Date Adopted by County Council _____

Date Approved by County Executive _____

APPLICANT: VMDT PARTNERSHIP
PROPOSED REZONING: CR REMAINING CR

APPLICATION NO. 2023-0397-SZ
TAX PARCEL NO. 09-030.00-001



HUNDRED: WHITE CLAY HUNDRED
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5,000

Prepared by: rose.n.zappacosta

Date: 8/17/2023



PERMANENT ORDINANCE NO. 23-142

Date Adopted by County Council _____

Date Approved by County Executive _____

RESOLUTION NO R23-172

HONORING THE LIFE AND LEGACY OF THOMAS D. GREEN

WHEREAS, Thomas D. Green was an inspiration to everyone who knew him; and

WHEREAS, those who knew Tom understood that he gave his all to every endeavor that he undertook; and

WHEREAS, Tom was a devoted husband, father, brother, grandfather, great grandfather and uncle; and

WHEREAS, beyond his family, Tom showed great commitment to those organizations that were dear to his heart, among them the Blood Bank of Delmarva and the American Heart Association; and

WHEREAS, Tom had a great devotion to his Catholic faith and local parish, St. Mary of the Assumption, where he gave hours of service as an usher and through the Knights of Columbus, always present at every event while holding the coveted positions of District Deputy, Faithful Navigator; and Grand Knight; and

WHEREAS, Tom was instrumental in retaining The iron gate at the old Coffee Run Cemetery on Lancaster Pike and acquiring a state historical marker which reads -"St. Mary's Church, site of the first Catholic Church in Delaware, usually called 'Coffee Run Church.' Land purchased 1772"; and

WHEREAS, Tom was an asset to the Hockessin community where he lived; and

WHEREAS, Tom served for years as the president of his homeowners association, always running extremely organized meetings complete with slides, helping any neighbor that needed assistance and loved helping to organize the community social events including his annual children's teams for the Hockessin 4th of July relays; and

WHEREAS, Tom was a stalwart of the Greater Hockessin Area Development Association (GHADA), shown by his near perfect attendance, and committed to the financial responsibility of the organization and recently that of the Hockessin 4th of July parade; and

WHEREAS, Tom had finally purchased his electric car, of which he was very proud.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby honors the life and legacy of Thomas D. Green and extends its heartfelt sorrow to his family and friends.

Adopted by County Council of
New Castle County on: 10/10/23

President of County Council
of New Castle County

SYNOPSIS: Same as title.

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

RESOLUTION NO. 23-173

**AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER WITH DOCUMENT
TECHNOLOGY SYSTEMS FOR THE DEPARTMENT OF ADMINISTRATION,
OFFICE OF TECHNOLOGY AND ADMINISTRATIVE SERVICES IN THE AMOUNT
OF \$63,000.00**

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

WHEREAS, this purchase order for \$63,000.00 is for the annual standard maintenance and support fee for the TrakRecord Software used by the Office of the Recorder of Deeds.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the execution of the listed purchase order.

Department of Administration, Office of Technology and Administrative Services

Document Technology Systems	\$63,000.00
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FISCAL IMPACT: This Resolution authorizes the execution of one purchase order totaling \$63,000.00. Funding is included in the FY2024 Approved Operating Budget in the Department of Administration, Office of Technology and Administrative Services.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION			
NAME	Kathleen Green			FISCAL YR	2024	NAME	Document Technology Systems
DEPARTMENT	ADMINISTRATION_12			FUND	100 GENERAL	ADDRESS	525 W. Portage Trail Ext.
ORGANIZATION	10124001 ADMIN - TECHNOLOGY						Cuyahoga Falls, OH 44223
PHONE	302-395-5257			REQ#	2024/2404584		
DELIVERY LOCATION	87 Reads Way New Castle, DE 197						
SEND VENDOR PO	☐ YES		☒ NO			CONTACT NAME	Mark Swihart, CEO
CURRENT VENDOR	☒ YES		☐ NO			PHONE	330-928-5311
VENDOR #	100840					EXT	
						EMAIL	mswihart@dts-doc.com
						FAX #	

ADDITIONAL NOTES	Product will be transitioning to Cloud Services over the current fiscal year.

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

Annual Maintenance Contract for the Recorder of Deeds Software.

Document Technology Systems provides support and updates for the software that is used by the Recorder of Deeds Department.

We will lose support for the product that DTS specializes in and thus we will have a major business impact.

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

IF YES, AGENCY	
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Page 55 of 111

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

RESOLUTION NO. 23-174

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH BE READY
COMMUNITY DEVELOPMENT CORPORATION TO ASSIST IN PROVIDING
ACCESS TO AFFORDABLE RENTAL HOUSING IN WILMINGTON FOR THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$250,000.00**

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

WHEREAS, this contract is an agreement between New Castle County and Be Ready Community Development Corporation in an amount not to exceed \$250,000.00; and

WHEREAS, these funds will be used to assist cost burden families with accessing affordable rental housing in Wilmington.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

Be Ready Community Development Corporation	\$250,000.00
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FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$250,000.00. Funding is included in the FY2024 Affordable Housing Fund (AHF).

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION					VENDOR INFORMATION			
NAME	Vincent Garlick		FISCAL YR	2024	NAME	Be Ready Community Development Corporation		
DEPARTMENT	COMMUNITY_SERVICES_40		FUND	220 HOUSING TR	ADDRESS	1411 W 4th Street		
ORGANIZATION	22400502 CS - AFFORDABLE HOUSING FU					Wilmington, DE 19805		
PHONE	302-395-5673		REQ#	2403771				
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	William McCool		
CURRENT VENDOR	☒ YES	☐ NO			PHONE	302-598-4126	EXT	
VENDOR #	107294				EMAIL	william.mccool51@gmail.com	FAX #	

ADDITIONAL NOTES	

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

To assist in providing access to affordable rental housing in Wilmington.

To assist cost burdened families with accessing affordable rental housing units in Wilmington.

New Castle County will be participating in furthering the affordable housing crisis in New Castle County.

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

Funds are provided by the Affordable Housing Fund. Vendor selection for this award was on proposal evaluation. Recommendations were made based on the Affordable Housing Fund Committee.			
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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: October 10, 2023

RESOLUTION NO. 23-175

AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH DELAWARE VALLEY DEVELOPMENT CORPORATION TO ASSIST IN THE NEW CONSTRUCTION OF AFFORDABLE RENTAL HOUSING UNITS FOR SENIORS AND VETERANS IN NEW CASTLE COUNTY FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$3,500,000.00

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

WHEREAS, this contract is an agreement between New Castle County and Delaware Valley Development Corporation in an amount not to exceed \$3,500,000.00; and

WHEREAS, these funds will be used to provide affordable rental housing for seniors and veterans in New Castle County.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

Delaware Valley Development Corporation	\$3,500,000.00
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FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$3,500,000.00. Funding is included in the FY2024 Affordable Housing Fund (AHF).

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION			VENDOR INFORMATION				
NAME	Vincent Garlick		FISCAL YR	2024	NAME	Delaware Valley Development Corporation	
DEPARTMENT	COMMUNITY_SERVICES_40		FUND	220 HOUSING TR	ADDRESS	726 Yorklyn Road, Suite 150, Hockessin, DE 19707	
ORGANIZATION	22400502 CS - AFFORDABLE HOUSING FU						
PHONE	302-395-5673		REQ#	2403766			
DELIVERY LOCATION							
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Eden Roberts	
CURRENT VENDOR	☒ YES	☐ NO			PHONE	302-235-2500	EXT
VENDOR #	109921				EMAIL	eroberts@dvd.com	FAX #

ADDITIONAL NOTES	

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

To assist in the new construction of affordable rental housing units for seniors and veterans in New Castle County.

To provide affordable rental housing for seniors and veterans in New Castle County.

New Castle County will be participating in furthering its affordable housing crisis.

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

Funds are provided by the Affordable Housing Fund. Vendor selection for this award was on a proposal evaluation. Recommendations were made based on the Affordable Housing Fund Committee.			
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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: October 10, 2023

RESOLUTION NO. 23-176

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH STUART
ALEXANDER AND ASSOCIATES, INC. TO ASSIST IN PROVIDING ACCESS TO
AFFORDABLE RENTAL HOUSING UNITS IN WILMINGTON FOR THE
DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$250,000.00**

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

WHEREAS, this contract is an agreement between New Castle County and Stuart Alexander and Associates, Inc. in an amount not to exceed \$250,000.00; and

WHEREAS, these funds will be used to assist cost burden families with accessing affordable rental housing units in Wilmington.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

Stuart Alexander and Associates, Inc.	\$250,000.00
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FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$250,000.00. Funding is included in the FY2024 Affordable Housing Fund (AHF).

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION			VENDOR INFORMATION				
NAME	Vincent Garlick		FISCAL YR	2024	NAME	Stuart Alexander and Associates, Inc.	
DEPARTMENT	COMMUNITY_SERVICES_40		FUND	220 HOUSING TR	ADDRESS	1 Seneca Street, Floor 29, Suite 2952, Buffalo, NY 14203	
ORGANIZATION	22400502 CS - AFFORDABLE HOUSING FU						
PHONE	302-395-5673		REQ#	2403767			
DELIVERY LOCATION							
SEND VENDOR PO	☒ YES	☐ NO			CONTACT NAME	Connor Kenney	
CURRENT VENDOR	☒ YES	☐ NO			PHONE	585-703-0952	EXT
VENDOR #	109922				EMAIL	ckenney@saaevi.com	FAX #

ADDITIONAL NOTES	

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

To assist in providing access to affordable rental housing units in Wilmington.

To assist cost burdened families with accessing affordable rental housing units in Wilmington.

New Castle County will be participating in furthering the affordable housing crisis in New Castle County.

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

Funds are provided by the Affordable Housing Fund. Vendor selection for this award was on proposal evaluation. Recommendations were made based on the Affordable Housing Fund Committee.			
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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: October 10, 2023

RESOLUTION NO. 23-177

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH TODMORDEN
FOUNDATION TO ASSIST IN THE CREATION OF NEW AFFORDABLE RENTAL
HOUSING UNITS IN WILMINGTON FOR THE DEPARTMENT OF COMMUNITY
SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE
AMOUNT OF \$400,000.00**

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

WHEREAS, this contract is an agreement between New Castle County and Todmorden Foundation in an amount not to exceed \$400,000.00; and

WHEREAS, these funds will be used to assist in providing access to affordable rental housing units for cost burden families in Wilmington.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

Todmorden Foundation \$400,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$400,000.00. Funding is included in the FY2024 Affordable Housing Fund (AHF).

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Vincent Garlick			FISCAL YR	2024	NAME	Todmorden Foundation	
DEPARTMENT	COMMUNITY_SERVICES_40			FUND	220 HOUSING TR	ADDRESS	100 W. 10th Street, Suite 1104, Wilmington, DE 19801	
ORGANIZATION	22400502 CS - AFFORDABLE HOUSING FU							
PHONE	302-395-5673			REQ#	2403760			
DELIVERY LOCATION								
SEND VENDOR PO	☒ YES		☐ NO			CONTACT NAME	Alan Matas	
CURRENT VENDOR	☒ YES		☐ NO			PHONE	302-299-2287	EXT
VENDOR #	109923					EMAIL	amatas@todmordenfoundation	FAX #

ADDITIONAL NOTES	

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

To assist in the creation of new affordable rental housing units in Wilmington.

It's needed to assist in providing access to affordable rental housing units for cost burden families in Wilmington.

New Castle County will be participating in furthering the affordable housing crisis.

☐ YES ☒ NO

☐ YES ☒ NO**VI. OTHER, PLEASE EXPLAIN**

SIGNATURE	Carrie Casey	DATE	9/22/2023
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Introduced by: Mr. Sheldon, Mr. Carter
Date of Introduction: October 10, 2023

RESOLUTION NO. 23-178

**APPROVING THE DEVELOPMENT AND IMPLEMENTATION OF AN ASSET
MANAGEMENT PLAN FOR THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, pursuant to 9 *Del. C.* § 1341, New Castle County's Department of Public Works operates, maintains and manages the public sanitary sewer system serving the citizens of New Castle County; and

WHEREAS, the Department of Public Works utilizes and maintains a hydraulic model of the public sanitary sewer system, the Public Works Sanitary Sewer Capacity Status Model, for the purpose of sewer infrastructure planning, development and operation; and

WHEREAS, the Delaware Water Infrastructure Advisory Council established the Wastewater Matching Planning Grant to provide financial assistance through the Clean Water State Revolving Fund ("CWSRF") Program to public utilities for planning and development of wastewater feasibility and design studies; and

WHEREAS, the Department of Public Works is seeking to study and obtain recommendations on necessary updates, optimization or, revisions to the Public Works Sanitary Sewer Capacity Status Model, including advancements in modeling technology and configuration; and

WHEREAS, the Wastewater Matching Planning Grant Program requires each public utility applicant to submit a resolution adopted by its governing body approving the development and implementation of the public utility's wastewater feasibility plan as part of the application process.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the development and implementation of an asset management plan for the Department of Public Works in order to apply for funding under the Wastewater and Drinking Water Asset Management Incentive Program, and other available relevant funding programs.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: This Resolution approves the development and implementation of a wastewater expansion feasibility plan for the Department of Public Works to provide sanitary sewer service to the Heavy Industrial Zoned properties within and surrounding the Delaware City Refinery.

FISCAL NOTE: If the application by the Department of Public Works for a Matching Grant under the Wastewater Matching Plan Grant is accepted, New Castle County can realize a \$50,000.00 savings on public sanitary sewer system study costs.

This project will utilize funding appropriated in the FY2024 Capital Budget within the Asset Management Capital Project in the amount of \$100,000 as the match if the grant is approved. There is no fiscal impact to the Operating Budget.

ORDINANCE NO. 23-125

AMEND THE GRANTS BUDGET:

APPROPRIATE \$50,000 IN FUNDING FROM THE STATE OF DELAWARE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO THE FY2024 COLD CASE DNA GRANT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE

WHEREAS, the Department of Public Safety, Division of Police has been awarded \$50,000 in funding from the State of Delaware Department of Safety and Homeland Security for the FY2024 Cold Case DNA Grant; and

WHEREAS, the funding will be used to assist with DNA testing and related expenses in the investigation of open cold cases; and

WHEREAS, the County Executive has determined that grants anticipated to be received from the State of Delaware Department of Safety and Homeland Security are sufficient to cover the increase in the Grants Budget as hereinafter amended; and

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

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

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

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

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate \$50,000 in funding from the State of Delaware, Department of Safety and Homeland Security to the FY2024 Cold Case DNA Grant. Funding will be used by the Department of Public Safety, Division of Police for DNA testing and related expenses in the investigation of open cold cases.

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

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating \$50,000 in funding from the State of Delaware, Department of Safety and Homeland Security to the FY2024 Cold Case DNA Grant.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget in the amount of \$50,000. This increase will affect FY2024 only since the targeted program completion date is June 30, 2024. There is no anticipated fiscal impact on the Operating Budget.

DEPARTMENT:

Public Safety

GRANT TITLE:

FY2024 Cold Case DNA Grant

PROGRAM TITLE:

FY2024 Cold Case DNA Grant

EXHIBIT:

"A"

Ordinance No.

23-125

Expense	Current	Change	Revised
Salaries and Wages	\$ -	\$ -	\$ -
Benefits	\$ -	\$ -	\$ -
Training/Civic Affairs	\$ -	\$ -	\$ -
Communication/Utilities	\$ -	\$ -	\$ -
Materials/Supplies	\$ -	\$ -	\$ -
Contractual Services	\$ 50,000.00	\$ -	\$ 50,000.00
Equipment	\$ -	\$ -	\$ -
Grants/Fixed Charges	\$ -	\$ -	\$ -
Land and Structures	\$ -	\$ -	\$ -
Contingency	\$ -	\$ -	\$ -
Operating Transfer Charges	\$ -	\$ -	\$ -
Operating Transfer Credits	\$ -	\$ -	\$ -
Total	\$ 50,000.00	\$ -	\$ 50,000.00

Revenue	Current	Change	Revised
Federal	\$ -	\$ -	\$ -
State	\$ 50,000.00	\$ -	\$ 50,000.00
County	\$ -	\$ -	\$ -
Program Income	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -
Total	\$ 50,000.00	\$ -	\$ 50,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:

7/1/2023

Estimated Program Completion:

6/30/2024

The Local Match:

Found in (ORG):

Ordinance Passed:

Date Revised:

PROGRAM DESCRIPTION:

New Castle County Department of Public Safety, Division of Police will use the Cold Case funding received for expenses related to open cold cases for DNA testing and related expenses.

ORDINANCE NO. 23-126

**AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE
EMPLOYEES FOR THE CLASS SPECIFICATION OF COMMUNITY SERVICES MANAGER
FOR THE DEPARTMENT OF COMMUNITY SERVICES**

WHEREAS, the Department of Community Services has determined that it is necessary to make changes to the class specification of Community Services Manager to reflect the work currently being performed; and

WHEREAS, the Department recommends that the Pay Grade for the class specification Community Services Manager be changed from Pay Grade 32 to Pay Grade 34; and

WHEREAS, the Human Resources Advisory Board at its meeting on September 7, 2023, recommended that the class specification for the position title of Community Services Manager be changed on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees from Pay Grade 32 to Pay Grade 34; 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 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 "A."

Section 2. 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 "B."

Section 3. 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 "C."

Section 4. 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 "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.

Section 6. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to August 1, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, changes the Pay Grade for the position title of Community Services Manager from Pay Grade 32 to Pay Grade 34 on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees.

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

FISCAL IMPACT: This Ordinance, if approved, changes the Pay Grade for the position title of Community Services Manager from Pay Grade 32 to Pay Grade 34 on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees.

There are currently two filled positions with the title of Community Services Manager. The estimated fiscal impact (Salaries/Wages and Benefits) of reclassifying the two employees currently in these positions is \$24,729 in FY2024, \$38,658 in FY2025 and \$39,624 in FY2026.

EXHIBIT A
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 FACILITIES PROJECT MANAGER 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 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 A
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											
COMMUNITY SERVICES MANAGER											
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: 08/29/2023 (Ordinance 23-097)

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

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	34,929	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 FACILITIES PROJECT MANAGER 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 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 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	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											
<u>COMMUNITY SERVICES MANAGER</u>											
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: 08/29/2023 (Ordinance 23-097)

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	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 FACILITIES PROJECT MANAGER 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 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 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	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											
<u>COMMUNITY SERVICES MANAGER</u>											
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: 08/29/2023 (Ordinance 23-097)

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	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 FACILITIES PROJECT MANAGER 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 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 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	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											
<u>COMMUNITY SERVICES MANAGER</u>											
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: 08/29/2023 (Ordinance 23-097)

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

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 26, 2023

ORDINANCE NO. 23-127

**AMEND THE FY2023 APPROVED OPERATING BUDGET:
REALIGN \$89,602 WITHIN THE SEWER FUND IN ORDER TO PROVIDE FUNDING FOR
SALARIES AND WAGES**

WHEREAS, realignment of funds is required for the FY2023 County's salaries and wages; and

WHEREAS, the Sewer Fund will require a realignment of \$89,602 from the Debt Service Budget Line Item to the Salaries and Wages Budget Line Item in the Department of Public Works; and

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

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

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

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

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

Section 4. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 30, 2023.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will realign \$89,602 within the Sewer Fund from the Debt Service Budget Line Item to the Salaries and Wages Budget Line Item in the Department of Public Works. This realignment of funds is necessary to cover FY2023 County's salaries and wages.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to June 30, 2023.

FISCAL NOTE: This Ordinance, if approved, will realign \$89,602 within the Sewer Fund from the Debt Service Budget Line Item to the Salaries and Wages Budget Line Item in the Department of Public Works. This realignment of funds is necessary to cover FY2023 County's salaries and wages. This realignment of funding will result in no increase to the FY2023 Approved Operating Budget as the legislation is a transfer of funds between Departments and within the same fund.

COUNTY COUNCIL

Salaries and Wages	\$	2,109,895
Benefits		1,263,991
Training and Civic Affairs		50,190
Communication and Utilities		20,836
Materials and Supplies		35,414
Contractual Services		294,435
Equipment		4,898
Grants and Fixed Charges		172,965
Operating Transfer Charges		144,715
Total	\$	4,097,339
Total Authorized Full-Time Positions	35	

COUNTY EXECUTIVE

Salaries and Wages	\$	1,643,392
Benefits		957,407
Training and Civic Affairs		39,404
Communication and Utilities		16,780
Materials and Supplies		22,236
Contractual Services		147,991
Equipment		1,000
Grants and Fixed Charges		1,893,000
Contingency		47,000
Operating Transfer Charges		76,382
Total	\$	4,844,592
Total Authorized Full-Time Positions	14	

DEPARTMENT OF ADMINISTRATION

Salaries and Wages	\$	11,229,226
Benefits		6,540,308
Training and Civic Affairs		124,486
Communication and Utilities		6,979,246
Materials and Supplies		163,208
Contractual Services		6,509,695
Equipment		510,745
Grants and Fixed Charges		3,830,289
Operating Transfer Charges		1,024,227
Operating Transfer Credits		(11,775,518)
Total	\$	25,135,912
Total Authorized Full-Time Positions	166	

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	22,695,548	\$	22,785,150
Benefits			13,293,757
Training and Civic Affairs			34,445
Communication and Utilities			24,792,906
Materials and Supplies			5,169,663
Contractual Services			9,467,752
Equipment			750,378
Grants and Fixed Charges			1,234,007
Land and Structures			35,000
Operating Transfer Charges			4,659,870
Operating Transfer Credits			(8,009,063)
Total	74,124,263	\$	74,213,865
Total Authorized Full-Time Positions	379		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	7,384,566
Benefits			4,337,774
Training and Civic Affairs			63,515
Communication and Utilities			115,975
Materials and Supplies			82,117
Contractual Services			1,536,061
Equipment			70,115
Grants and Fixed Charges			55,500
Operating Transfer Charges			1,126,134
Operating Transfer Credits			(800,651)
Total		\$	13,971,106
Total Authorized Full-Time Positions	118		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	11,533,050
Benefits			5,178,773
Training and Civic Affairs			17,000
Communication and Utilities			1,054,027
Materials and Supplies			1,377,892
Contractual Services			2,131,761
Equipment			35,627
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,215,694
Operating Transfer Credits			(188,230)
Total		\$	25,465,743
Total Authorized Full-Time Positions	161		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	64,723,978
Benefits		36,335,447
Training and Civic Affairs		180,183
Communication and Utilities		1,021,720
Materials and Supplies		1,160,237
Contractual Services		1,999,992
Equipment		1,652,292
Grants and Fixed Charges		6,458,350
Operating Transfer Charges		7,938,182
Total	\$	121,470,381
Total Authorized Full-Time Positions	711	

REGISTER OF WILLS

Salaries and Wages	\$	978,974
Benefits		565,901
Training and Civic Affairs		35,150
Communication and Utilities		12,266
Materials and Supplies		8,384
Contractual Services		25,448
Equipment		1,950
Operating Transfer Charges		80,523
Total	\$	1,708,596
Total Authorized Full-Time Positions	19	

RECORDER OF DEEDS

Salaries and Wages		\$	1,066,594
Benefits			618,100
Training and Civic Affairs			39,820
Communication and Utilities			33,977
Materials and Supplies			12,898
Contractual Services			84,446
Equipment			5,000
Grants and Fixed Charges			18,350
Operating Transfer Charges			150,152
Total		\$	2,029,337
Total Authorized Full-Time Positions	24		

SHERIFF

Salaries and Wages		\$	1,173,906
Benefits			689,894
Training and Civic Affairs			29,452
Communication and Utilities			16,181
Materials and Supplies			20,684
Contractual Services			56,398
Equipment			5,000
Operating Transfer Charges			163,243
Total		\$	2,154,758
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	449,603
Benefits			265,680
Training and Civic Affairs			14,130
Communication and Utilities			5,256
Materials and Supplies			5,424
Contractual Services			23,593
Operating Transfer Charges			30,639
Total		\$	794,325
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service	46,374,026	\$	<u>46,284,424</u>
Total	46,374,026	\$	<u>46,284,424</u>
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	39,347
Benefits		3,860
Training and Civic Affairs		10,500
Communication and Utilities		2,223
Materials and Supplies		2,450
Contractual Services		291,116
Equipment		500
Operating Transfer Charges		6,066
Total	\$	356,062
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

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

EXECUTIVE CONTINGENCY

Contingency	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

PERSONNEL CONTINGENCY

Contingency	\$	294,800
Total	\$	294,800
Total Authorized Full-Time Positions		

ATTRITION CONTINGENCY

Personal Services - Salaries and Wages	\$	0
Personal Services - Employee Benefits	\$	0
Total	\$	0
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	121,540
Total	\$	121,540

NEW CASTLE COUNTY

Salaries and Wages	125,028,079	\$	<u>125,117,681</u>
Benefits			70,050,892
Training and Civic Affairs			638,275
Communication and Utilities			34,071,393
Materials and Supplies			8,060,607
Contractual Services			22,568,688
Equipment			3,037,505
Grants and Fixed Charges			16,772,610
Debt Service	46,374,026		<u>46,284,424</u>
Land and Structures			35,000
Contingency			713,340
Operating Transfer Charges			16,615,827
Operating Transfer Credits			(20,773,462)
<i>Sub-Total New Castle County</i>		\$	323,192,780
<i>Total Authorized Full-Time Positions</i>	1,655		

RESERVE ACCOUNTS AS OF JUNE 27, 2023

Tax Stabilization Reserve Account	69,992,392
Sewer Rate Stabilization Reserve Account	10,663,702
General Fund Budget Reserve Account	44,845,412
Sewer Fund Budget Reserve Account	18,362,788
<i>Total Reserves:</i>	143,864,294

ORDINANCE NO. 23-128

AUTHORIZING THE ISSUANCE OF \$22,033,016 IN GENERAL OBLIGATION BONDS THROUGH THE DELAWARE CLEAN WATER STATE REVOLVING LOAN FUND FOR THE DEPARTMENT OF PUBLIC WORKS, UPPER WEST WING SANITARY SEWER AS PART OF THE SOUTHERN SEWER SERVICE AREA CAPITAL PROJECT

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

WHEREAS, it has been deemed necessary to appropriate \$22,033,016 for the installation of 18,000 linear feet of dual parallel force mains, 14 inches and 18 inches in diameter and regional pumping station. The force mains will run from the regional pump located on Carter Farm, parcel ID 11-061.00-001, to an existing manhole along Boyds Corner Road, by Whispering Wood residential development in New Castle County, Delaware. The force mains will convey sewage from the Upper West Wing Sewer Service Area to Mt. Pleasant Interceptor, for treatment at the County's Water Farm #1 Regional Wastewater Treatment Plant as part of the Southern Sewer Service Area Capital Project (the "Project"); and

WHEREAS, the Project is part of on the ongoing expansion of the southern sewer area to extend the existing sanitary sewer system and to prevent sanitary sewer overflows which decrease water quality and have negative environmental and public health impacts on wildlife, residents and commercial entities; and

WHEREAS, this Ordinance corresponds to Resolution 23-xxx authorizing the County Executive to execute a financing agreement for \$22,033,016 with the Delaware Clean Water State Revolving Loan Fund, acting by and through the Delaware Department of Natural Resources and Environmental Control.

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

Section 1. New Castle County shall authorize the issuance of its negotiable bonds in the maximum aggregate principal amount of \$22,033,016 for the Project.

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

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

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

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: Authorize the issuance of \$22,033,016 of general obligation bonds through the Delaware Clean Water State Revolving Loan Funds from the State of Delaware Department of Natural Resources and Environmental Control to the Department of Public Works, Upper West Wing Sanitary Sewer as part of the Southern Sewer Service Area Capital Project.

FISCAL NOTE: This Ordinance, if approved, will authorize the issuance of \$22,033,016 of general obligation bond funds through the Delaware Clean Water State Revolving Loan Funds from the State of Delaware Department of Natural Resources and Environmental Control to the Department of Public Works, Upper West Wing Sanitary Sewer as part of the Southern Sewer Service Area Capital Project.

The fiscal impact of issuing County Bonds in the maximum aggregate principal amount of \$22,033,016 assuming a term of twenty (30) years with a constant principal amount, is demonstrated on the attached Exhibit "A."

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize County Bonds in the maximum aggregate principal amount (net of issuance costs) of \$22,033,016.

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

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ⁽¹⁾ (8/31/2023)	\$520,840,000	\$163,292,273	\$684,132,273
Authorized and Unissued Bonds (8/31/2023)	<u>133,483,970</u>	<u>56,063,267</u> ⁽²⁾	<u>189,547,238</u>
Total Previous Authorizations	<u>654,323,970</u>	<u>219,355,540</u>	<u>873,679,511</u>

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

Authorized and Issued Bonds ⁽⁵⁾ (8/31/2023)	\$23,859,025	\$4,319,568 ⁽⁶⁾	\$28,178,594
Authorized and Unissued Bonds ⁽⁵⁾ (8/31/2023)	9,778,559	1,824,315 ⁽⁶⁾	11,602,874
Total Previous Authorizations	<u>33,637,584</u>	<u>6,143,883</u>	<u>39,781,467</u>
Proposed Net Authorizations ⁽⁴⁾ by the Ordinance	22,033,016	6,830,235 ⁽³⁾	28,863,251
Total Previous Authorizations and Proposed Net Authorizations	<u>\$55,670,600</u>	<u>\$12,974,118</u>	<u>\$68,644,718</u>

⁽¹⁾ These amounts have been adjusted to reflect retired principal and interest through 8/31/23.

⁽²⁾ Interest is computed at 4.0 percent.

⁽³⁾ Interest is computed at 2.0 percent.

⁽⁴⁾ Assuming a constant principal amount of \$734,434 over a term of thirty years, total debt service interest for the \$22,033,016 would be \$6,830,235.

⁽⁵⁾ Future draws on these loans will decrease the unissued bonds amount and increase the issued bonds amount.

⁽⁶⁾ Interest is from DNREC's estimated future repayment schedule. Interest rates for various loans are 0, 2.00, 2.394 and 2.601 percent.

ORDINANCE NO. 23-129

**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 AND EMPLOYEE BENEFITS
BUDGET LINE ITEMS FOR THE DEPARTMENT OF PUBLIC WORKS,
DIVISION OF PARKS**

WHEREAS, the Department of Public Works, Division of Parks maintains community parkland and storm water ditches; 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 the Department of Public Works, Division of Parks to assist with overtime associated with maintenance of Community parkland and storm water ditches; 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 Works – Salaries and Wages and Employee Benefits Budget Line Items to the Department of Public Works, Division of Parks to assist with overtime costs associated with the maintenance of Community parkland and storm water ditches. 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 Works – Salaries and Wages and Employee Benefits Budget Line Items.

This legislation will reduce the FY2024 Approved Operating Budget for County Council by \$5,000 and increase the Department of Public Works 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 FY2025 or FY2026.

COUNTY COUNCIL

Salaries and Wages		\$	2,428,665
Benefits			1,428,590
Training and Civic Affairs			71,004
Communication and Utilities			17,849
Materials and Supplies			60,926
Contractual Services			253,148
Equipment			1,600
Grants and Fixed Charges	431,482		<u>426,482</u>
Operating Transfer Charges			161,959
Total	4,855,223	\$	<u>4,850,223</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			743,000
Contingency			55,000
Operating Transfer Charges			82,016
Total		\$	<u>3,922,521</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			8,293,491
Materials and Supplies			158,147
Contractual Services			6,777,985
Equipment			392,056
Grants and Fixed Charges			3,925,350
Operating Transfer Charges			1,163,161
Operating Transfer Credits			(12,098,321)
Total		\$	<u>25,133,673</u>
Total Authorized Full-Time Positions	167		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	24,594,391	\$	24,597,539
Benefits	14,346,471		14,348,323
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	\$	77,782,691
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			20,232
Communication and Utilities			949,832
Materials and Supplies			1,383,163
Contractual Services			2,336,062
Equipment			19,900
Grants and Fixed Charges			3,110,149
Operating Transfer Charges			1,230,637
Operating Transfer Credits			(190,829)
Total		\$	25,932,415
Total Authorized Full-Time Positions	160		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	67,200,807
Benefits		39,140,036
Training and Civic Affairs		178,869
Communication and Utilities		1,010,888
Materials and Supplies		1,040,811
Contractual Services		2,179,206
Equipment		1,471,072
Grants and Fixed Charges		6,492,175
Operating Transfer Charges		7,298,634
Total	\$	126,012,498
Total Authorized Full-Time Positions	711	

REGISTER OF WILLS

Salaries and Wages	\$	1,111,172
Benefits		634,647
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	\$	1,953,891
Total Authorized Full-Time Positions	20	

RECORDER OF DEEDS

Salaries and Wages	\$	1,232,844
Benefits		712,707
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	\$	2,287,316
Total Authorized Full-Time Positions	23	

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		30,043
Equipment Replacement		6,000
Operating Transfer Charges		31,776
Total	\$	846,527
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	\$	1,619,958
Total	\$	1,619,958

NEW CASTLE COUNTY

Salaries and Wages	128,178,603	\$	<u>128,181,751</u>
Benefits	73,114,264		<u>73,116,116</u>
Training and Civic Affairs			676,771
Communication and Utilities			35,254,322
Materials and Supplies			7,355,247
Contractual Services			24,122,984
Equipment			2,443,736
Grants and Fixed Charges	15,970,763		<u>15,965,763</u>
Debt Service			45,540,069
Land and Structures			35,000
Contingency			2,979,958
Operating Transfer Charges			16,332,843
Operating Transfer Credits			(20,531,152)
<i>Sub-Total New Castle County</i>		\$	331,473,408
<i>Total Authorized Full-Time Positions</i>	1,661		

RESERVE ACCOUNTS AS OF AUGUST 29, 2023

Tax Stabilization Reserve Account (Unaudited)	75,254,652
Sewer Rate Stabilization Reserve Account (Unaudited)	8,484,160
General Fund Budget Reserve Account	44,592,418
Sewer Fund Budget Reserve Account	18,872,304
<i>Total Reserves:</i>	147,203,534

Introduced by: Mr. Tackett, Ms. George
Date of introduction: September 26, 2023

ORDINANCE NO. 23-130

**AMEND SECTION 14.02.006 OF THE *NEW CASTLE COUNTY CODE* TO
AUTHORIZE THE CHIEF FINANCIAL OFFICER TO WAIVE COLLECTION
FEES FOR RETURNED PAYMENTS UNDER CERTAIN CIRCUMSTANCES**

WHEREAS, section 14.02.006 of the *New Castle County Code* requires the Office of Finance to assess and collect certain fees (the “NSF Fees”) whenever the County is presented with a payment that is returned for any reason by the financial institution upon which it is drawn; and

WHEREAS, the Office of Finance is not provided with any authority to waive the NSF Fee under any circumstances; and

WHEREAS, certain circumstances may arise that justify allowing the Chief Financial Officer to waive the NSF Fee.

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

Section 1. Section 14.02.006 of the *New Castle County Code* is amended to add the following underscored provisions and remove the following stricken provisions:

- D. The Chief Financial Officer may waive any fee set forth in this Section for the following reasons:
1. A payment presented by the presenter has not been returned for any reason during the thirty-six (36) month period preceding return of the payment; or
 2. The presenter establishes that return of the payment was caused by a party other than the presenter through evidence satisfactory to the Chief Financial Officer.

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 authorize the Chief Financial Officer to waive fees for returned payments under certain circumstances to provide more flexibility and fairness to individuals who make payments to the County that are returned by their financial institutions.

FISCAL NOTE: This Ordinance, if approved, will have a *de minimis* impact to the County. The amount of returned payment fees collected by the County do not exceed \$6,000 on average in any fiscal year, and the fees likely to be waived under the authority provided under this Ordinance will be a *de minimis* portion of that amount.

Smiley,

Introduced by: Mr. Carter, Mr.

Mr. Bell

Date of introduction: September 26, 2023

ORDINANCE NO. 23-131

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 10 (“REAL PROPERTY TRANSFER TAX”) TO PROVIDE AN INCOME QUALIFIED EXEMPTION FROM THE NEW CASTLE COUNTY PORTION OF REAL ESTATE TRANSFER TAX RELATING TO NEWLY BUILT HOUSES WITH RESIDENTIAL FIRE PROTECTION SPRINKLERS

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, the cost of housing is the major cost of household budgets, and frequently forces at-risk families into unpredictable and unstable living situations; and

WHEREAS, per the U.S. Department of Housing & Urban Development Income Limits, as of April 1, 2023, 80% of the median income for a 4-person household is \$89,250, with median income being \$114,400; and

WHEREAS, the increasing cost of housing has had a disproportionately negative impact on families with incomes below the area median income; and

WHEREAS, fire safety equipment in a home, such as residential fire sprinkler systems, can make the difference between life and death, but are likely to increase the housing burden especially on low to middle income populations if not offset by other savings; and

WHEREAS, New Castle County offers tax relief for, among others, businesses that help stimulate the economic development of the County; and

WHEREAS, New Castle County additionally offers tax relief for vulnerable populations such as seniors, disabled individuals, and veterans; and

WHEREAS, Realty transfer taxes in Delaware are 4% of the purchase price of a property, with 2.5% going to the State of Delaware and 1.5% going to the County; and

WHEREAS, providing relief from this tax burden will help at risk populations with housing while also providing for their safety; 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 the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life.

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

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

Sec. 14.10.001. - Definitions; transfers.

...

C. *First-time homebuyers; conveyances of land for agricultural, horticultural or forest use.* Notwithstanding Subsection A, “document” shall not include the following:

1. Any conveyance to a first-time homebuyer on or after October 1, 2018, for at least the value of the property or ~~four hundred thousand dollars (\$400,000.00)~~, whichever is less; provided, however, that only that portion of the tax, not to exceed one-half (½) of the total taxes due, that is attributable to and payable by the first-time homebuyer under this Article shall be exempt, except as otherwise provided in this Article.

...

Sec. 14.10.002. - Levy of tax; exemptions.

- A. Except as otherwise provided in this Section, every transaction under this Article shall be subject to a tax at the rate of one and one-half (1½) percent of the value of the property subject to the transaction, which tax shall be payable at the time of the transaction; provided, however, no more than a one and one-half (1½) percent tax shall be levied by the County on any single transfer of property. In the absence of any agreement to the contrary, the tax shall be apportioned equally between the grantor and grantee.
- B. Every transaction involving a lease which constitutes a document under this Article shall be subject to a tax at the rate of one and one-half (1½) percent of the value of the property subject to the lease, which tax shall be payable as follows:
 1. The tax on the consideration attributed to the first year of the term shall be payable at the time of making, execution, delivery, acceptance or presenting of such document for recording; and
 2. The tax on the consideration attributed to each successive year of the term thereafter shall be paid annually to the Office of Finance.
- C. The rate of tax on documents described in Section 14.10.001.A.1 shall be one and one-half (1½) percent on amounts exceeding ten thousand dollars (\$10,000.00), which shall be borne by the owner of the building whose construction is made subject to tax under Subsection d of the definition of document in Section 14.10.001.A.1.

D. Income qualified household exemption.

1. Qualifications. A household qualifies as an “income qualified household” when:

- a. As of July 1 of the fiscal year for which an exemption is sought, the household's income does not exceed 80% of the median income established by the U.S. Department of Housing and Urban Development; and
 - b. The household purchases a newly built house that is equipped with a fire protection sprinkler system after the effective date of this Section.
 - c. No application hereunder shall be approved unless, at the time of approval, 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 timely making monthly payments of any and all tax and sewer service charges due to or collectible by New Castle County, as determined by the Office of Finance.
2. Amount of income qualified exemption. Each "income qualified household" shall be exempt from the County portion of the real estate transfer tax.

...

Section 2. The provisions of this Ordinance shall take effect upon passage by New Castle County Council and approval of the County Executive, or as otherwise provided in 9 Del. C. Section 1156.

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
of New Castle County

SYNOPSIS: This Ordinance exempts from the 1.5% County portion of the real estate transfer tax any household whose income does not exceed 80% of the area median income established by the U.S. Department of Housing and Urban Development and who purchases a newly built house that is equipped with residential fire protection sprinklers subsequent to the effective date of this Ordinance.

FISCAL NOTE: This Ordinance, if approved, will reduce Real Estate Transfer Tax fees by approximately \$41,250 annually. This estimate is based on the assumption that 88 homes are sold annually in New Castle County with an assessed value of \$125,000 or less; and that 50% of those purchases would be eligible for the First-Time Homebuyers credit. Three-year summary as noted below:

FY2024	\$41,250
FY2025	\$41,250
FY2026	\$41,250

Introduced by: Mr. Smiley
Date of introduction: September 26, 2023

ORDINANCE NO. 23-133

AMENDING CHAPTER 14 (“FINANCE AND TAXATION”), ARTICLE 1 (“IN GENERAL”), SECTION 14.01.014 OF THE *NEW CASTLE COUNTY CODE* REGARDING THE TAX STABILIZATION RESERVE ACCOUNT

WHEREAS, the purpose of this legislation is to provide historical context and, thus, further clarity as to the original and continuing purpose for the Tax Stabilization Reserve Account; and

WHEREAS, by way of background, New Castle County established a financial reserve, namely the Tax Stabilization Reserve Account, to stabilize the tax rate and ensure the fiscal stability of County government, which has helped the County maintain its AAA bond rating; and

WHEREAS, in its commitment to continue as long as possible to provide residents with essential services without a tax or sewer rate increase while simultaneously maintaining the long-term financial stability of New Castle County, County Council deemed it necessary to create the Tax Stabilization Reserve Account (along with other reserve accounts) in which reserve funds could be maintained to fund tax stabilization and sewer rate stabilization over future years, as well as budgeted capital costs that would otherwise require issuance of bonds; and

WHEREAS, at the time County Council considered adoption of this account, the County, while maintaining essential services for residents, experienced operating deficits, which were funded in part by the County’s reserves; this allowed County residents to, at the time, go almost 10 years without a tax or sewer rate increase; and

WHEREAS, New Castle County determined that it may draw upon the Tax Stabilization Reserve Account in the future, *as necessary to minimize tax increases or issuance of bonds*.

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

Section 1. Amend Chapter 14 (“Finance and Taxation”), Article 1 (“In General”); Section 14.01.014 (“Tax Stabilization Reserve Account”) of the *New Castle County Code* by adding the underlined material and deleting the material that is stricken through, as follows.

...

Sec. 14.01.014. Tax Stabilization Reserve Account.

- A. There is hereby established a Tax Stabilization Reserve Account within the General Fund.

- B. The amount in ~~that~~ the reserve account shall be set annually by County Council in conjunction with ~~the~~ adoption of the operating budget.
- C. County Council may by a majority vote appropriate from the Tax Stabilization Reserve Account such sums as may be necessary for the limited purpose of only ~~to~~ balancing the annual operating budget or ~~to~~ covering budgeted capital costs for County assets that would otherwise require the issuance of bonds and/or ~~payment of~~ a tax increase.

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

Adopted by County Council of
New Castle County on

President of County Council
of New Castle County

Approved on:

County Executive

SYNOPSIS: This Ordinance provides an historical context and, thus, further clarity as to the purpose and proper usage of reserve funds in the Tax Stabilization Reserve Account. More particularly, County Council is limited in its ability to appropriate reserves from the account to only balance the annual operating budget or to cover budgeted capital costs for New Castle County assets that would otherwise require the issuance of bonds and/or a tax increase.

FISCAL IMPACT: There will be no fiscal impact if this Ordinance is enacted.

Introduced by: Ms. George
Date of introduction: September 26, 2023

ORDINANCE NO. 23-134

TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), SECTION 7.01.002 (“AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE”), AS AMENDED, SECTION PM 308 (“RUBBISH AND GARBAGE”) AND CHAPTER 19 (“RESIDENTIAL RENTAL PROPERTIES”), ARTICLE 3 (“RENTAL CODE”), ARTICLE 4 (“ENFORCEMENT”), AND APPENDIX RELATING TO REMOVAL OF RUBBISH AND GARBAGE

WHEREAS, Consistent and routine removal of garbage and rubbish is essential to the health and enjoyment of any property, especially rental properties; and

WHEREAS, The *International Property Maintenance Code*, 2018 Ed. (“IPMC”), as adopted by New Castle County, as amended, establishes certain requirements for the owner of a dwelling in relation to “rubbish,” and likewise, for consistency’s sake, should provide the same for “garbage,” and

WHEREAS, “Garbage” is animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food; and

WHEREAS, “Rubbish” is combustible and noncombustible waste materials and trash and debris, *except garbage*; it includes residue from the burning of wood, coal, and other combustible materials, paper, rags, cartons, boxes, wood, rubber, leather, tree branches... yard trimmings, cans, metals, mineral matter, glass, dust, and other similar materials (emphasis added); and

WHEREAS, Section PM 308.2 requires each owner of a structure to dispose of rubbish in a clean and sanitary manner by placing it in an approved container; additionally, under Section PM 308.2.1, the owner of an occupied premise must supply the covered container for rubbish, and is responsible for removing the rubbish; and

WHEREAS, the Code needs clarification and consistency as to the owner’s similar obligations in relation to removal of rubbish and garbage; and

WHEREAS, in addition, the establishment of a transparent and efficient process to verify that owners are satisfying their obligations is for the benefit of the County and all residents; and

WHEREAS, New Castle County Council finds that the provisions of this Ordinance are rationally and reasonably related to and substantially advance its goal of protecting and preserving legitimate government interests, including the protection and preservation of the public health, safety, prosperity, general welfare, and quality of life of New Castle County and its residents.

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

Section 1. *New Castle County Code* Chapter 7 (“Property Maintenance Code”), Section 7.01.002 (“Amendments to the International Property Maintenance Code”), as amended, Section PM 308 (“Rubbish and Garbage”) is hereby amended by adding the material that is underscored and deleting the material with strike throughs or as otherwise referenced, as set forth below.

Section PM 308 *Rubbish and Garbage*, is amended by deleting Section 308.2, *Disposal of rubbish* and subsection 308.2.1, *Rubbish Storage Facilities*, in their entirety and by substituting the following in place thereof.

Section PM 308.2. Disposal of rubbish and garbage.

Section PM 308.2.1. Rubbish and garbage – disposal, containers. Every occupant of a dwelling shall dispose of rubbish and garbage in a clean and sanitary manner by placing the rubbish and garbage in approved containers, which specifically for garbage shall mean leakproof, covered, outside garbage containers. Every owner of or person responsible for each dwelling shall be responsible for providing the requisite rubbish and garbage containers.

Section PM 308.2.2 Rubbish and garbage - removal. Every owner of a residential rental property shall be responsible for providing for regular rubbish and garbage removal services for the property. Compliance with the above obligations and the obligations set forth in subsection PM 308.2.1 by every owner of a residential rental property shall be evidenced by way of the written verification that is required under subsection 19.03.001.H.

Section PM 308.2.2 *Appliances*, is amended by renumbering this subsection as indicated by the material that is underscored and by deleting the material with strike throughs, as set forth below.

Section PM 308.2.3.2 *Appliances...*

...

IPMC Section 308.3 Disposal of garbage, is amended by deleting the section and its subparts that appear in the *IPMC* in their entirety.

Section 2. *New Castle County Code* Chapter 19 (“Residential Rental Properties”), Article 3 (“Rental Code”) is hereby amended by adding the material that is underscored and deleting the material with strike throughs or as otherwise referenced, as set forth below.

...

Sec. 19.03.001. – Registration; requirements; information collected; written verification.

...

H. Subsequent to the provisions of this subsection taking effect on January 1, 2025, compliance by the owner or designee thereof with its obligations to provide approved

containers and removal services for rubbish and garbage as referenced under the *Property Maintenance Code* (Ch. 7), Section PM 308 *Rubbish and Garbage*, as amended, subsection 308.2.2 shall be evidenced by:

1. Submission by the owner or designee thereof of a written verification in a manner and in a form to be designated by the Department. The written verification shall be supported by, for example and without limitation, a current contract between the owner or designee thereof and the person or business providing the rubbish and garbage removal services, and any other relevant information or records that conclusively show that the owner or designee thereof is satisfying its obligations by providing the requisite containers and removal services for rubbish and garbage as referenced under subsection 308.2.2 of the *Property Maintenance Code* (Ch. 7), as amended.
2. The written verification shall be produced at the time of initial application for a rental permit, at the time of application to renew the rental permit, and/or upon request by a Code Official.

Section 3. *New Castle County Code* Chapter 19 (“Residential Rental Properties”), Article 4 (“Enforcement”) is hereby amended by adding the material that is underscored and deleting the material that is stricken through, as set forth below.

Sec. 19.04.001. - Unlawful acts.

...

- C. *Violations of other provisions of the New Castle County Code.* Violations of the provisions in versions most recently adopted by New Castle County of the BOCA National Property Maintenance Code/1996, as amended, the International Residential Code-2000, as amended, the International Building Code-2000, as amended, the Property Maintenance Code, as amended, or New Castle County Unified Development Code, or other technical codes adopted in Chapter 6 (the “Building Code”) of the *New Castle County Code*, that are identified through the enforcement of this Chapter shall be prosecuted according to the enforcement and penalty provisions of the applicable Codes.

Section 4. *New Castle County Code* Chapter 19 (“Residential Rental Properties”), Appendix (“New Castle County Tenants’ Rights Guide”) is hereby amended by adding the material that is underscored and deleting the material that is stricken through, as set forth below.

APPENDIX

NEW CASTLE COUNTY TENANTS' RIGHTS GUIDE

Unless an emergency situation exists, your first step for reporting any problem in your rental unit should always be to contact your landlord. You may contact your landlord by telephone or in person but you must always put your complaints in writing...

Problem	Minimal Standard	Where to Call for Complaints
Trash Garbage/Rubbish	All exterior property and premises and the interior of every rental unit shall be free from accumulation of <u>garbage</u> trash or rubbish. Every occupant shall dispose of trash <u>rubbish</u> and garbage in a clean and sanitary manner and place it in an approved container. It is the landlord's responsibility of the property owner or <u>designee thereof to supply a garbage disposal facility or provide approved rubbish and garbage containers, in addition to providing garbage and rubbish removal services for the property.</u>	Landlord New Castle County Department of Land Use – (302) 395-5555

Section 5. The provisions of this Ordinance shall take effect on January 1, 2025, after passage by New Castle County Council and approval by the County Executive.

Section 6. The provisions of this Ordinance are prospective in nature. This Ordinance is not intended to, nor shall it interfere with the terms of any then-existing rental agreement in place as of the time the provisions of this Ordinance take effect.

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 clarifies the obligations of a residential rental property owner under *New Castle County Code* to provide garbage and rubbish removal services in addition to the necessary containers, establishes standards and a uniform process by which every owner shall

confirm compliance with its obligations under the *Property Maintenance Code* (Chapter 7), Section PM 308 *Rubbish and Garbage*, as amended, by submission of the written verification required under the proposed new subsection 19.03.001.H.

After the provisions of this Ordinance take effect, and subject to the limitations identified below, the written verification is to be produced at the time of initial application for a rental permit, at the time of application to renew the rental permit, and/or upon request by a Code Official. In addition, the Ordinance makes certain housekeeping amendments to Ch. 19, Section 19.04.001.

The provisions of the Ordinance shall take effect on January 1, 2025, after passage by New Castle County Council and approval by the County Executive. The terms of the Ordinance are prospective in nature. The Ordinance is not intended to, nor shall it interfere with the terms of any then-existing rental agreement in place as of the time the provisions of this Ordinance take effect.

FISCAL NOTE: There is no discernible fiscal impact.

Introduced by: Mr. Carter, Mr. Bell,
Ms. Durham, Ms. Hartley-Nagle
Date of introduction: October 10, 2023

RESOLUTION NO. 23-179

**CONGRATULATING JUDITH MONEY PUCKETT ON RECEIVING
THE “DISTINGUISHED SERVICE TO AGRICULTURE AWARD”**

WHEREAS, the New Castle County Farm Bureau annually chooses a recipient for their “Distinguished Service to Agriculture Award,” who has served the agricultural community through public service; and

WHEREAS, this year’s recipient is Judith Money Puckett. Judy grew up on a farm where she helped with milking cows, feeding calves, cleaning stalls, and washing milk equipment, she also belonged to the Cecil County 4-H club where her projects were raising calves and showing cows at the local fairs; and

WHEREAS, Judy has worked for the New Journal, Delaware State News, and Johnson Controls, her real love is farming where she says “you can be your own boss” and every day is a new experience; and

WHEREAS, Judy spends a lot of her time volunteering for Kent County Maryland 4-H Fair and also the Delaware State Fair. She works in the capacity of a “herdsman” helping the children with their livestock projects, teaching them about the presentation of their animals in the shows and the general welfare and well-being of their animals while at the fair; and

WHEREAS, Judy belongs to and supports three Farm Bureaus: Delaware, Maryland, and Virginia. Judy states that the Delaware Farm Bureau is her favorite, and she has served as a delegate to the Annual Meeting of Delaware Farm Bureau several times.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby congratulates Judy Money Puckett for receiving the “Distinguished Service to Agriculture” Award.

Adopted by County Council
of New Castle County on:

President of County Council
of New Castle County

SYNOPSIS: Same as title.

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

Introduced by: Mr. Carter, Mr. Bell,
Ms. Durham, Ms. Hartley-Nagle
Date of introduction: October 10, 2023

RESOLUTION NO. 23-180

**HONORING THE PHIPPS FAMILY FOR RECEIVING THE
“NEW CASTLE COUNTY FARM FAMILY OF THE YEAR AWARD” FOR 2023**

WHEREAS, the Phipps Family created Centre Del Farm Dorpers in 2013 and have been growing and improving their flock ever since; and

WHEREAS, in 2016, the Phipps Family purchased property that could fit their newly expanded flock that ranges between 70 to 140 sheep depending on the time of year; and

WHEREAS, the Phipps family travels to compete nationally at shows such as the North American International Livestock Exposition, the Dorper National Show and Sale in Duncan, Oklahoma and Cookeville, Tennessee. To this day, the family’s biggest accomplishment is holding the high selling and Grand Champion ram at the 2021 Cookeville, Tennessee sale under South African judges; and

WHEREAS, attending these shows gives the family the opportunity to teach others about agriculture in Delaware. In 2020, the Phipps family had a record setting ram at one of the National Dorper Show and Sales and had both the Grand and Reserve Champion Rams. This exposure helps put Delaware on the map as an area of quality livestock that is easily accessible from many areas of the Northeast; and

WHEREAS, the Phipps Family is well-versed in agriculture and animal care. Will holds a degree in Dairy and Animal Science and spends a lot of time caring for the flock, his wife Robina has a degree in Agricultural Business Management and also tends the livestock, their daughter, Sydney is pursuing Veterinary and Biomedical Science and has served as the president for her 4-H club, and their son Liam is a high school junior helping around the farm in any way he can offer.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby congratulates the Phipps family for being named “The New Castle County Farm Family of the Year” for 2023. Furthermore, New Castle County would like to thank the Phipps family for their exceptional commitment throughout many years of service to the agricultural 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 will be no discernible fiscal impact upon the adoption of this legislation.