



NEW CASTLE COUNTY COUNCIL COUNCIL MEETING

October 8, 2024
6:30 PM

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

REVISED AGENDA

A. Call to Order

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

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°24-152: TO APPROPRIATE \$150,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL FUND TAX STABILIZATION RESERVE, FOR A CONTRACT WITH EZION FAIR BAPTIST CHURCH CDC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Street, Mr. Hollins

°24-153: TO APPROPRIATE \$50,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND, FOR A CONTRACT WITH LOVE COMMUNITIES LLC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Street, Mr. Hollins

°24-154: TO PROVIDE FOR THE INSTALLATION OF AN ADDITIONAL COBRA STREET LIGHT ON A WOODEN POLE IN THE COLLINS PARK DEVELOPMENT

Prime Sponsor(s): Mr. Street, Ms. Kilpatrick

°24-155: AMEND THE FY2025 APPROVED OPERATING BUDGET: TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM OF THE DEPARTMENT OF LAND USE, DIVISION OF CUSTOMER RELATIONS AND ENFORCEMENT TO PROVIDE FUNDING TO ASSIST WITH RODENT CONTROL IN VACANT PROPERTIES

Prime Sponsor(s): Mr. Smiley

°24-156: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PUBLIC SAFETY OPERATORS I, II, AND III REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES), AFL-CIO, AND ITS AFFILIATE, LOCAL 3911

Prime Sponsor(s): Mr. Bell, Mr. Smiley

E. Reports from Select and Special Committees

F. Consent Calendar

R24-174: HONORING THE LIFE OF GEORGE L. KERR, Jr., AND EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS

Prime Sponsor(s): Mr. Bell

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

R24-175: 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

Prime Sponsor(s): Mr. Smiley, Mr. Cartier

I. Consideration of Ordinances

°24-139: TO APPROPRIATE \$150,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH CORNERSTONE WEST CDC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-140: TO APPROPRIATE \$98,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH GOOD NEIGHBORS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-141: AMEND THE PAY PLAN AND RATES OF PAY FOR HOURLY RATED CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459 AND ADOPT THE REVISED CLASS SPECIFICATION FOR TELEVISION GROUTER EQUIPMENT OPERATOR FOR THE DEPARTMENT OF PUBLIC WORKS

Prime Sponsor(s): Ms. Hartley-Nagle

°24-142: AMEND THE GRANTS BUDGET: APPROPRIATE FEDERAL FUNDS OF \$100,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE COC PERMANENT SUPPORTIVE HOUSING GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING

Prime Sponsor(s): Mr. Hollins, Mr. Street

°24-143: DECLARING TAX PARCEL 24-003.00-020 AS SURPLUS LAND AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE DOCUMENTS NECESSARY TO TRANSFER SAID LAND TO VETERANS WATCHMAKERS INITIATIVE FOR \$267,000

Prime Sponsor(s): Mr. Bell

°24-144: AUTHORIZING THE ISSUANCE OF UP TO \$40,000,000 IN A GENERAL OBLIGATION BOND THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY ACTING BY AND THROUGH THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY FOR THE DEPARTMENT OF PUBLIC WORKS CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-145: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET: INCREASE BOND AUTHORIZATIONS IN THE AMOUNT UP TO \$40,000,000 TO THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-146: AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET BY REDUCING BOND AUTHORIZATIONS IN THE AMOUNT OF \$403,310 IN THE ELECTRICAL VEHICLE INFRASTRUCTURE CAPITAL PROJECT AND AMEND THE GRANTS BUDGET BY APPROPRIATING \$403,310 FROM THE U.S. DEPARTMENT OF ENERGY TO THE EECBG EV INFRASTRUCTURE DOE GRANT FOR THE DEPARTMENT OF PUBLIC WORKS

Prime Sponsor(s): Mr. Sheldon, Mr. Carter

°24-147: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 7 ("PROPERTY MAINTENANCE CODE"), SECTION 7.01.002 ("AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE") REGARDING RUBBISH AND GARBAGE CONTAINERS

Prime Sponsor(s): Mr. Tackett

°24-148: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES FOR THE CLASS SPECIFICATION OF ASSISTANT CHIEF OF EMERGENCY COMMUNICATIONS FOR THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS

Prime Sponsor(s): Ms. Hartley-Nagle

°24-149: TO ADOPT THE CLASS SPECIFICATION OF SENIOR ASSISTANT COUNTY ATTORNEY AND TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE AND NON-UNION CLASSIFIED SERVICE EMPLOYEES TO MAKE ORGANIZATIONAL CHANGES FOR THE FIRST ASSISTANT COUNTY ATTORNEY CLASS SPECIFICATION IN THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW

Prime Sponsor(s): Ms. Hartley-Nagle

°24-150: AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS AND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) AFL-CIO AND ITS AFFILIATE, LOCAL 3109

Prime Sponsor(s): Ms. Hartley-Nagle

°24-151: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES, NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE, NON-UNION CLASSIFIED SERVICE ROW OFFICE EMPLOYEES, NON-UNION UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES AND CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE (FOP) LODGE #5 SWORN DEPUTY SHERIFFS

Prime Sponsor(s): Ms. Hartley-Nagle

°24-067: COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 12 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-030.00-046 (0 RIVER RD), 10-035.00-002 (300 S DUPONT HWY), 10-035.00-056 (790 GRANTHAM LN, DELLAVERSANO SUBDIVISION); RED LION HUNDRED: 12-002.00-024 (0 S DUPONT HWY), 12-006.00-041 (1535 RED LION RD, HARRIS SUBDIVISION), 12-007.00-020 (4120 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-013.00-081 (4110 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-036.00-001 (0 BIGGS LN, UNION CARBIDE CORP); ST GEORGES HUNDRED: 13-008.00-019 (2093 DUPONT PKY), 13-008.00-028 (2105 DUPONT PKY, LESTER SUBDIVISION), 13-008.00-044 (310 HYETTS CORNER RD, HYETTS CORNER ROAD WATER TREATMENT PLANT), 13-013.00-029 (2344 DUPONT PKY), 13-013.00-030 (2348 DUPONT PKY), 13-013.00-035 (2398 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-148 (2356 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-249 (0 DUPONT PKY)

Prime Sponsor(s): Mr Bell

SUBSTITUTE NO. 1 TO °24-032: (STATUS: TABLED) COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN); BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK), 06-147.00-017 (1204 LIGHTHOUSE RD)

Prime Sponsor(s): Mr. Cartier

°24-008: (STATUS: TABLED) TO AMEND NEW CASTLE COUNTY CODE CHAPTER 40 ("UNIFIED DEVELOPMENT CODE"), ARTICLE 14 ("IMPACT FEES") REGARDING ADJUSTMENTS TO IMPACT FEES

Prime Sponsor(s): Ms. Durham, Mr. Carter, Mr. Toole

Co-sponsor(s): Mr. Cartier, Mr. Smiley

J. Time Sensitive Congratulatory/Honorary Resolutions

R24-176: CONGRATULATING AND COMMENDING COLONEL JOSEPH S. BLOCH ON HIS RETIREMENT FROM THE NEW CASTLE COUNTY POLICE DEPARTMENT

Prime Sponsor(s): Mr. Bell, Ms. Hartley-Nagle

Co-sponsor(s): Mr. Carter, Mr. Cartier, Ms. Durham, Ms. George, Mr. Hollins, Ms. Kilpatrick, Mr. Sheldon, Mr. Smiley, Mr. Street, Mr. Tackett, Mr. Toole

R24-177: COMMEMORATING THE LAFAYETTE BICENTENNIAL TOUR

Prime Sponsor(s): Mr. Cartier

K. Introduction/Consideration of Emergency Ordinances

L. Public Comment/Other

M. Motion to Adjourn

REVISED AGENDA POSTED: October 8, 2024 (10:30am)
AGENDA POSTED: October 1, 2024

*The revised agenda was posted less than 7 days in advance of the meeting, but more than 6 hours before the start of the meeting, to include the addition of 24-156 under introductions in order to address as soon as possible an existing imbalance of compensation relating to certain emergency call operators.

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

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

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

Meeting materials, including a meeting agenda, legislation to be addressed during the meeting, and other materials related to the meeting are electronically accessible at <https://www.nccde.org/2351/Agendas-and-Minutes> Members of the public joining the meeting may be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone may have an opportunity to comment.

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

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: October 8, 2024

ORDINANCE NO. 24-152

TO APPROPRIATE \$150,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL FUND TAX STABILIZATION RESERVE, FOR A CONTRACT WITH EZION FAIR BAPTIST CHURCH CDC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

1 **WHEREAS**, Ordinance 21-110 established the Affordable Housing Fund to preserve and
2 develop affordable housing within New Castle County (NCC Code 14.01.020); and
3

4 **WHEREAS**, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax
5 Stabilization Fund to the Affordable Housing Fund; and
6

7 **WHEREAS**, New Castle County Department of Community Services held public
8 stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to
9 preserve and create affordable housing in New Castle County; and
10

11 **WHEREAS**, from that feedback, New Castle County Department of Community Services
12 released a public Request for Proposal for eligible applicants to apply for funding through the
13 Affordable Housing Fund; and
14

15 **WHEREAS**, Ezion Fair Baptist Church CDC was identified during this process to assist
16 with construction of five new affordable townhouse units for seniors on Bradford Street in
17 Wilmington, Delaware; and
18

19 **WHEREAS**, the Housing Trust Fund is a separate fund from the Affordable Housing
20 Fund, and the Housing Trust Fund can only be expended for projects within unincorporated
21 areas of New Castle County and there are no Housing Trust Funds included in the funding of
22 this Ordinance; and
23

24 **WHEREAS**, the revenue measures heretofore adopted by County Council are necessary
25 to preserve and develop affordable housing within New Castle County; and
26

27 **WHEREAS**, each contract or purchase order funded through this Affordable Housing
28 Fund appropriation will be submitted on a Resolution for Council's consideration as required by
29 *New Castle County Code § 2.02.004*.
30

31 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
32

33 Section 1. To preserve and develop an affordable housing project, \$150,000 in the New
34 Castle County Affordable Housing Fund is hereby appropriated to be administered by the
35 Department of Community Services.
36

37 Section 2. This Ordinance shall become effective immediately upon its adoption by
38 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
39 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$150,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Ezion Fair Baptist Church CDC to assist with construction of five new affordable townhouse units for seniors on Bradford Street in Wilmington, Delaware.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$150,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The Affordable Housing Fund balance available for appropriation is \$398,000 as of September 24, 2024.

ORDINANCE NO. 24-153

**TO APPROPRIATE \$50,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND,
FOR A CONTRACT WITH LOVE COMMUNITIES LLC TO BE ADMINISTERED BY THE
DEPARTMENT OF COMMUNITY SERVICES**

1 **WHEREAS**, the New Castle County Housing Trust Fund was created with the support
2 of County Council for the “purpose of dedicating public funds and revenues from other sources
3 to address the housing needs of very low income households earning less than 50% of median
4 income, low income households earning 50 to 80% of median income, and moderate income
5 households earning 80% to 120% of median income” (see Resolution No. 07-176 as amended
6 by Amendment No. 1); and
7

8 **WHEREAS**, the Housing Trust Fund will be used to promote the preservation and
9 development of affordable housing within New Castle County with priorities recommended by
10 the Housing Advisory Board; and
11

12 **WHEREAS**, the appropriation of \$50,000 will be used to assist with the rehabilitation of
13 88 units in Riverview Apartments located at 1 Golden Acres Drive in Wilmington, Delaware
14 which will be rented to families earning less than 80% area median income (AMI); and
15

16 **WHEREAS**, the Housing Trust Fund is a separate fund from the Affordable Housing
17 Fund, and the Housing Trust Fund can only be expended for projects within unincorporated
18 areas of New Castle County and there are no Affordable Housing Funds included in the
19 funding of this Ordinance; and
20

21 **WHEREAS**, the revenue measures heretofore adopted by County Council are
22 necessary to preserve and development affordable housing within New Castle County; and
23

24 **WHEREAS**, each contract or purchase order funded through this Housing Trust Fund
25 appropriation will be submitted on a Resolution for Council’s consideration as required by *New*
26 *Castle County Code* § 2.02.004.
27

28 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
29

30 Section 1. To promote the preservation and development of affordable housing within
31 New Castle County, \$50,000 in the New Castle County Housing Trust Fund is hereby
32 appropriated to be administered by the Department of Community Services.
33

34 Section 2. This Ordinance shall become effective immediately upon its adoption by
35 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
36 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$50,000 in the New Castle County Housing Trust Fund. There are no Affordable Housing Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Love Communities LLC to assist with the rehabilitation of 88 units in Riverview Apartments located at 1 Golden Acres Drive in Wilmington, Delaware which will be rented to families earning less than 80% area median income (AMI).

FISCAL NOTE: This Ordinance, if approved, will appropriate \$50,000 in the New Castle County Housing Trust Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Housing Trust Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The Housing Trust Fund balance available for appropriation is \$1,177,417.25 as of September 24, 2024.

Prime Sponsor(s): Mr. Street, Ms. Kilpatrick
Requested by: Administration/Finance
Date of introduction: October 8, 2024

ORDINANCE NO. 24-154

**TO PROVIDE FOR THE INSTALLATION OF AN ADDITIONAL COBRA STREET LIGHT
ON A WOODEN POLE IN THE COLLINS PARK DEVELOPMENT**

1 **WHEREAS**, a petition has been filed with the Clerk of New Castle County Council for
2 the installation of an additional COBRA street light on a wooden pole in the COLLINS PARK
3 DEVELOPMENT to be erected along STANLEY LANE directly between the houses located at
4 127 and 129 Stanley Lane as set forth in the petition.
5

6 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
7

8 Section 1. The County Executive is hereby authorized to enter a contract, in accordance
9 with 9 *Del. C.* Chapter 21, to provide for the installation of an additional COBRA street light on
10 a wooden pole, according to the standards established by the New Castle County Department
11 of Land Use, to be erected along STANLEY LANE directly between the houses located at 127
12 and 129 Stanley Lane as set forth in the petition.
13

14 Section 2. The properties set forth in the petition shall continue to be subject to an annual
15 tax based on the full annual cost of the street lighting in an amount to be provided for in the
16 Annual Revenue Ordinance.
17

18 Section 3. This Ordinance shall become effective immediately upon its adoption by
19 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
20 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will allow for the installation of an additional COBRA street light on a wooden pole in the COLLINS PARK development directly between the houses located at 127 and 129 STANLEY LANE.

FISCAL NOTE: This Ordinance, if approved, provides for the installation of an additional COBRA street light on a wooden pole in the COLLINS PARK development directly between the houses located at 127 and 129 STANLEY LANE.

The current light tax assessed on the COLLINS PARK development properties will continue to 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.

LIGHT PETITION
COBRA HEAD LIGHT

24-154

IN THE DEVELOPMENT OF: COLLINS PARK· Stanley Lane

Those property owners signing this petition and marking 'Yes' in the column headed 'For Lights' indicate their desire to have lights installed, and those marking 'No' indicate they do not. If the property owners in the area unanimously petition in favor of lights, County Council may order the light installation provided the light assessment revenue from the petitioning area is sufficient to pay the annual cost of the lights. If the light is installed, all properties in the area w m be annually taxed at the rate established yearly. PLEASE NOTE THAT EACH AND EVERY OWNER OF A LOT, AS IDENTIFIED BY DEED, MUST SIGN THIS PETITION IN ORDER TO RECEIVE ONE FULL VOTE. THUS, FOR EXAMPLE, IF TWO PEOPLE OWN A LOT AND ONLY ONE SIGNS THIS PETITION THEN THAT WOULD EQUAL ONLY ONE HALF A VOTE.

Full Name {Printed}	Signature	Full Address (Number and Street)	Parcel No.	For Lights (Yes or No)
ZEBLEY ANN MARIE T	<i>Ann Marie Zebley</i>	125 STANLEY LN	1001520058	<i>yes</i>
HARVELL LAVONNA A		126 STANLEY LN	1001520079	
STOLTZFUS MICHAEL E	<i>Michael Stoltzfus</i>	127 STANLEY LN	1001520057	<i>YES</i>
JOFFEYU MARGARET M	<i>Margaret Joffey</i>	128 STANLEY LN	1001520080	<i>NO</i>
SWAIN JEANETTE W	<i>Jeanette W. Swain</i>	129 STANLEY LN	1001520056	<i>yes</i>
HEWITT JULIA E	<i>Julia Hewitt</i>	130 STANLEY LN	1001520081	<i>yes</i>
FORBES CHARLES T JR	<i>Charles T. Forbes</i>	131 STANLEY LN	1001520055	<i>yes</i>

Collins Park Streetlight Request

We, the undersigned property owners, formally request additional street lighting at the respective locations identified below, and grant permission for the associated installation work at those locations.

- Light# 1 / Location #1 : On the wooden pole directly between the houses located at 129 Stanley Lane and 127 Stanley Lane.

 (Signature)
 (STOLTZFUS, MICHAEL E- 127 Stanley Lane)

 (Date)

 (Signature)
 (SWAN, JEANETTE W- 129 Stanley Lane)

 (Date)

ORDINANCE NO. 24-155

**AMEND THE FY2025 APPROVED OPERATING BUDGET:
TRANSFER FUNDING FROM THE GRANTS AND FIXED CHARGES BUDGET LINE
ITEM OF COUNTY COUNCIL TO THE CONTRACTUAL SERVICES BUDGET LINE ITEM
OF THE DEPARTMENT OF LAND USE, DIVISION OF CUSTOMER RELATIONS AND
ENFORCEMENT TO PROVIDE FUNDING TO ASSIST WITH RODENT CONTROL IN
VACANT PROPERTIES**

1 **WHEREAS**, the State of Delaware, Division of Public Health discontinued the Rodent
2 Control Program in 2019 which provided funding; and
3

4 **WHEREAS**, County Council has budgeted funding available in the Grants and Fixed
5 Charges Budget Line Item; and
6

7 **WHEREAS**, New Castle County Council wishes to provide funding to the Department
8 of Land Use, Division of Customer Relations and Enforcement to assist with rodent control
9 in vacant properties; and
10

11 **WHEREAS**, these funds will be utilized to address rodent issues throughout
12 communities when new development is occurring nearby that displaced rodents or when a
13 community has an infestation in a few houses that is affecting the rest of the community; and
14

15 **WHEREAS**, the revenue measures heretofore adopted by the County Council are, in
16 the opinion of the County Executive, estimated to yield sums at least sufficient to balance the
17 proposed expenditures as set forth in the Annual Operating Budget as hereinafter amended.
18

19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
20

21 Section 1. The Annual Operating Budget Ordinance for the fiscal year beginning July
22 1, 2024, is hereby amended by deleting the material that is stricken and adding the material
23 that is underscored on the attached Exhibit "A."
24

25 Section 2. The foregoing amendment shall be considered a part of the Annual
26 Operating Budget for the fiscal year beginning July 1, 2024 and shall be effective as though
27 incorporated initially in the Annual Operating Budget Ordinance.
28

29 Section 3. This Ordinance shall become effective immediately upon its adoption by
30 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.*
31 § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
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 Land Use, Division of Customer Relations and Enforcement – Contractual Services Budget Line Item within the FY2025 Approved Operating Budget to assist with rodent control in vacant properties.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2025 Approved Operating Budget by transferring \$5,000 from the County Council – Grants and Fixed Charges Budget Line Item to the Department of Land Use, Division of Customer Relations and Enforcement – Contractual Services Budget Line Item to assist with rodent control in vacant properties.

This legislation will result in no increase to the FY2025 Approved Operating Budget as the legislation is a transfer of funds between Departments. There is no fiscal impact for FY2026 or FY2027.

COUNTY COUNCIL

Salaries and Wages		\$	2,552,351
Benefits			1,493,866
Training and Civic Affairs			70,388
Communication and Utilities			17,483
Materials and Supplies			62,776
Contractual Services			256,588
Equipment			1,600
Grants and Fixed Charges	358,233		353,233
Operating Transfer Charges			175,627
Total	4,988,912	\$	<u>4,983,912</u>
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	2,033,684
Benefits			1,190,296
Training and Civic Affairs			31,904
Communication and Utilities			16,798
Materials and Supplies			22,236
Contractual Services			290,565
Equipment			1,000
Grants and Fixed Charges			343,000
Contingency			3,000
Operating Transfer Charges			105,264
Total		\$	<u>4,037,747</u>
Total Authorized Full-Time Positions	17		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,986,061
Benefits			7,506,461
Training and Civic Affairs			125,475
Communication and Utilities			8,286,620
Materials and Supplies			162,673
Contractual Services			6,890,376
Equipment			397,450
Grants and Fixed Charges			3,932,350
Operating Transfer Charges			1,142,324
Operating Transfer Credits			(12,812,422)
Total		\$	<u>28,617,368</u>
Total Authorized Full-Time Positions	168		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages		\$	27,135,440
Benefits			15,765,968
Training and Civic Affairs			45,445
Communication and Utilities			26,068,271
Materials and Supplies			4,565,701
Contractual Services			10,855,070
Equipment			524,559
Grants and Fixed Charges			1,193,025
Land and Structures			35,000
Operating Transfer Charges			4,574,405
Operating Transfer Credits			(7,722,122)
Total		\$	83,040,762
Total Authorized Full-Time Positions	389		

DEPARTMENT OF LAND USE

Salaries and Wages		\$	8,156,971
Benefits			4,742,077
Training and Civic Affairs			66,975
Communication and Utilities			111,242
Materials and Supplies			101,727
Contractual Services	1,447,909		<u>1,452,909</u>
Equipment			44,940
Grants and Fixed Charges			56,500
Operating Transfer Charges			1,061,595
Total	15,789,936	\$	<u>15,794,936</u>
Total Authorized Full-Time Positions	112		

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages		\$	12,609,748
Benefits			5,574,747
Training and Civic Affairs			23,167
Communication and Utilities			1,578,498
Materials and Supplies			1,654,039
Contractual Services			3,745,504
Equipment			30,034
Grants and Fixed Charges			3,250,899
Operating Transfer Charges			1,175,272
Operating Transfer Credits			(225,977)
Total		\$	29,415,931
Total Authorized Full-Time Positions	162		

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages		\$	77,334,401
Benefits			42,955,735
Training and Civic Affairs			201,508
Communication and Utilities			1,011,236
Materials and Supplies			1,070,826
Contractual Services			2,224,744
Equipment			1,700,283
Grants and Fixed Charges			8,345,222
Operating Transfer Charges			7,843,655
Total		\$	142,687,610
Total Authorized Full-Time Positions	727		

REGISTER OF WILLS

Salaries and Wages		\$	1,159,211
Benefits			660,186
Training and Civic Affairs			34,950
Communication and Utilities			12,209
Materials and Supplies			10,053
Contractual Services			62,715
Equipment			2,800
Operating Transfer Charges			82,214
Total		\$	2,024,338
Total Authorized Full-Time Positions	20		

RECORDER OF DEEDS

Salaries and Wages		\$	1,256,525
Benefits			723,402
Training and Civic Affairs			40,170
Communication and Utilities			31,829
Materials and Supplies			12,398
Contractual Services			84,578
Equipment			6,150
Grants and Fixed Charges			18,350
Operating Transfer Charges			162,265
Total		\$	2,335,667
Total Authorized Full-Time Positions	23		

SHERIFF

Salaries and Wages		\$	1,380,772
Benefits			804,406
Training and Civic Affairs			29,452
Communication and Utilities			14,993
Materials and Supplies			21,259
Contractual Services			55,999
Equipment			5,000
Operating Transfer Charges			142,020
Total		\$	2,453,901
Total Authorized Full-Time Positions	21		

CLERK OF THE PEACE

Salaries and Wages		\$	483,477
Benefits			282,975
Training and Civic Affairs			9,600
Communication and Utilities			5,484
Materials and Supplies			8,754
Contractual Services			18,268
Equipment Replacement			6,000
Operating Transfer Charges			30,824
Total		\$	845,382
Total Authorized Full-Time Positions	7		

DEBT SERVICE

Debt Service		\$	45,778,427
Total		\$	45,778,427
Total Authorized Full-Time Positions			

ETHICS COMMISSION

Salaries and Wages	\$	40,200
Benefits		4,181
Training and Civic Affairs		10,500
Communication and Utilities		1,898
Materials and Supplies		2,450
Contractual Services		235,747
Equipment		500
Operating Transfer Charges		6,360
Total	\$	301,836
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

Contingency	\$	217,000
Total	\$	217,000
Total Authorized Full-Time Positions		

EXECUTIVE CONTINGENCY

Contingency	\$	300,000
Total	\$	300,000
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	\$	(6,164,693)
Personal Services - Employee Benefits	\$	(3,608,135)
Total	\$	(9,772,828)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	324,173
Total	\$	324,173

NEW CASTLE COUNTY

Salaries and Wages		\$	140,964,148
Benefits			78,096,165
Training and Civic Affairs			689,534
Communication and Utilities			37,156,561
Materials and Supplies			7,694,892
Contractual Services	26,168,063		<u>26,173,063</u>
Equipment			2,720,316
Grants and Fixed Charges	17,497,579		<u>17,492,579</u>
Debt Service			45,778,427
Land and Structures			35,000
Contingency			1,299,173
Operating Transfer Charges			16,501,825
Operating Transfer Credits			(20,760,521)
<i>Sub-Total New Castle County</i>		\$	353,841,162
<i>Total Authorized Full-Time Positions</i>	1,681		

RESERVE ACCOUNTS ANTICIPATED BALANCES AS OF SEPTEMBER 17, 2024

Tax Stabilization Reserve Account	61,278,051
Sewer Rate Stabilization Reserve Account	7,617,215
General Fund Budget Reserve Account	45,312,006
Sewer Fund Budget Reserve Account	18,734,142
<i>Total Reserves:</i>	132,941,414

ORDINANCE NO. 24-156

AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PUBLIC SAFETY OPERATORS I, II, AND III REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES), AFL-CIO, AND ITS AFFILIATE, LOCAL 3911

WHEREAS, New Castle County's Public Safety Operators I, II, and III serve as the vital link in providing immediate citizen access to the delivery of Emergency, Police, Fire, and Medical services throughout the County, 24 hours a day, 365 days a year; and

WHEREAS, these highly trained professionals receive, individually screen, and electronically process more than 500,000 incoming calls for emergency services annually, with most calls received being in progress life and property threatening real time situations; and

WHEREAS, a significant increase in population, new development, new roadways, traffic, and commercial infrastructure has created an increased demand for the delivery of emergency services, thus resulting in a substantial increase in 9-1-1 call volume; and

WHEREAS, the job-related responsibilities and operational functionality of our Public Safety Operators I, II, and III have considerably expanded while there continues to be a substantial imbalance of compensation relating to the Public Safety Operators in comparison to the other invaluable 9-1-1 Center positions; and

WHEREAS, particularly in light of these substantial additional responsibilities and burdens, these professionals are due for an adjustment to their Pay Plans and Rates of Pay to provide for greater balance; and

WHEREAS, amendments to the Pay Plans and Rates of Pay for Classified Service Public Safety Operators I, II, and III represented by the Delaware Public Employees Council 81, AFSCME (American Federation of State, County and Municipal Employees), AFL-CIO, and its affiliate, Local 3911 are necessary to provide the pay balance.

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

Section 1. The Pay Plan and Rates of Pay for Classified Service Public Safety Operators I, II, and III for the period 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 on Exhibit "A", and is hereby adopted in its entirety retroactive to July 1, 2024.

Section 2. The Pay Plan and Rates of Pay for Classified Service Public Safety Operators I, II, and III for the period 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 on Exhibit "B", and is hereby adopted in its entirety.

Section 3. The Pay Plan and Rates of Pay for Classified Service Public Safety Operators I, II, and III effective July 1, 2026 through June 30, 2027 is hereby amended by adding the material that is underscored and deleting the material that is stricken as set forth on Exhibit "C", and is hereby adopted in its entirety.

43
44
45

Section 4. This Ordinance shall be effective upon adoption 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:

Karen Hartley-Nagle
President of County Council
New Castle County

Approved on:

Matthew Meyer
County Executive

SYNOPSIS: This Ordinance, if approved, amends the Pay Plan and Rates of Pay for Classified Service Public Safety Operators I, II, and III for Fiscal Years 2025, 2026, and 2027 to provide pay balance for Public Safety Operators I, II, and III.

FISCAL NOTE: This Ordinance proposes approval and adoption of a new Pay Plan and Rates of Pay for Classified Service Public Safety Operators I, II, and III.

The estimated fiscal impacts of the proposed adjustment are as follows:

FY2025	\$	_____
FY2026	\$	_____
FY2027	\$	_____

RESOLUTION NO. 24-174

**HONORING THE LIFE OF GEORGE L. KERR, JR. AND
EXPRESSING CONDOLENCES TO HIS FAMILY AND FRIENDS**

1 **WHEREAS**, George L. Kerr, Jr. passed away at the age of 75 on September 18,
2 2024; and

3
4 **WHEREAS**, George was born in 1949, at Bryn Mawr Hospital to George L. Kerr,
5 Sr., and Mary Kerr. The family lived in Rosemont, PA, until moving to Wilmington
6 Delaware. He graduated from Conrad High School and from Del Tech Community
7 College with two degrees; and

8
9 **WHEREAS**, George served in the United States Army from 1968-1971, serving
10 in Thailand and State Side. He worked at the Wilmington Post Office where he began
11 as a Letter Carrier and retired as a Safety Specialist. He also worked for Professional
12 Ambulance Companies, AMR and Transcare Ambulances, as well as Walmart; and

13
14 **WHEREAS**, George was a life member of the Minquas fire Company with 57
15 years of service. He held many positions as President, Director, Assistant Treasurer,
16 Treasurer, Financial Secretary, and Recording Secretary. He was recognized as
17 Fireman of the Year Award for Minquas Fire Company in 1989 and State Firefighter of
18 the Year in 2007. George was also involved with the County and State Associations.
19 He was a Delaware State Fire Policeman, President of the New Castle County
20 Volunteer Firemen's Association in 2001-2002, President of the New Castle County
21 Ambulance Association in 1988-1989, and President of the Delaware State Ambulance
22 Association in 2005-2006. He was honored with Fire Police Emeritus in 2000; and

23
24 **WHEREAS**, George was a member of St. James Episcopal Church in Newport
25 where he was the former Acolyte Director. He was also a member of the Firemen's
26 Bowling League; and

27
28 **WHEREAS**, George is survived by his wife of 54 years, Patricia; daughters,
29 Deidre Kerr and Kimberly Malcom (Edward); grandchildren, Zachary and Cody Malcolm;
30 siblings, Barbara Klair (David), Robert Kerr (Dottie), Donald Kerr, Sr., Walter Kerr
31 (Donna) and Cynthia Kerr; numerous nieces, and nephews.

32
33 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
34 Castle County that the County Council hereby expresses its deepest sympathies to the
35 family and friends of George L. Kerr, Jr., on his recent passing and honors him for his
36 service to his community, the County and the State of Delaware.

Adopted by the County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title.

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

Prime Sponsor(s): Mr. Smiley, Mr. Cartier
Requested By: Administration/Technology
Date of introduction: October 8, 2024

RESOLUTION NO. 24-175

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

1 **WHEREAS**, *New Castle County Code* § 2.02.004 requires that all contracts involving
2 expenditures of funds in excess of \$50,000.00 in aggregate to one vendor in a fiscal year,
3 which are not competitively bid, be approved by Resolution of County Council; and
4

5 **WHEREAS**, this purchase order for \$63,000.00 is for the annual standard
6 maintenance and support fee for the TrakRecord Software used by the Office of the Recorder
7 of Deeds.
8

9 **WHEREAS**, in addition, this purchase order requires approval by County Council as
10 the expenditure of funds to this vendor has already exceeded the threshold of \$150,000.00
11 for Professional Services / Software in aggregate to one vendor in a fiscal year.
12

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
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

FISCAL IMPACT: This Resolution authorizes the execution of one purchase order totaling \$63,000.00. Funding is included in the FY2025 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	2025	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#	2025/2506662			
DELIVERY LOCATION	87 Reads Way New Castle, DE 19720							
SEND VENDOR PO	☐ YES		☒ NO			CONTACT NAME		
CURRENT VENDOR	☒ YES		☐ NO			PHONE	330-928-5311	EXT
VENDOR #	100840					EMAIL	mswihart@dts-doc.com	FAX #

ADDITIONAL NOTES	

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

Annual Maintenance Contract for the Recorder of Deeds Software.

Document Technology Systems, LTD. 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.

☒ YES ☐ NO

☐ YES	☒ NO
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DATE	9/11/2024
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Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: September 17, 2024

ORDINANCE NO. 24-139

TO APPROPRIATE \$150,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH CORNERSTONE WEST CDC TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

1 **WHEREAS**, Ordinance 21-110 established the Affordable Housing Fund to preserve and
2 develop affordable housing within New Castle County (NCC Code 14.01.020); and
3

4 **WHEREAS**, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax
5 Stabilization Fund to the Affordable Housing Fund; and
6

7 **WHEREAS**, New Castle County Department of Community Services held public
8 stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to
9 preserve and create affordable housing in New Castle County; and
10

11 **WHEREAS**, from that feedback, New Castle County Department of Community Services
12 released a public Request for Proposal for eligible applicants to apply for funding through the
13 Affordable Housing Fund; and
14

15 **WHEREAS**, Cornerstone West CDC was identified during this process to assist three
16 units with free home repairs in New Castle County that will ensure affordability for three
17 households over the next fifteen years; and
18

19 **WHEREAS**, the Housing Trust Fund is a separate fund from the Affordable Housing
20 Fund, and the Housing Trust Fund can only be expended for projects within unincorporated
21 areas of New Castle County and there are no Housing Trust Funds included in the funding of
22 this Ordinance; and
23

24 **WHEREAS**, the revenue measures heretofore adopted by County Council are necessary
25 to preserve and develop affordable housing within New Castle County; and
26

27 **WHEREAS**, each contract or purchase order funded through this Affordable Housing
28 Fund appropriation will be submitted on a Resolution for Council's consideration as required by
29 *New Castle County Code § 2.02.004*.
30

31 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
32

33 Section 1. To preserve and develop an affordable housing project, \$150,000 in the New
34 Castle County Affordable Housing Fund is hereby appropriated to be administered by the
35 Department of Community Services.
36

37 Section 2. This Ordinance shall become effective immediately upon its adoption by
38 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
39 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$150,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Cornerstone West CDC to assist three units with free home repairs in New Castle County that will ensure affordability for three households over the next fifteen years.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$150,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The Affordable Housing Fund balance available for appropriation is \$398,000 as of September 24, 2024.

Prime Sponsor(s): Mr. Hollins, Mr. Street
Requested by: Community Services
Date of introduction: September 17, 2024

ORDINANCE NO. 24-140

TO APPROPRIATE \$98,000 IN THE NEW CASTLE COUNTY AFFORDABLE HOUSING FUND, WITH FUNDS THAT ORIGINATED FROM THE GENERAL TAX STABILIZATION RESERVE, FOR A CONTRACT WITH GOOD NEIGHBORS TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES

1 **WHEREAS**, Ordinance 21-110 established the Affordable Housing Fund to preserve and
2 develop affordable housing within New Castle County (NCC Code 14.01.020); and
3

4 **WHEREAS**, Ordinance 21-111 allocated \$15,000,000 from the General Fund Tax
5 Stabilization Fund to the Affordable Housing Fund; and
6

7 **WHEREAS**, New Castle County Department of Community Services held public
8 stakeholder meetings to receive feedback and input on the Affordable Housing Fund created to
9 preserve and create affordable housing in New Castle County; and
10

11 **WHEREAS**, from that feedback, New Castle County Department of Community Services
12 released a public Request for Proposal for eligible applicants to apply for funding through the
13 Affordable Housing Fund; and
14

15 **WHEREAS**, Good Neighbors was identified during this process to provide free home
16 repairs for low-income families earning less than 80% area median income (AMI) within New
17 Castle County; and
18

19 **WHEREAS**, the Housing Trust Fund is a separate fund from the Affordable Housing
20 Fund, and the Housing Trust Fund can only be expended for projects within unincorporated
21 areas of New Castle County and there are no Housing Trust Funds included in the funding of
22 this Ordinance; and
23

24 **WHEREAS**, the revenue measures heretofore adopted by County Council are necessary
25 to preserve and develop affordable housing within New Castle County; and
26

27 **WHEREAS**, each contract or purchase order funded through this Affordable Housing
28 Fund appropriation will be submitted on a Resolution for Council's consideration as required by
29 *New Castle County Code § 2.02.004*.
30

31 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
32

33 Section 1. To preserve and develop an affordable housing project, \$98,000 in the New
34 Castle County Affordable Housing Fund is hereby appropriated to be administered by the
35 Department of Community Services.
36

37 Section 2. This Ordinance shall become effective immediately upon its adoption by
38 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C. §*
39 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, appropriates \$98,000 in the New Castle County Affordable Housing Fund. The available funding in the Affordable Housing Fund was transferred from the General Fund via Ordinance 21-111. There are no Housing Trust Funds included in the funding of this Ordinance. The funds will be administered by the Department of Community Services for Good Neighbors to provide free home repairs for low-income families earning less than 80% area median income (AMI) within New Castle County.

FISCAL NOTE: This Ordinance, if approved, will appropriate \$98,000 in the New Castle County Affordable Housing Fund. There is no discernible impact to the Operating Budget since this is an appropriation in the Affordable Housing Fund. The intent is to appropriate funds in the Grant and Fixed Charges Budget Line Item. The Affordable Housing Fund balance available for appropriation is \$398,000 as of September 24, 2024.

Prime Sponsor(s): Ms. Hartley-Nagle
Requested by: Administration/HR
Date of introduction: September 17, 2024

ORDINANCE NO. 24-141

**AMEND THE PAY PLAN AND RATES OF PAY FOR HOURLY RATED
CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC
EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459 AND ADOPT THE
REVISED CLASS SPECIFICATION FOR TELEVISION GROUTER EQUIPMENT
OPERATOR FOR THE DEPARTMENT OF PUBLIC WORKS**

1 **WHEREAS**, the Department of Public Works has determined the class
2 specification for Television Grouter Equipment Operator needs to be updated to reflect
3 the work currently being performed; and
4

5 **WHEREAS**, the Department of Public Works has determined that it is necessary
6 to make changes to the Pay Grade for the class specification of Television Grouter
7 Equipment Operator; and
8

9 **WHEREAS**, it is recommended that the Pay Grade for the class specification
10 Television Grouter Equipment Operator be changed from Pay Grade 19H to Pay Grade
11 20H; and
12

13 **WHEREAS**, the Human Resources Advisory Board at its meeting on July 18,
14 2024, reviewed the revisions to the class specification for Television Grouter Equipment
15 Operator and recommended the change from Pay Grade 19H to Pay Grade 20H on the
16 Pay Plan and Rates of Pay for Hourly Rated Classified Service Employees Represented
17 by the Delaware Public Employees Council 81, AFSCME, Affiliate Local 459; and
18

19 **WHEREAS**, the Chief Human Resources Officer concurs with the
20 recommendation of the Human Resources Advisory Board.
21

22 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
23

24 Section 1. The revised Class Specification for Television Grouter Equipment
25 Operator is adopted as set forth in Exhibit "A."
26

27 Section 2. The Pay Plan and Rates of Pay for Hourly Rated Classified Service
28 Employees Represented by the Delaware Public Employees Council 81, AFSCME,
29 Affiliate Local 459, effective July 1, 2023 through June 30, 2024, is hereby amended by
30 adding the material that is underscored and deleting the material that is stricken as set
31 forth in Exhibit "B."
32

33 Section 3. The Pay Plan and Rates of Pay for Hourly Rated Classified Service
34 Employees Represented by the Delaware Public Employees Council 81, AFSCME,
35 Affiliate Local 459, effective July 1, 2024 through June 30, 2025, is hereby amended by
36 adding the material that is underscored and deleting the material that is stricken as set
37 forth in Exhibit "C."

38 Section 4. The Pay Plan and Rates of Pay for Hourly Rated Classified Service
39 Employees Represented by the Delaware Public Employees Council 81, AFSCME,
40 Affiliate Local 459, effective July 1, 2025, is hereby amended by adding the material that
41 is underscored and deleting the material that is stricken as set forth in Exhibit "D."

42
43 Section 5. This Ordinance shall become effective immediately upon its adoption
44 by County Council and approval by the County Executive, or as otherwise provided in 9
45 *Del. C. § 1156*.

46
47 Section 6. It is the intent of the County Council that the provisions of this
48 Ordinance shall be effective retroactive to February 22, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, changes the Pay Grade for the position title of Television Grouter Equipment Operator from Pay Grade 19H to Pay Grade 20H on the Pay Plan and Rates of Pay for Hourly Rated Classified Service Employees Represented by the Delaware Public Employees Council 81, AFSCME, Affiliate Local 459, and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to February 22, 2024.

FISCAL IMPACT: This Ordinance, if approved, changes the Pay Grade for the position title of Television Grouter Equipment Operator from Pay Grade 19H to Pay Grade 20H on the Pay Plan and Rates of Pay for Hourly Rated Classified Service Employees Represented by the Delaware Public Employees Council 81, AFSCME, Affiliate Local 459, and adopts the revised class specification, as recommended by the Human Resources Advisory Board.

There are currently three filled positions with the title of Television Grouter Equipment Operator. The estimated fiscal impact (Salaries/Wages and Benefits) of reclassifying the three employees currently in these positions is \$23,921 in FY2025, \$18,273 in FY2026 and \$18,742 in FY2027.

NEW CASTLE COUNTY GOVERNMENT

Number 0824

Page 1 of 2

CLASS SPECIFICATION

Date DRAFT

Title: TELEVISION/GROUTER EQUIPMENT OPERATOR

GENERAL STATEMENT OF DUTIES: Operates television camera to inspect sewer linee—s and uses a sealing mechanism to repair defects in sewer lines; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class operates a television camera and grouter (sealing mechanism) to inspect pipe for defects. The grouter is used to test and seal the line when defects are found. This employee is responsible for maintaining the grouter and auxiliary equipment and must be able to detect malfunctions in the television camera and its electronic components as well as replace malfunctioning components. This employee supervises Trades Helpers and ~~may supervise direct other personnel within the section who are needed in the operation to setup the job location, and perform pre-cleaning, or setup maintenance of traffic in order to complete the issued work orders. This employee is under direct supervision.~~

EXAMPLES OF WORK: (Illustrative only)

- Using CCTV television camera and related equipment accurately observes, records, and documents conditions and reports observations in computer using PACP codes as outlined in NASSCO's PACP Reference Manual; ~~Uploads data and completed videos to the CCTV software;~~
- ~~— Operates a personal computer and other related equipment in the course of the work;~~
- Positions the equipment, cables, and cable reels and directs the movement of a ~~television~~CCTV camera and grouter mechanism through the sewer pipeline;
- Operates a television system and observes the television picture of the sewer line on a monitor to locate cracks, holes, drop lines, and other defects in the sewer line; Operates the grouter (sealing mechanism) to repair defects in the sewer line when detected;
- ~~Operates locator and sounding equipment to mark out defects for repair;~~
- Performs ~~and schedules~~ preventive and corrective maintenance on the CCTV ~~and equipment,~~ grouting equipment, ~~and~~ generator;
- ~~—~~ Checks the electronic components of the ~~television~~CCTV system using an electronic test meter and replaces malfunctioning components when necessary;
- Mixes chemicals in correct proportions that form a gel which is used to repair the sewer line;
-

NEW CASTLE COUNTY GOVERNMENT

Number 0824

CLASS SPECIFICATION

Page 2 of 2

Date DRAFT

Title: TELEVISION/GROUTER EQUIPMENT OPERATOR

- Directs the assembly and set up of the ~~television~~-CCTV camera and grouter with cable lines;
- Keeps a daily log of sewer lines inspected; **Creates and updates work orders in the CMMS system;**
- **Operates a handheld GPS unit to collect and log manhole location data;**
- Drives truck **and off-road vehicles** which houses the ~~television~~-CCTV and grouting equipment; Stores all components for safe transportation;
- **Performs operator maintenance on the truck;**
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service; Operates a personal computer, and other related equipment in the course of the work.

REQUIRED KNOWLEDGE. SKILLS AND ABILITIES: Good knowledge of the operation of ~~television~~-CCTV equipment including the skill and ability to test this equipment to locate malfunctions and to do repairs; good knowledge of the principles and methods used in constructing sewer lines; ability to operate the grouter and to mix the chemicals used in the grouter; ability to repair the grouter and auxiliary mechanical equipment; ability to supervise; ability to record data and keep accurate records pertaining to sewer lines **and CCTV inspections;** ability to take photographs; mechanical aptitude;

MINIMUM QUALIFICATIONS: At least three (3) years' experience in the construction of sewer lines or closely related experience in public works maintenance, with at least one year experience in the repair of ~~television~~-CCTV equipment, and completion of a high school diploma or GED; some course work in technical electronic training; or an equivalent combination of education, experience and training directly related to the required knowledge, skills, and abilities.

ADDITIONAL REQUIREMENTS: Possession of a valid Delaware class D driver's license or its equivalent. Must pass a Class II County physical examination.

HISTORY OF REVISIONS:

Established: 07/01/73
 Revised: 04/29/74
 Revised: 10/04/88
 Revised: 03/20/89
 Revised: 01/01/91
 Revised: 01/01/96
 Revised: 03/01/00
 Revised: 07/02/02
 Revised: 06/24/16
 Revised: 06/14/23

**PAY PLAN AND RATES OF PAY FOR
HOURLY RATED CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE
DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459**

EXHIBIT B

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CUSTODIAN	12H	15.27	16.05	16.86	17.73	18.61	19.55	20.54	21.58	22.66	23.80	24.99
COMMUNITY SERVICES SPECIALIST I MAINTENANCE AND CONSTRUCTION WORKER	14H	16.86	17.73	18.61	19.55	20.54	21.58	22.66	23.80	24.99	26.23	27.56
COMMUNITY SERVICES SPECIALIST II	15H	17.73	18.61	19.55	20.54	21.58	22.66	23.80	24.99	26.23	27.56	28.93
AUTOMOTIVE MECHANIC HELPER	16H	18.61	19.55	20.54	21.58	22.66	23.80	24.99	26.23	27.56	28.93	30.38
BUILDING MAINTENANCE APPRENTICE	16H											
CARPENTER APPRENTICE	16H											
ELECTRICIAN APPRENTICE	16H											
MOTOR EQUIPMENT OPERATOR I	16H											
PUMPING STATION MECHANIC APPRENTICE	16H											
TRADES HELPER	16H											
TREE TRIMMER HELPER	16H											
WASTEWATER TREATMENT PLANT OPERATOR TRAINEE	16H											
SENIOR CUSTODIAN	17H	19.55	20.54	21.58	22.66	23.80	24.99	26.23	27.56	28.93	30.38	31.90
HEATING, VENTILATION & AIR CONDITIONING APPRENTICE	18H	20.54	21.58	22.66	23.80	24.99	26.23	27.56	28.93	30.38	31.90	33.51
MOTOR EQUIPMENT OPERATOR II	18H											
PIPELAYER	18H											
PLUMBER APPRENTICE	18H											
BUILDING MAINTENANCE MECHANIC	19H	21.58	22.66	23.80	24.99	26.23	27.56	28.93	30.38	31.90	33.51	35.18
CARPENTER	19H											
MASON	19H											
PAINTER	19H											
TELEVISION/GROUTER EQUIPMENT OPERATOR	19H											
WASTEWATER TREATMENT PLANT OPERATOR	19H											
AUTOMOTIVE MECHANIC	20H	22.66	23.80	24.99	26.23	27.56	28.93	30.38	31.90	33.51	35.18	36.93
BARN MANAGER	20H											
CREW CHIEF I	20H											
MOTOR EQUIPMENT OPERATOR III	20H											
PUMPING STATION MECHANIC	20H											
TELEVISION/GROUTER EQUIPMENT OPERATOR	20H											
WELDER	20H											
UTILITY TECHNICIAN	20H											
ELECTRICIAN	21H	23.80	24.99	26.23	27.56	28.93	30.38	31.90	33.51	35.18	36.93	38.79
HEATING, VENTILATION & AIR CONDITIONING JOURNEYPEPERSON	21H											
JUNIOR ELECTRONICS TECHNICIAN	21H											
MASON SUPERVISOR	21H											
MASTER CARPENTER	21H											
PAINTER SUPERVISOR	21H											
PIPELAYER SUPERVISOR	21H											
PLUMBER	21H											
SENIOR WASTEWATER TREATMENT PLANT OPERATOR	21H											
TREE TRIMMER	21H											
SENIOR ELECTRICIAN	22H	24.99	26.23	27.56	28.93	30.38	31.90	33.51	35.18	36.93	38.79	40.72
CREW CHIEF II	23H	26.23	27.56	28.93	30.38	31.90	33.51	35.18	36.93	38.79	40.72	42.76
ELECTRONICS TECHNICIAN	23H											
PLANT OPERATIONS TECHNICIAN	23H											
SERVICE REQUEST COORDINATOR	23H											
TREE SURGEON	23H											

Effective: 07/01/2023 - 06/30/2024 (Ordinance 22-125)

Revised: 02/22/2024 (Ordinance 24-xxxx)

**PAY PLAN AND RATES OF PAY FOR
HOURLY RATED CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE
DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459**

EXHIBIT C

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CUSTODIAN	12H	15.65	16.45	17.28	18.17	19.08	20.04	21.05	22.12	23.23	24.40	25.61
COMMUNITY SERVICES SPECIALIST I MAINTENANCE AND CONSTRUCTION WORKER	14H	17.28	18.17	19.08	20.04	21.05	22.12	23.23	24.40	25.61	26.89	28.25
COMMUNITY SERVICES SPECIALIST II	15H	18.17	19.08	20.04	21.05	22.12	23.23	24.40	25.61	26.89	28.25	29.65
AUTOMOTIVE MECHANIC HELPER	16H	19.08	20.04	21.05	22.12	23.23	24.40	25.61	26.89	28.25	29.65	31.14
BUILDING MAINTENANCE APPRENTICE	16H											
CARPENTER APPRENTICE	16H											
ELECTRICIAN APPRENTICE	16H											
MOTOR EQUIPMENT OPERATOR I	16H											
PUMPING STATION MECHANIC APPRENTICE	16H											
TRADES HELPER	16H											
TREE TRIMMER HELPER	16H											
WASTEWATER TREATMENT PLANT OPERATOR TRAINEE	16H											
SENIOR CUSTODIAN	17H	20.04	21.05	22.12	23.23	24.40	25.61	26.89	28.25	29.65	31.14	32.70
HEATING, VENTILATION & AIR CONDITIONING APPRENTICE	18H	21.05	22.12	23.23	24.40	25.61	26.89	28.25	29.65	31.14	32.70	34.35
MOTOR EQUIPMENT OPERATOR II	18H											
PIPELAYER	18H											
PLUMBER APPRENTICE	18H											
BUILDING MAINTENANCE MECHANIC	19H	22.12	23.23	24.40	25.61	26.89	28.25	29.65	31.14	32.70	34.35	36.06
CARPENTER	19H											
MASON	19H											
PAINTER	19H											
TELEVISION/GROUTER EQUIPMENT OPERATOR	19H											
WASTEWATER TREATMENT PLANT OPERATOR	19H											
AUTOMOTIVE MECHANIC	20H	23.23	24.40	25.61	26.89	28.25	29.65	31.14	32.70	34.35	36.06	37.85
BARN MANAGER	20H											
CREW CHIEF I	20H											
MOTOR EQUIPMENT OPERATOR III	20H											
PUMPING STATION MECHANIC	20H											
TELEVISION/GROUTER EQUIPMENT OPERATOR	20H											
WELDER	20H											
UTILITY TECHNICIAN	20H											
ELECTRICIAN	21H	24.40	25.61	26.89	28.25	29.65	31.14	32.70	34.35	36.06	37.85	39.76
HEATING, VENTILATION & AIR CONDITIONING JOURNEYPEPERSON	21H											
JUNIOR ELECTRONICS TECHNICIAN	21H											
MASON SUPERVISOR	21H											
MASTER CARPENTER	21H											
PAINTER SUPERVISOR	21H											
PIPELAYER SUPERVISOR	21H											
PLUMBER	21H											
SENIOR WASTEWATER TREATMENT PLANT OPERATOR	21H											
TREE TRIMMER	21H											
SENIOR ELECTRICIAN	22H	25.61	26.89	28.25	29.65	31.14	32.70	34.35	36.06	37.85	39.76	41.74
CREW CHIEF II	23H	26.89	28.25	29.65	31.14	32.70	34.35	36.06	37.85	39.76	41.74	43.83
ELECTRONICS TECHNICIAN	23H											
PLANT OPERATIONS TECHNICIAN	23H											
SERVICE REQUEST COORDINATOR	23H											
TREE SURGEON	23H											

Effective: 07/01/2024 - 06/30/2025 (Ordinance 22-125)

Revised: 02/22/2024 (Ordinance 24-xxxx)

**PAY PLAN AND RATES OF PAY FOR
HOURLY RATED CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY THE
DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME, AFFILIATE LOCAL 459**

EXHIBIT D

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
CUSTODIAN	12H	16.04	16.86	17.71	18.62	19.56	20.54	21.58	22.67	23.81	25.01	26.25
COMMUNITY SERVICES SPECIALIST I MAINTENANCE AND CONSTRUCTION WORKER	14H	17.71	18.62	19.56	20.54	21.58	22.67	23.81	25.01	26.25	27.56	28.96
COMMUNITY SERVICES SPECIALIST II	15H	18.62	19.56	20.54	21.58	22.67	23.81	25.01	26.25	27.56	28.96	30.39
AUTOMOTIVE MECHANIC HELPER	16H	19.56	20.54	21.58	22.67	23.81	25.01	26.25	27.56	28.96	30.39	31.92
BUILDING MAINTENANCE APPRENTICE	16H											
CARPENTER APPRENTICE	16H											
ELECTRICIAN APPRENTICE	16H											
MOTOR EQUIPMENT OPERATOR I	16H											
PUMPING STATION MECHANIC APPRENTICE	16H											
TRADES HELPER	16H											
TREE TRIMMER HELPER	16H											
WASTEWATER TREATMENT PLANT OPERATOR TRAINEE	16H											
SENIOR CUSTODIAN	17H	20.54	21.58	22.67	23.81	25.01	26.25	27.56	28.96	30.39	31.92	33.52
HEATING, VENTILATION & AIR CONDITIONING APPRENTICE	18H	21.58	22.67	23.81	25.01	26.25	27.56	28.96	30.39	31.92	33.52	35.21
MOTOR EQUIPMENT OPERATOR II	18H											
PIPELAYER	18H											
PLUMBER APPRENTICE	18H											
BUILDING MAINTENANCE MECHANIC	19H	22.67	23.81	25.01	26.25	27.56	28.96	30.39	31.92	33.52	35.21	36.96
CARPENTER	19H											
MASON	19H											
PAINTER	19H											
TELEVISION/GROUTER EQUIPMENT OPERATOR	19H											
WASTEWATER TREATMENT PLANT OPERATOR	19H											
AUTOMOTIVE MECHANIC	20H	23.81	25.01	26.25	27.56	28.96	30.39	31.92	33.52	35.21	36.96	38.80
BARN MANAGER	20H											
CREW CHIEF I	20H											
MOTOR EQUIPMENT OPERATOR III	20H											
PUMPING STATION MECHANIC	20H											
TELEVISION/GROUTER EQUIPMENT OPERATOR	19H											
WELDER	20H											
UTILITY TECHNICIAN	20H											
ELECTRICIAN	21H	25.01	26.25	27.56	28.96	30.39	31.92	33.52	35.21	36.96	38.80	40.75
HEATING, VENTILATION & AIR CONDITIONING JOURNEYPerson	21H											
JUNIOR ELECTRONICS TECHNICIAN	21H											
MASON SUPERVISOR	21H											
MASTER CARPENTER	21H											
PAINTER SUPERVISOR	21H											
PIPELAYER SUPERVISOR	21H											
PLUMBER	21H											
SENIOR WASTEWATER TREATMENT PLANT OPERATOR	21H											
TREE TRIMMER	21H											
SENIOR ELECTRICIAN	22H	26.25	27.56	28.96	30.39	31.92	33.52	35.21	36.96	38.80	40.75	42.78
CREW CHIEF II	23H	27.56	28.96	30.39	31.92	33.52	35.21	36.96	38.80	40.75	42.78	44.93
ELECTRONICS TECHNICIAN	23H											
PLANT OPERATIONS TECHNICIAN	23H											
SERVICE REQUEST COORDINATOR	23H											
TREE SURGEON	23H											

Effective: 07/01/2025 (Ordinance 22-125)

Revised: 02/22/2024 (Ordinance 24-xxxx)

ORDINANCE NO. 24-142

**AMEND THE GRANTS BUDGET:
APPROPRIATE FEDERAL FUNDS OF \$100,000 FROM THE
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE
COC PERMANENT SUPPORTIVE HOUSING GRANT, WHICH IS ADMINISTERED
BY THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY
DEVELOPMENT AND HOUSING**

1 **WHEREAS**, funding has been awarded from the U.S. Department of Housing
2 and Urban Development (HUD) to the CoC Permanent Supportive Housing Grant; and
3

4 **WHEREAS**, funding will be used to operate eight (8) units dedicated for adult-
5 only and adult-child chronically homeless households; and
6

7 **WHEREAS**, tenants will have access to onsite services provided by several
8 community based organizations, including medical care, mental health and substance
9 abuse treatment, transportation, state benefit assistance, food, recreational activities,
10 employment and training programs and academic enrichment programs; and
11

12 **WHEREAS**, the County Executive has determined that grants anticipated to be
13 received from the U.S. Department of Housing and Urban Development (HUD) will be
14 sufficient to cover the increase in the Grants Budget as hereinafter amended; and
15

16 **WHEREAS**, Council has determined that the provisions of this Ordinance
17 substantially advance, and are reasonably and rationally related to, legitimate
18 government interests (i.e., promoting the health, safety, morals, convenience, order,
19 prosperity and/or welfare of the present and future inhabitants of this State).
20

21 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
22

23 Section 1. The Grants Budget as adopted by Ordinance No. 75-173 is hereby
24 amended by adding the material on the attached Exhibits "A", which shall be considered
25 underscored in its entirety.
26

27 Section 2. This Ordinance shall become effective immediately upon its adoption
28 by County Council and approval by the County Executive, or as otherwise provided by 9
29 *Del. C. § 1156*.
30

31 Section 3. It is the intent of the County Council that the provisions of this
32 Ordinance shall be effective retroactive to July 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate federal funds of \$100,000 from the U.S. Department of Housing and Urban Development (HUD) to the CoC Permanent Supportive Housing Grant which will be administered by the Department of Community Services, Division of Community Development and Housing. Funding will be used to operate eight (8) units dedicated for adult-only and adult-child chronically homeless households. The required match of \$25,000 is budgeted as Program Income and Case Manager Salaries within the Approved Grant Budget.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the Grants Budget by appropriating federal funds of \$100,000 from the U.S. Department of Housing and Urban Development (HUD) to the CoC Permanent Supportive Housing Grant which will be administered by the Department of Community Services, Division of Community Development and Housing.

There is a required match on this grant of \$25,000 which will be met with Program Income and Case Manager Salaries within the Approved Grant Budget.

This increase will affect FY2025 only, since the targeted program completion date for this grant is June 30, 2025.

DEPARTMENT:	Community Services	EXHIBIT:	"A"
GRANT TITLE:	CoC Permanent Supportive Housing	Ordinance No.	24-142
PROGRAM TITLE:	CoC Permanent Supportive Housing		

Revenue	Current		Change		Revised
Federal	\$	100,000.00	\$	-	\$ 100,000.00
State	\$	-	\$	-	\$ -
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	100,000.00	\$	-	\$ 100,000.00

Expense	Current		Change		Revised
Salaries and Wages	\$	4,945.00	\$	-	\$ 4,945.00
Benefits	\$	2,895.00	\$	-	\$ 2,895.00
Training/Civic Affairs	\$	-	\$	-	\$ -
Communication/Utilities	\$	13,277.00	\$	-	\$ 13,277.00
Materials/Supplies	\$	-	\$	-	\$ -
Contractual Services	\$	71,793.00	\$	-	\$ 71,793.00
Equipment	\$	2,688.00	\$	-	\$ 2,688.00
Grants/Fixed Charges	\$	4,402.00	\$	-	\$ 4,402.00
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	100,000.00	\$	-	\$ 100,000.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	7/1/2024
Estimated Program Completion:	6/30/2025
The Local Match:	\$ 25,000.00
Found in (ORG):	11400601
Ordinance Passed:	Date Revised:

PROGRAM DESCRIPTION:

New Castle County Department of Community Services will use this grant to operate 8 units dedicated for chronically homeless households. The units will operate in compliance with HUD's NSPIRE standards. Tenants will have access to onsite services provided by several organizations, including medical care, mental health and substance abuse treatment, transportation, state benefit assistance, food, recreational activities, employment and training programs and academic enrichment programs.

9/17/2024

ORDINANCE NO. 24-143

**DECLARING TAX PARCEL 24-003.00-020 AS SURPLUS LAND AND
AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE DOCUMENTS
NECESSARY TO TRANSFER SAID LAND TO VETERANS WATCHMAKERS
INITIATIVE FOR \$267,000**

1 **WHEREAS**, New Castle County (the "County") owns and maintains land identified
2 on New Castle County tax maps as Tax Parcel No. 24-003.00-020, and having a physical
3 address of 307 N. Sixth Street, Odessa, Delaware 19730 (the "Property"); and
4

5 **WHEREAS**, the Property was previously used as a paramedic station by the
6 County; and
7

8 **WHEREAS**, in 2016, the County entered into a 10 year lease with the Veteran
9 Watchmakers Initiative ("VWI") for the purposes of providing disabled veterans with
10 training and support to earn gainful employment in the watch repair industry; and
11

12 **WHEREAS**, on January 23, 2024, VWI offered to purchase the Property for
13 \$267,000; and
14

15 **WHEREAS**, pursuant to 9 *Del. C.* § 1521(e), the County may determine that lands
16 owned by the County are surplus and no longer needed for County use and may authorize
17 their disposal after a notice and a public hearing; and
18

19 **WHEREAS**, notice of a public hearing was published on July 9, 2024 in a
20 newspaper of general circulation in New Castle County, and, in accordance with 9 *Del.*
21 *C.* § 1521(e), a public hearing was held on July 16, 2024 regarding the proposal to declare
22 the Property surplus to the needs of the County; and
23

24 **WHEREAS**, a summary of the public hearing dated August 21, 2024 was reported
25 to and considered by County Council; and
26

27 **WHEREAS**, New Castle County Council has determined that the sale of the
28 Property advances and is reasonably and rationally related to legitimate government
29 interests (i.e. promoting the health, safety, morals, convenience, order, prosperity and/or
30 welfare of the present and future inhabitants of this County and State).
31

32 **NOW, THEREFORE, BE IT RESOLVED BY AND FOR THE COUNTY OF NEW**
33 **CASTLE:**
34

35 Section 1. Upon the recommendations of the County Executive and the Chief of
36 Technology and Administrative Services, and after public notice and hearing as required
37 by 9 *Del. C.* § 1521(e), the New Castle County Council hereby finds that Tax Parcel No.
38 24-003.00-020 is surplus to the needs of the County and is not needed for the County's
39 present or likely future use.
40
41

42
43 Section 2. The New Castle County Council hereby authorizes the sale of the above
44 referenced properties to Veterans Watchmakers Initiative and hereby authorizes the
45 County Executive to sign the following Agreement of Sale:

46
47 An Agreement of Sale as negotiated between New Castle County
48 and Veterans Watchmakers Initiative, subsequent amendments thereto,
49 and any other documents necessary to transfer to the Veterans
50 Watchmakers Initiative the Property as herein listed. The consideration to
51 be paid to the County is \$267,000.
52

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title.

FISCAL NOTE: This Ordinance, if approved, will increase New Castle County's receivable balance by \$267,000 for the sale of the property. Title insurance, deed preparation and recording expenses are to be paid by the Buyer. This transaction is exempt from State and County transfer taxes. Taxes, water, sewer and other lienable charges imposed by the State of Delaware, any political subdivision thereof or any school district in addition to all rents and income from the Property shall be apportioned pro-rata at the time of Closing.

It is estimated that property tax revenues will increase by \$446.86 for FY2025, FY2026 and FY2027 based on the current tax rates.

AGREEMENT FOR THE SALE OF REAL ESTATE

This Agreement for the Sale of Real Estate ("Agreement") is made this ____ day of _____ 2024, by and between New Castle County, a political subdivision of the State of Delaware ("Seller") and Veterans Watchmaker Initiative, a non-profit corporation in the State of Delaware ("Buyer").

RECITALS

WHEREAS, Seller owns a certain parcel or tract of land consisting of approximately 3.81 acres, situated in Odessa, New Castle County, State of Delaware, located at 307 N. Sixth Street, and identified in particularity as New Castle County tax parcel number: 24-003.00-020 ("Property"); and

WHEREAS, Seller is willing to sell to Buyer, and Buyer is willing to purchase the Property under the terms and conditions set forth herein and the parties desire to enter into this Agreement to evidence the terms and conditions of their agreements with respect thereto.

AGREEMENTS

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

1. **Sale and Purchase.** Seller shall sell and convey to Buyer, and Buyer shall purchase from Seller, the Property on the terms and conditions hereinafter set forth.

2. **Purchase Price.** The purchase price ("Purchase Price") for the Property shall be TWO HUNDRED AND SIXTY-SEVEN THOUSAND DOLLARS (\$267,000.00), subject to the prorations and adjustments herein provided for, which shall be payable at the time of Closing (defined below) by check or wire transfer from Buyer.

3. **Broker.** Seller and Buyer each represents to the other that it has not dealt with any broker or other person who may be entitled to a real estate broker's commission or a finder's fee in connection with this transaction and each party shall defend, indemnify and hold the other party harmless against all damages, liability, losses, costs and expenses incurred as a result of any claim for a commission or fee by any other broker, agent, finder or person who shall have dealt with such party in connection with this transaction.

4. **County Council.** Buyer understands this Agreement shall not be executed by the County Executive and become effective until and unless New Castle County Council approves it.

5. **Closing.** Closing shall be held within sixty (60) calendar days of the execution of this Agreement. Closing shall be held by mail or at such location as may be

mutually agreed upon by Seller and Buyer (“Closing”). At the Closing, Seller shall deliver to Buyer the Deed (defined below) and Buyer shall deliver to Seller the Purchase Price. If agreed by both parties in writing, the date of settlement may be extended.

6. **Title.** Title to the Property is to be conveyed by deed in statutory form (“Deed”) and at Closing shall be good and marketable, free and clear of all mortgages and liens, but subject to all existing easements, declarations, restrictions, plans and other matters of record. If Seller is unable to convey title as required by this paragraph, or such as will be insured at regular rates by a title insurer duly authorized to transact insurance in Delaware, Buyer shall have the option of taking such title as Seller can give, without reduction of purchase price, or of canceling this Agreement in writing.

7. **Possession.** Possession of the Property shall be delivered to Buyer at the time of Closing.

8. **Environmental Conditions.** Seller represents and warrants to Buyer that, as of Closing, to the best of Seller’s knowledge, the Property will be in full compliance with all applicable federal, state, and local environmental laws, ordinances, rules, regulations and orders. Buyer shall have the right to undertake environmental auditing and testing to determine the extent, if any, to which environmental hazards or contamination may exist upon the Property. Seller and Buyer shall execute an Access Agreement to allow for such testing prior to Closing. Seller agrees to cooperate with Buyer’s due diligence efforts. If Buyer discovers any environmental condition on the Property, Buyer shall have the option of either purchasing the Property, with no reduction in purchase price, or of canceling this Agreement.

9. **Property Condition.** The Buyer agrees to accept the Property and any improvements or structures thereon in “as-in” condition.

10. **Closing costs and transfer taxes.** Title insurance, deed preparation and recording expenses are to be paid by the Buyer. This transaction is exempt from State and County transfer taxes. Taxes, water, sewer and other lienable charges imposed by the State of Delaware, any political subdivision thereof or any school district in addition to all rents and income from the Property shall be apportioned pro-rata at the time of Closing.

11. **Buyer’s Default.** If Buyer fails to complete Closing or otherwise defaults in any of its obligations hereunder, then Seller shall have the right to terminate this Agreement and to exercise whatever other recourse to Seller at law or in equity with respect to Buyer’s default.

12. **Seller’s Default.** If Seller fails to complete Closing or otherwise defaults in any of its obligations owed to Buyer hereunder, then Buyer shall have the right to terminate this Agreement and to exercise whatever other recourse is available to Buyer at law or in equity with respect to Seller’s default.

13. **Condemnation/Casualty.**

(a) If the Property or any part thereof is taken by eminent domain prior to Closing, Seller shall give Buyer prompt notice thereof and Buyer shall have the right to terminate this Agreement. If Buyer shall elect not to terminate this Agreement, then at Closing Seller shall pay over to Buyer all of Seller's claims and rights with respect to such taking, including, without limitation, all rights and claims to all awards relating to such taking.

(b) If the property or any part thereof is damaged or destroyed prior to closing, Seller shall give Buyer prompt written notice thereof and Buyer shall have the right to terminate this Agreement, in which case Seller and Buyer shall be released from all further liability and obligations hereunder. If Buyer shall elect not to terminate this Agreement, then Seller shall, at closing, pay over to Buyer all sums theretofore paid to Seller by reason of such damage, including insurance proceeds, and shall assign to Buyer all of Seller's claims and rights with respect to such damage, including, without limitation, all rights and claims under all applicable policies of insurance. Seller shall maintain any existing casualty insurance through the date of settlement.

14. **Notices.** Any notice, demand or request pursuant to the provisions of this Agreement shall be in writing and shall be deemed to have been properly given if (i) hand delivered by a reputable delivery service providing for receipted delivery or (ii) sent by certified mail, return receipt requested, postage prepaid, addressed to the parties as follows:

To Seller:

General Manager
Department of Public Works
187-A Old Churchmans Road
New Castle, DE 19720

With a copy to:
Aysha Gregory
Assistant County Attorney
Aysha.Gregory@newcastlede.gov

To Buyer:

[Buyer to Insert]

Such notice shall be effective upon hand delivery or three (3) days after deposit in the United States Mail, as the case may be.

15. **Effective Date.** The Effective Date of this Agreement shall be the latest date on which both parties hereto shall have executed this Agreement.

16. **Time is of the Essence; Tender.** Seller and Buyer agree that time is of the essence for all dates and the performance of all obligations under this Agreement. Formal tender of deed and tender of purchase money are hereby waived.

17. **No Recording.** This Agreement shall not be recorded in the office of any recorder or filed in any place of public record. If Buyer records this Agreement or permits this Agreement to be recorded, Seller may elect to cancel this Agreement and/or to treat such act as default.

18. **Benefit.** This Agreement shall be binding upon and shall inure to the benefit of Seller and Buyer and their respective successors and assigns. This Agreement shall not be assigned by Buyer and any purported assignment by Buyer shall be void and constitute a default hereunder.

19. **Whole Agreement; Amendments.** This Agreement sets forth all of the agreements, representations, warranties and conditions of the parties hereto, with respect to the subject matter hereof, and supersedes all prior or contemporaneous agreements, representations, warranties and conditions. The exhibits referred to above constitute parts of this Agreement. No alteration, amendment, modification or waiver of any of the terms or provisions hereof shall be valid unless the same be in writing and signed by the party against who enforcement of same is sought.

20. **Governing Law.** This Agreement and all issues arising hereunder shall be governed by the laws of the State of Delaware.

21. **Legal Construction.** If any one or more of the provisions contained in this Agreement is held to be invalid, illegal, or unenforceable in any respect for any reason, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been included.

22. **Execution in Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, all of which taken together, shall be deemed to be a single instrument. This Agreement may be executed and delivered by the parties by way of transmission through a facsimile machine or electronic mail; such a copy shall have the same legal enforceability and binding effect upon the parties as though it were signed by all parties in original form.

IN WITNESS WHEREOF, each of the parties hereto has duly executed this Agreement under seal as of the day and year first above written.

SELLER

Witness

By: _____
Matthew Meyer

County Executive

BUYER

Witness

By: _____
Name:
Title:

DRAFT

ORDINANCE NO. 24-144

**AUTHORIZING THE ISSUANCE OF UP TO \$40,000,000 IN A GENERAL
OBLIGATION BOND THROUGH THE U.S. ENVIRONMENTAL PROTECTION
AGENCY ACTING BY AND THROUGH THE ADMINISTRATOR OF THE
ENVIRONMENTAL PROTECTION AGENCY FOR THE DEPARTMENT OF
PUBLIC WORKS CHRISTINA RIVER FORCE MAIN REHABILITATION PROJECT**

1 **WHEREAS**, Chapter 22 of Title 9 of the *Delaware Code*, as amended, authorizes New
2 Castle County to plan, acquire, purchase, construct, reconstruct, improve, better and extend,
3 and maintain and operate sewerage systems therein defined, and the County Council of New
4 Castle County has determined to repair, replace, and provide redundancy to the existing
5 Christina River Force Main system now maintained by the County over an extended period;
6 and
7

8 **WHEREAS**, it has been deemed necessary to appropriate up to \$40,000,000 for the
9 installation of (i) approximately 2,000 linear feet ("LF") of new 84-inch force main piping to
10 serve as permanent bypass piping around the Heald Street Bridge, (ii) approximately 5,700
11 LF of 84-inch force main piping to serve as permanent bypass piping around the Market
12 Street Bridge, and (iii) approximately 2,000 LF of a new 36-inch force main extending from
13 the Market Street Pump Station (collectively, the "Project"); and
14

15 **WHEREAS**, the Project is part of the ongoing rehabilitation of the Christina River
16 Force Main to prevent sanitary sewer incidents that decrease water quality and have negative
17 environmental and public health impacts on wildlife, residents, and commercial entities; and
18

19 **WHEREAS**, this Ordinance corresponds to Resolution 24-xxx authorizing the County
20 Executive to execute a master loan agreement, or such other similar document as may be
21 necessary, in connection with the funding of the Project, for up to \$40,000,000 with the U.S.
22 Environmental Protection Agency acting by and through the Administrator of the
23 Environmental Protection Agency, or its assigns; and
24

25 **WHEREAS**, this Ordinance corresponds to Ordinance 24-xxx to amend the Capital
26 Program and Budget by increasing appropriations and bond authorizations up to
27 \$40,000,000 for the Department of Public Works, Christiana River Force Main Rehabilitation
28 Project.
29

30 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS** (10 of
31 13 of the members elected to the County Council concurring therein):
32

33 Section 1. New Castle County shall authorize the issuance of its negotiable general
34 obligation bond, in one or more series, at the same or different times, in the maximum
35 aggregate principal amount of up to \$40,000,000 (the "Bond") for the Project.
36

37 Section 2. The proceeds of the Bond, after the payment of the charges and expenses
38 connected with the preparation, sale, and issuance thereof, shall be expended only for the
39 purposes for which said Bond has been authorized, or for the payment of the principal of,
40 and interest on, loans made in anticipation of the sale of such Bond.

41 Section 3. The effect of the bonded indebtedness hereby authorized upon the total
42 bonded indebtedness of New Castle County is as shown on the attached Exhibit "A."
43

44 Section 4. It is hereby determined and declared that the normal life of said
45 improvements is not less than three (3) years (9 *Del. C.* § 1163(a)(1)).
46

47 Section 5. This Ordinance shall become effective immediately upon its adoption by
48 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.*
49 § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Authorize the issuance of up to \$40,000,000 of a general obligation bond through U.S. Environmental Protection Agency acting by and through the Administrator of the Environmental Protection Agency, or its assigns, to finance the Christina River Force Main Rehabilitation Project.

FISCAL NOTE: This Ordinance, if approved, will authorize the issuance of up to \$40,000,000 of a general obligation bond through U.S. Environmental Protection Agency acting by and through the Administrator of the Environmental Protection Agency, or its assigns, to finance the Christina River Force Main Rehabilitation Project.

The fiscal impact of issuing a County Bond with the maximum aggregate principal amount of up to \$40,000,000 assuming a term of thirty-five (35) years after construction with a constant principal amount, is demonstrated in the attached Exhibit "A."

EXHIBIT "A"

FISCAL NOTE: This Ordinance will authorize a County Bond in the maximum aggregate principal amount (net of issuance costs) of up to \$40,000,000.

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

<u>Previous Authorizations</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Authorized and Issued Bonds ^{(1), (2)} (8/27/2024)	\$519,069,177	\$153,737,468	\$672,806,645
Authorized and Unissued Bonds ⁽¹⁾ (8/27/2024)	<u>217,414,131</u>	<u>86,766,693</u> ⁽³⁾	<u>304,180,823</u>
Total Previous Authorizations	<u>736,483,307</u>	<u>240,504,161</u>	<u>976,987,468</u>
Proposed Net Authorizations ⁽⁵⁾ by the Ordinance	40,000,000	28,800,000 ⁽⁴⁾	68,800,000
Total Previous Authorizations and Proposed Net Authorizations	<u>\$776,483,307</u>	<u>\$269,304,161</u>	<u>\$1,045,787,468</u>

(1) Amounts include authorized bonded debt for general obligation bond issuances and State Revolving Fund loans that have been drawn down.

(2) Amounts have been adjusted to reflect retired principal and interest through 8/27/24.

(3) For general obligation bond considerations, interest is computed at 4.0 percent. For State Revolving Fund loans, interest is based on estimated future repayment schedules, with interest rates for various loans at 2.00, 2.394 and 2.601 percent.

(4) Interest is computed at 4.0 percent.

(5) Assuming a constant principal amount of \$1,142,857 over a term of thirty-five years, total debt service interest for the \$40,000,000 would be \$28,800,000.

Prime Sponsor(s): Mr. Sheldon, Mr. Carter
Requested by: Public Works
Date of introduction: September 17, 2024

ORDINANCE NO. 24-145

**AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET:
INCREASE BOND AUTHORIZATIONS IN THE AMOUNT UP TO \$40,000,000
TO THE DEPARTMENT OF PUBLIC WORKS, CHRISTINA RIVER FORCE MAIN
REHABILITATION PROJECT**

1 **WHEREAS**, this legislation will increase the FY2025 Capital Budget by up to
2 \$40,000,000 in General Obligation Bond Authorizations through the U.S. Environmental
3 Protection Agency acting by and through the Administrator of the Environmental Protection
4 Agency, or its assigns, to finance the Christina River Force Main Rehabilitation Project; and
5

6 **WHEREAS**, the additional funding is for installation of (i) approximately 2,000 linear
7 feet ("LF") of new 84-inch force main piping to serve as permanent bypass piping around the
8 Heald Street Bridge, (ii) approximately 5,700 LF of 84-inch force main piping to serve as
9 permanent bypass piping around the Market Street Bridge, and (iii) approximately 2,000 LF
10 of a new 36-inch force main extending from the Market Street Pump Station (collectively, the
11 "Project").
12

13 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
14

15 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2024 is
16 hereby amended by deleting the material that is stricken and adding the material that is
17 underscored on the attached Exhibit "A."
18

19 Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2024
20 is hereby amended by adding the material on the attached Exhibit "B," which shall be
21 considered underscored in its entirety.
22

23 Section 3. Bond funding in the amount of up to \$40,000,000 is appropriated to the
24 Department of Public Works, Christina River Force Main Rehabilitation Project.
25

26 Section 3. This Ordinance shall become effective immediately upon its adoption by
27 County Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.*
28 § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will appropriate up to \$40,000,000 in General Obligation Bond funding through U.S. Environmental Protection Agency acting by and through the Administrator of the Environmental Protection Agency, or its assigns, to finance the Christina River Force Main Rehabilitation Project.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2025 Capital Budget by appropriating up to \$40,000,000 in General Obligation Bond funding through U.S. Environmental Protection Agency acting by and through the Administrator of the Environmental Protection Agency, or its assigns, to finance the Christina River Force Main Rehabilitation Project.

The revised FY2025 Capital Budget amount for the Christina River Force Main Rehabilitation Project will be \$41,000,000.

The revised FY2025 New Castle County Capital Budget grand total will be \$82,707,715.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-145

DEPARTMENT OF ADMINISTRATION

Firewall Replacement	\$	425,000
Reassessment 2024		5,000,000
Subtotal	\$	5,425,000

DEPARTMENT OF COMMUNITY SERVICES

Appoquinimink Library	\$	54,482
Glasgow Library		150,000
Newark Library		8,200,000
Rockwood Museum		175,000
Surratte Pool Renovations		50,000
Subtotal	\$	8,629,482

DEPARTMENT OF PUBLIC SAFETY

Public Safety Equipment	\$	136,000
Public Safety Vest Protection Program		264,515
Subtotal	\$	400,515

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Electric Vehicle Infrastructure	\$	2,019,708
Fleet Equipment 2022		(450,000)
Fleet Equipment 2023		(1,900,000)
Fleet Equipment 2024		49,590
Fleet Equipment 2025		6,510,906
Subtotal	\$	6,230,204

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-145

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation		\$	1,000,000
Bechtel Park Improvements			2,250,000
Game Court Improvements Pre-2021			(106,744)
Game Court Improvements 2021			181,744
General Parkland Improvements 2024-2025			750,000
Greenway Systems			1,000,000
Open Space Preservation			1,500,000
Southern Regional Park			4,400,000
Subtotal		\$	10,975,000

Sewer/Stormwater

Airport Road System Rehabilitation		\$	2,500,000
Brandywine Hundred South Rehabilitation Phase I			(450,000)
Christiana Pump Station Upgrade			(500,000)
Christina River Force Main	1,000,000		41,000,000
Countywide Drainage Problems			(500,000)
Delaware City Industrial Sewer Expansion			(2,500,000)
Delaware City Treatment Plant Rehab			(500,000)
DeIDOT Coordination Project 2021			(500,000)
General Sewer Improvements			1,000,000
Glasgow Area Sewer Improvements			(400,000)
Holloway Terrace Outfall Replace			(1,000,000)
Public Works Complex			400,000
Pump Station Rehab 2024-2025			500,000
Septage Receiving Station Upgrade			300,000
Sewer Fleet Equipment 2022			(3,051)
Sewer Fleet Equipment 2023			(764,800)
Sewer Fleet Equipment 2025			2,665,366
Sewer Repairs and Rehabilitation 2024-2025			2,000,000
Stormwater Basin Renovation II			1,500,000
Terminal Avenue System Rehabilitation			(500,000)
Water Farm #1 System Rehabilitation			300,000
Water Quality Improvement Plans			2,400,000
White Clay System Rehabilitation			4,100,000
Subtotal	11,047,515	\$	51,047,515

CAPITAL BUDGET TOTAL

42,707,715 **\$** **82,707,715**

EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - SEWER/STORMWATER (continued)**

Project Name (Number): Christina River Force Main (C300705)					
Description: Evaluation of the Christina River Force Main (CRFM) to determine present condition and develop a long-				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 15,581,576	\$ -	\$ 49,659,005	\$ 4,343,424	\$ 69,584,005
FY2025	1,000,000	-	-	-	1,000,000
	41,000,000				41,000,000
FY2026	-	-		-	-
FY2027	35,000,000	-	-	-	35,000,000
FY2028	1,000,000	-	-	-	1,000,000
FY2029	8,000,000	-	-	-	8,000,000
FY2030	3,000,000	-	-	-	3,000,000
Future Years	340,000,000	-	-	-	340,000,000
Total	\$ 403,581,576	\$ -	\$ 49,659,005	\$ 4,343,424	\$ 457,584,005
	\$ 443,581,576				\$ 497,584,005
Available Authorizations:		\$ 5,487,711			
Available Funding:		\$ 1,491,180			
Operating Budget Impact:		\$ 2,200 \$ 90,200			

*Available Authorizations / Funding as of February 29, 2024, net of obligations.

FY2025 Activity:

Begin to construct Heald Street. Complete Market Street Design. Installation of (i) approximately 2,000 linear feet ("LF") of new 84-inch force main piping to serve as permanent bypass piping around the Heald Street Bridge, (ii) approximately 5,700 LF of 84-inch force main piping to serve as permanent bypass piping around the Market Street Bridge, and (iii) approximately 2,000 LF of a new 36-inch force main extending from the Market Street Pump Station (collectively, the "Project").

Future Activity:

Construction of phased CRFM redundant system, continue assessment and protection of existing CRFM.

ORDINANCE NO. 24-146

**AMEND THE FY2025 CAPITAL PROGRAM AND BUDGET BY REDUCING BOND
AUTHORIZATIONS IN THE AMOUNT OF \$403,310 IN THE ELECTRICAL VEHICLE
INFRASTRUCTURE CAPITAL PROJECT AND AMEND THE GRANTS BUDGET BY
APPROPRIATING \$403,310 FROM THE U.S. DEPARTMENT OF ENERGY TO
THE EECBG EV INFRASTRUCTURE DOE GRANT FOR THE
DEPARTMENT OF PUBLIC WORKS**

1 **WHEREAS**, funding has been awarded in the amount of \$403,310 from the U.S.
2 Department of Energy to the Energy Efficiency and Conservation Block Grant Electric Vehicle
3 Infrastructure Department of Energy (EECBG EV Infrastructure DOE) Grant; and
4

5 **WHEREAS**, the EECBG provides grants to State and Local governments to help reduce
6 energy use and fossil fuel emissions; and
7

8 **WHEREAS**, funding shall be used for Electric Vehicle charging stations at Woodlawn
9 Library and Delcastle Park; and
10

11 **WHEREAS**, bond funding shall be reduced in the Electric Vehicle Infrastructure Capital
12 Project in the amount of \$403,310; and
13

14 **WHEREAS**, the County Executive has determined that funds received are sufficient
15 to cover the increase in the Grants Budget as hereinafter amended; and
16

17 **WHEREAS**, Council has determined that the provisions of this Ordinance
18 substantially advance, and are reasonably and rationally related to, legitimate government
19 interests (i.e., promoting the health, safety, morals, convenience, order prosperity and/or
20 welfare of the present and future inhabitants of this State).
21

22 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
23

24 Section 1. The Capital Budget Ordinance for the fiscal year beginning July 1, 2024 is
25 hereby amended by deleting the material that is stricken and adding the material that is
26 underscored on the attached Exhibit "A."
27

28 Section 2. The Capital Program Resolution for the fiscal year beginning July 1, 2024 is
29 hereby amended by adding the material on the attached Exhibit "B," which shall be considered
30 underscored in its entirety.
31

32 Section 3. The Grants Budget, as adopted by Ordinance No. 75-173, is hereby
33 amended by adding the material on the attached "Exhibit C," which is considered to be
34 underscored in its entirety.
35

36 Section 4. This Ordinance shall become effective immediately upon its adoption by
37 County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C. §*
38 1156.

39
40
41

Section 5. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to May 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, will reduce \$403,310 in bond funding in the Electric Vehicle Infrastructure Capital Project and appropriate \$403,310 from the U.S. Department of Energy to the EECBG EV Infrastructure DOE Grant. Funding shall be used for Electric Vehicle charging stations at Woodlawn Library and Delcastle Park.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to May 1, 2024.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2025 Capital Budget by reducing \$403,310 in bond funding in the Electric Vehicle Infrastructure Capital Project and amend the Grants Budget by appropriating \$403,310 from the U.S. Department of Energy to the EECBG EV Infrastructure DOE Grant.

The fiscal impact of this Ordinance, if approved, will be a decrease in authorized spending authority of the Capital Budget of \$403,310. The revised FY2025 Capital Budget amount for the Electric Vehicle Infrastructure Capital Project will be \$1,616,398. The revised FY2025 New Castle County Capital Budget grand total will be \$42,304,405.

The fiscal impact of this Ordinance, if approved, will be an increase in the authorized spending authority of the Grants Budget of \$403,310. This increase will impact FY2025 and FY2026, since the targeted program completion date of this award is April 30, 2026.

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-146

DEPARTMENT OF ADMINISTRATION

Firewall Replacement	\$	425,000
Reassessment 2024		5,000,000
Subtotal	\$	5,425,000

DEPARTMENT OF COMMUNITY SERVICES

Appoquinimink Library	\$	54,482
Glasgow Library		150,000
Newark Library		8,200,000
Rockwood Museum		175,000
Surratte Pool Renovations		50,000
Subtotal	\$	8,629,482

DEPARTMENT OF PUBLIC SAFETY

Public Safety Equipment	\$	136,000
Public Safety Vest Protection Program		264,515
Subtotal	\$	400,515

DEPARTMENT OF PUBLIC WORKS

Facilities/Equipment

Electric Vehicle Infrastructure	2,019,708	\$	1,616,398
Fleet Equipment 2022			(450,000)
Fleet Equipment 2023			(1,900,000)
Fleet Equipment 2024			49,590
Fleet Equipment 2025			6,510,906
Subtotal	6,230,204	\$	5,826,894

EXHIBIT "A"
NEW CASTLE COUNTY
CAPITAL BUDGET - FY2025

24-146

DEPARTMENT OF PUBLIC WORKS (Continued)

Parks

Agricultural Preservation	\$	1,000,000
Bechtel Park Improvements		2,250,000
Game Court Improvements Pre-2021		(106,744)
Game Court Improvements 2021		181,744
General Parkland Improvements 2024-2025		750,000
Greenway Systems		1,000,000
Open Space Preservation		1,500,000
Southern Regional Park		4,400,000

Subtotal	\$	10,975,000
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Sewer/Stormwater

Airport Road System Rehabilitation	\$	2,500,000
Brandywine Hundred South Rehabilitation Phase I		(450,000)
Christiana Pump Station Upgrade		(500,000)
Christina River Force Main		1,000,000
Countywide Drainage Problems		(500,000)
Delaware City Industrial Sewer Expansion		(2,500,000)
Delaware City Treatment Plant Rehab		(500,000)
DelDOT Coordination Project 2021		(500,000)
General Sewer Improvements		1,000,000
Glasgow Area Sewer Improvements		(400,000)
Holloway Terrace Outfall Replace		(1,000,000)
Public Works Complex		400,000
Pump Station Rehab 2024-2025		500,000
Septage Receiving Station Upgrade		300,000
Sewer Fleet Equipment 2022		(3,051)
Sewer Fleet Equipment 2023		(764,800)
Sewer Fleet Equipment 2025		2,665,366
Sewer Repairs and Rehabilitation 2024-2025		2,000,000
Stormwater Basin Renovation II		1,500,000
Terminal Avenue System Rehabilitation		(500,000)
Water Farm #1 System Rehabilitation		300,000
Water Quality Improvement Plans		2,400,000
White Clay System Rehabilitation		4,100,000

Subtotal	\$	11,047,515
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CAPITAL BUDGET TOTAL

42,707,715

\$	42,304,405
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EXHIBIT B**PROJECT PROFILES
PUBLIC WORKS - FACILITIES/EQUIPMENT (continued)**

Project Name (Number): Electric Vehicle Infrastructure (C302421)					
Description: Installation and upgrades to accommodate electric vehicle assets.				Council Districts: All	
Funding Schedule					
	Bonds	Federal	State	Other	Total
Prior Authorizations	\$ 1,800,000	\$ -	\$ -	\$ -	\$ 1,800,000
FY2025	2,019,708	-	-	-	2,019,708
	<u>1,616,398</u>				<u>1,616,398</u>
FY2026	1,000,000	-		-	1,000,000
FY2027		-	-	-	-
FY2028		-	-	-	-
FY2029		-	-	-	-
FY2030		-	-	-	-
Future Years	-	-	-	-	-
Total	\$ 4,819,708	\$ -	\$ -	\$ -	\$ 4,819,708
	<u>\$ 4,416,398</u>				<u>\$ 4,416,398</u>
Available Authorizations:		\$ 952,093			
Available Funding:		\$ (847,908)			
Operating Budget Impact:		\$ 4,443 \$ 3,556			

*Available Authorizations / Funding as of February 29, 2024, net of obligations.

FY2025 Activity:

Add capacity at NCC Parks and Libraries. Initial plans are to start with Kirkwood, Hockessin, Glasgow and Brandywine Hundred. Reducing bond authorizations due to receipt of Energy Efficiency and Conservation Block Grant (EECBG) that will be used for Electric Vehicle charging stations at Woodlawn Library and Delcastle Park.

Future Activity:

Add capacity at Conner Building and Government Center.

DEPARTMENT:	Public Works	EXHIBIT:	"C"
GRANT TITLE:	EECGB EV Infrastructure DOE	Ordinance No.	24-146
PROGRAM TITLE:	EECGB EV Infrastructure DOE		

Revenue	Current		Change		Revised
Federal	\$	403,310.00	\$	-	\$ 403,310.00
State	\$	-	\$	-	\$ -
County	\$	-	\$	-	\$ -
Program Income	\$	-	\$	-	\$ -
Other	\$	-	\$	-	\$ -
Total	\$	403,310.00	\$	-	\$ 403,310.00

Expense	Current		Change		Revised
Salaries and Wages	\$	-	\$	-	\$ -
Benefits	\$	-	\$	-	\$ -
Training/Civic Affairs	\$	-	\$	-	\$ -
Communication/Utilities	\$	-	\$	-	\$ -
Materials/Supplies	\$	-	\$	-	\$ -
Contractual Services	\$	-	\$	-	\$ -
Equipment	\$	403,310.00	\$	-	\$ 403,310.00
Grants/Fixed Charges	\$	-	\$	-	\$ -
Land and Structures	\$	-	\$	-	\$ -
Contingency	\$	-	\$	-	\$ -
Operating Transfer Charges	\$	-	\$	-	\$ -
Operating Transfer Credits	\$	-	\$	-	\$ -
Total	\$	403,310.00	\$	-	\$ 403,310.00

SUPPLEMENTAL INFORMATION

Estimated Program Initiation:	5/1/2024
Estimated Program Completion:	4/30/2026
The Local Match:	Found in (ORG):
Ordinance Passed:	Date Revised:

PROGRAM DESCRIPTION:

The Energy Efficiency and Conservation Block Grant (EECBG) is designed to assist state and local governments in implementing strategies to reduce energy use and fossil fuel emissions and to improve energy efficiency. This grant will be used for the Electric Vehicle charging stations at Woodlawn Library and Delcastle Park.

9/17/2024

ORDINANCE NO. 24-147

**TO AMEND NEW CASTLE COUNTY CODE CHAPTER 7 (“PROPERTY
MAINTENANCE CODE”), SECTION 7.01.002 (“AMENDMENTS TO THE
INTERNATIONAL PROPERTY MAINTENANCE CODE”)
REGARDING RUBBISH AND GARBAGE CONTAINERS**

1 **WHEREAS**, it is important, upon termination or conclusion of an agreement for the
2 private hauling of residential rubbish and garbage that the container issued by the hauler
3 is promptly removed from the residential property; and
4

5 **WHEREAS**, when a container is not promptly removed from a residential property,
6 it often leads to rubbish and/or garbage remaining or collecting in the container, which
7 then attracts rodents and vermin, which, in turn, often leads to health and safety concerns;
8 and
9

10 **WHEREAS**, it is best that rubbish and garbage containers are timely retrieved by
11 the trash hauler from the residential property; and
12

13 **WHEREAS**, it is in the best interests of New Castle County and its residents that
14 the County regulate issues relating to collection of rubbish and garbage in residential
15 areas in a manner that preserves and ensures the welfare, safety, and integrity of
16 neighborhoods in New Castle County.
17

18 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
19

20 Section 1. *New Castle County Code* Chapter 7 (“Property Maintenance Code”),
21 Section 7.01.002 (“Amendments to the International Property Maintenance Code”) is
22 hereby amended by adding the material that is underlined and deleting the material with
23 strikethroughs, as set forth below.
24

25 **Sec. 7.01.002. - Amendments to the International Property Maintenance Code.**
26

27 ...
28 SECTION PM 308. RUBBISH AND GARBAGE...

29 *Section PM 308.6, Rubbish and garbage containers – retrieval*, is added as a new
30 subsection, as indicated by underlines, to read as follows:
31

32 ...
33 *Section PM 308.6, Rubbish and garbage containers – retrieval. Within 14 business days*
34 *of termination or conclusion of an agreement for residential rubbish and/or garbage*
35 *removal, the hauler shall retrieve all rubbish and garbage containers issued by the*
36 *hauler at the residential property. Any hauler that fails to comply with this Section shall*
be subject to the following:

- 37 1. For the first non-compliance (i.e., failure to comply within 14 business days of
38 agreement termination or conclusion), the violator shall be subject to a fine of
39 \$50 and may be subject to administrative penalties and fees established by the
40 Department of Land Use.
- 41 2. For a continual non-compliance which persists after 30 calendar days (from the
42 date of the agreement termination or conclusion), in addition to the assessments
43 set forth in subsection 1., the violator shall be subject to a fine of \$50 per calendar
44 day while the non-compliance persists. The violator also may be subject to
45 administrative penalties and fees established by the Department.

46
47 Section 2. This Ordinance shall become effective immediately upon its adoption by
48 County Council and approval by the County Executive, or as otherwise provided in 9 Del.
49 C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance, if enacted, will require, within 14 business days of termination or conclusion of a private agreement for rubbish and/or garbage removal in a residential neighborhood, that a residential hauler retrieve all rubbish and garbage containers issued by the hauler at the residential property. The Ordinance proposes certain assessments (fines, penalties, and fees) for non-compliance. The hauler will be subject to additional assessments if the non-compliance is not corrected and persists beyond 30 calendar days (from the date of the agreement termination or conclusion).

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

ORDINANCE NO. 24-148

**AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED
SERVICE EMPLOYEES FOR THE CLASS SPECIFICATION OF ASSISTANT CHIEF
OF EMERGENCY COMMUNICATIONS FOR THE DEPARTMENT OF PUBLIC
SAFETY, DIVISION OF EMERGENCY COMMUNICATIONS**

1 **WHEREAS**, the Department of Public Safety, Division of Emergency
2 Communications has determined the class specification for Assistant Chief of
3 Emergency Communications needs to be updated to reflect the work currently being
4 performed; and

5
6 **WHEREAS**, it is recommended that the Pay Grade for the class specification
7 Assistant Chief of Emergency Communications be changed from Pay Grade 30 to Pay
8 Grade 32; and

9
10 **WHEREAS**, the Human Resources Advisory Board at its meeting on September
11 5, 2024, reviewed the revisions to the class specification for Assistant Chief of
12 Emergency Communications and recommended the change from Pay Grade 30 to Pay
13 Grade 32 on the Pay Plan and Rates of Pay for Non-Union Classified Service
14 Employees; and

15
16 **WHEREAS**, the Acting Chief Human Resources Officer concurs with the
17 recommendation of the Human Resources Advisory Board.

18
19 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

20
21 Section 1. The Pay Plan and Rates of Pay for Non-Union Classified Service
22 Employees, effective January 1, 2024 through June 30, 2024, is hereby amended by
23 adding the material as set forth in Exhibit "A," which shall be considered underscored in
24 its entirety.

25
26 Section 2. The Pay Plan and Rates of Pay for Non-Union Classified Service
27 Employees, effective July 1, 2024 through June 30, 2025, is hereby amended by adding
28 the material that is underscored and deleting the material that is stricken as set forth in
29 Exhibit "B."

30
31 Section 3. The Pay Plan and Rates of Pay for Non-Union Classified Service
32 Employees, effective July 1, 2025 through June 30, 2026, is hereby amended by adding
33 the material that is underscored and deleting the material that is stricken as set forth in
34 Exhibit "C."

35
36 Section 4. The Pay Plan and Rates of Pay for Non-Union Classified Service
37 Employees, effective July 1, 2026, is hereby amended by adding the material that is
38 underscored and deleting the material that is stricken as set forth in Exhibit "D."

40 Section 5. The revised Class Specification for Assistant Chief of Emergency
41 Communications is adopted as set forth in Exhibit "E."

42
43 Section 6. This Ordinance shall become effective immediately upon its adoption
44 by County Council and approval by the County Executive, or as otherwise provided in 9
45 *Del. C. § 1156*.

46
47 Section 7. It is the intent of the County Council that the provisions of this
48 Ordinance shall be effective retroactive to January 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, changes the Pay Grade for the position title of Assistant Chief of Emergency Communications from Pay Grade 30 to Pay Grade 32 on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees, as recommended by the Human Resources Advisory Board.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 1, 2024.

FISCAL IMPACT: This Ordinance, if approved, changes the Pay Grade for the position title of Assistant Chief of Emergency Communications from Pay Grade 30 to Pay Grade 32 on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees, as recommended by the Human Resources Advisory Board. It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to January 1, 2024.

There are currently two positions with the title of Assistant Chief of Emergency Communications, and one is vacant. The fiscal impact for Salaries and Benefits is estimated to be:

FY2024 \$8,870
FY2025 \$18,152
FY2026 \$18,605
FY2027 \$19,071

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
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

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 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
	32	<u>79,136</u>	<u>82,855</u>	<u>86,761</u>	<u>90,863</u>	<u>95,168</u>	<u>99,689</u>	<u>104,437</u>	<u>109,421</u>	<u>114,654</u>	<u>120,150</u>
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: 01/01/2024 (Ordinance 24-xxx)

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
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

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 ASSISTANT LAND USE MANAGER 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	34	84,067	88,270	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414
FINANCE LEGAL OFFICER FIRST ASSISTANT COUNTY ATTORNEY HUMAN RESOURCES MANAGER	35	88,271	92,685	97,319	102,185	107,294	112,658	118,291	124,206	130,416	136,937
PUBLIC WORKS SENIOR MANAGER DEPUTY CHIEF OF TECHNOLOGY	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781

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
	32	81,115	84,927	88,931	93,135	97,547	102,182	107,048	112,157	117,521	123,155
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: 08/01/2023 (Ordinance 23-126)****Revised: 07/07/2023 (Ordinance 24-013)****Revised: 07/01/2024 (Ordinance xx-xxx)**

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
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

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 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	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
	32	83,144	87,050	91,155	95,463	99,986	104,738	109,725	114,962	120,459	126,234
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: 08/01/2023 (Ordinance 23-126)

Revised: 07/07/2022 (Ordinance 24-013)

Revised: 07/01/2025 (Ordinance xx-xxx)

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
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

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 ASSISTANT LAND USE MANAGER 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	34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017
FINANCE LEGAL OFFICER FIRST ASSISTANT COUNTY ATTORNEY HUMAN RESOURCES MANAGER	35	92,740	97,379	102,246	107,359	112,727	118,362	124,281	130,495	137,019	143,871
PUBLIC WORKS SENIOR MANAGER DEPUTY CHIEF OF TECHNOLOGY	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061

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
	32	<u>85,223</u>	<u>89,226</u>	<u>93,434</u>	<u>97,850</u>	<u>102,486</u>	<u>107,356</u>	<u>112,469</u>	<u>117,836</u>	<u>123,471</u>	<u>129,391</u>
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: 08/01/2023 (Ordinance 23-126)****Revised: 07/07/2022 (Ordinance 24-013)****Revised: 07/01/2026 (Ordinance xx-xxx)**

EXHIBIT E

NEW CASTLE COUNTY GOVERNMENT

Number: 1194

Page: 1 of 2

CLASS SPECIFICATION

Date: 01/26/10

Title: ASSISTANT CHIEF OF EMERGENCY
COMMUNICATIONS

Approved:

GENERAL STATEMENT OF DUTIES: Assists the Chief of Emergency Communications in the management of the County's emergency communications activities to ensure quality service in all areas to the citizens of New Castle County; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class assists the Chief of Emergency Communications in overseeing major functions and operational activities of the emergency communication functions for New Castle County. This employee performs responsible work in the administration, allocation and supervision of the day-to-day operations. This employee coordinates activities relating to administration, budget, and operational support, research of new technology, procurement and maintenance of related equipment. This employee is responsible for implementing all decisions made by the Chief of Emergency Communications and for coordinating activities with the appropriate public safety agencies. This employee is the custodian of records and maintains chain-of-custody for the County's 9-1-1 telephone system's recordings and computer aided dispatch records management systems. This employee maintains operational control and procurement of the county and statewide radio system in conjunction with the state, federal and local regulations. This employee utilizes independent judgment and initiative in carrying out these duties and in making decisions affecting the delivery of services. This is a confidential position dealing with sensitive labor relations matters. The work is performed under the general supervision of the Chief of Emergency Communications or his/her designee.

EXAMPLES OF WORK: (Illustrative only)

- Executes orders and directives of the Chief of Emergency Communications.
- Maintains strict fiscal integrity of the emergency communications activities.
- Prepares an annual budget request for his/her section for review and approval by the Chief of Emergency Communications.
- Supervises the Training Officer Coordinator and Quality Assurance Administrator to provide quality programs to meet or exceed standards set by accreditation;
- **Supervises the Senior Assistant Platoon Leaders and Assistant Platoon Leaders ensuring internal and external customers are provided the highest quality of service.**
- Develops and initiates policy and procedures to meet the challenge of the ever-changing environment, new technologies and equipment related to public safety communications.
- Re-records and maintains a Chain of Custody of the County's 9-1-1 telephone and radio calls and is the Custodian of Record for the CAD system.
- Executes agreements relating to contractual reimbursement, including the submission of quarterly billing statements.
- Assists in establishing and implementing policies and procedures for the provision of emergency services throughout New Castle County.
- Impartially enforces the rules of conduct governing members of the department and takes necessary disciplinary action as authorized, warranted and approved by the Chief of Emergency Communications.
- Prepares specifications for vehicles, equipment and supplies and ensures vendor compliance with bid specifications.
- Remains on call for emergencies and serious problems.
- Coordinates and monitors the assignment, inspection, maintenance and repair of vehicles and equipment and ensures the efficient operation of equipment.
- Assures confidentiality of records and safeguards information and documentation.

EXHIBIT E

NEW CASTLE COUNTY GOVERNMENT

Number: 1194

Page: 2 of 2

CLASS SPECIFICATION

Date: 01/26/10

Title: ASSISTANT CHIEF OF EMERGENCY
COMMUNICATIONS

Approved:

- Coordinates the inspection of departmental operating procedures, facilities and performance to ensure compliance with established standards and policies.
- May take command of emergency communications staff and units, directly or through subordinate personnel, during major emergency incidents and special/unusual situations.
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service.
- Operates a personal computer and other related equipment in the course of the work.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Comprehensive knowledge of modern principles, methods and procedures of the administration of emergency communications; thorough knowledge of departmental and divisional rules and regulations; thorough knowledge of the principles and procedures of public administration; good knowledge of municipal, State and federal laws and regulations governing the delivery of emergency services; working knowledge of incident management and incident command systems; ability to plan, assign, direct and review the work of subordinates; ability to command the operation of multiple emergency services activities and personnel under emergency conditions; ability to establish and maintain effective working relationships with subordinates, cooperating agencies, officials and the general public; ability to communicate courteously and effectively, both verbally and in writing.

MINIMUM QUALIFICATIONS: At least three (3) years' progressively responsible **supervisory experience (Administrative or Assistant Platoon Leader)** ~~as a Platoon Leader~~ within the emergency communications section and possession of Bachelor's Degree from an accredited college or university with major course work in business administration, public administration, or related field; or an equivalent combination of education, experience and training directly related to the required knowledge, skills and abilities; two (2) consecutive satisfactory or better performance evaluations and an overall performance rating of satisfactory or above in the year applying for promotion. Any record of discipline that resulted in suspension during the twelve (12) months preceding the application for promotion shall be reviewed to determine eligibility for promotion.

PREFERRED QUALIFICATIONS: Active participation in a departmental workgroup or project, which shall be defined by the Chief of Emergency Communications or his/her designee. **Completion of an advanced leadership course, such as certification as an Emergency Number Professional (ENP) from the National Emergency Numbers Association and / or Communications Center Manager from the Association of Public Safety Officials (APCO), or as offered by another public safety or industry organization, and/or completion of a Command and Leadership Academy/Course (approved by the Chief of Emergency Communications).**

ADDITIONAL REQUIREMENTS: Must maintain certifications in police, fire and emergency medical protocols and a basic telecommunicator course to include the training officer course. May be required to pass a Class III County physical and psychological examination and background check. **Current drivers license and a State of Delaware Emergency Vehicle Operators (EVO) license.**

HISTORY OF REVISIONS:
Established: 01/26/10

Prime Sponsor(s): Ms. Hartley-Nagle
Requested by: Administration/HR
Date of introduction: September 24, 2024

ORDINANCE NO. 24-149

TO ADOPT THE CLASS SPECIFICATION OF SENIOR ASSISTANT COUNTY ATTORNEY AND TO AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE AND NON-UNION CLASSIFIED SERVICE EMPLOYEES TO MAKE ORGANIZATIONAL CHANGES FOR THE FIRST ASSISTANT COUNTY ATTORNEY CLASS SPECIFICATION IN THE DEPARTMENT OF ADMINISTRATION, OFFICE OF LAW

1 **WHEREAS**, the Department of Administration, Office of Law has determined that it
2 is necessary to make organizational changes to operate most effectively; and
3

4 **WHEREAS**, the Department submitted a new class specification for Senior Assistant
5 County Attorney to create a career ladder to encourage appointed attorneys with vast and
6 irreplaceable institutional knowledge to remain employed by the County; and
7

8 **WHEREAS**, the Human Resources Advisory Board at its meeting on September 4,
9 2024, recommended that the class specification for the new position title of Senior (Pay
10 Grade 36) be added to the Pay Plan and Rates of Pay for Non-Union Unclassified Service
11 Employees of the Executive Office; and
12

13 **WHEREAS**, the Department also recommends that the Pay Grade for the class
14 specification First Assistant County Attorney be changed from Pay Grade 35 to Pay Grade
15 36 to have pay parity between the appointed Senior Assistant County Attorney and the
16 merit First Assistant County Attorney; and
17

18 **WHEREAS**, the Human Resources Advisory Board at its meeting on September 4,
19 2024, recommended that the Pay Grade for First Assistant County Attorney be changed
20 from Pay Grade 35 to Pay Grade 36; and
21

22 **WHEREAS**, the Acting Chief Human Resources Officer concurs with the
23 recommendations of the Human Resources Advisory Board.
24

25 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
26

27 Section 1. The Class Specification for Senior Assistant County Attorney is adopted
28 as set forth in Exhibit "A."
29

30 Section 2. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
31 Employees of the Executive Office, effective July 1, 2024 through June 30, 2025, is hereby
32 amended by adding the material that is underscored and deleting the material that is
33 stricken as set forth in Exhibit "B."

34 Section 5. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
35 Employees of the Executive Office, effective July 1, 2025 through June 30, 2026, is hereby
36 amended by adding the material that is underscored and deleting the material that is
37 stricken as set forth in Exhibit "C."

38
39 Section 6. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
40 Employees of the Executive Office, effective July 1, 2026 is hereby amended by adding the
41 material that is underscored and deleting the material that is stricken as set forth in Exhibit
42 "D."

43
44 Section 7. The Pay Plan and Rates of Pay for Non-Union Classified Service
45 Employees, effective July 1, 2024 through June 30, 2025, is hereby amended by adding
46 the material that is underscored and deleting the material that is stricken as set forth in
47 Exhibit "E."

48
49 Section 9. The Pay Plan and Rates of Pay for Non-Union Classified Service
50 Employees, effective July 1, 2025 through June 30, 2026, is hereby amended by adding
51 the material that is underscored and deleting the material that is stricken as set forth in
52 Exhibit "F."

53
54 Section 10. The Pay Plan and Rates of Pay for Non-Union Classified Service
55 Employees, effective July 1, 2026 is hereby amended by adding the material that is
56 underscored and deleting the material that is stricken as set forth in Exhibit "G."

57
58 Section 11. This Ordinance shall become effective immediately upon its adoption by
59 County Council and approval by the County Executive, or as otherwise provided in 9 Del.
60 C. § 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, adds the position title of Senior Assistant County Attorney (Pay Grade 36) to the Non-Union Unclassified Service Employees of the Executive Office and adopts the class specification of Senior Assistant County Attorney, as recommended by the Human Resources Advisory Board. This Ordinance also changes the Pay Grade for the position title of First Assistant County Attorney from Pay Grade 35 to Pay Grade 36 on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees as recommended by the Human Resources Advisory Board.

FISCAL IMPACT: This Ordinance, if approved, adds the position title of Senior Assistant County Attorney (Pay Grade 36) to the Non-Union Unclassified Service Employees of the Executive Office and adopts the class specification of Senior Assistant County Attorney, as recommended by the Human Resources Advisory Board. Additionally, this Ordinance also changes the Pay Grade for the position title of First Assistant County Attorney from Pay Grade 35 to Pay Grade 36 on the Pay Plan and Rates of Pay for Non-Union Classified Service Employees.

There are currently three filled positions with the title of First Assistant County Attorney. The estimated fiscal impact (Salaries/Wages and Benefits) of reclassifying the three employees currently in these positions is \$32,563 in FY2025, \$33,362 in FY2026 and \$34,214 in FY2027.

NEW CASTLE COUNTY GOVERNMENT

CLASS SPECIFICATION

Number

Page 1 of 1

Date DRAFT

Title: SENIOR ASSISTANT COUNTY ATTORNEY

Approved:

GENERAL STATEMENT OF DUTIES: Performs specialized professional and confidential legal work for New Castle County; performs legal work as required by the County Attorney, County Solicitor or their designee and as required by the assigned area of expertise; assumes an increasing leadership role; demonstrates ability to recall and apply the institutional knowledge gained with at least 10 years of experience with New Castle County, including as an attorney with the Office of Law.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class performs responsible and confidential specialized legal work involving advice, assistance and representation. Also prepares and argues the County's position in litigation, provides legal counsel to departments and agencies as required, and conducts legal research in areas as assigned by the County Attorney or County Solicitor or their designee.

EXAMPLES OF WORK: (Illustrative Only)

- Provides legal advice and assistance;
- Represents New Castle County on assigned matters;
- Works with assigned department to implement training;
- Conducts research, handles litigation, drafts legal documents and performs other legal work required for area(s) of representation or as assigned by the supervising attorney;
- Represents boards or commissions as assigned;
- Functions as lead counsel on more significant cases;
- Promotes an ongoing attitude of dedication to excellent public service and ensures that external and internal customers are provided with the highest quality of service;
- Operates a personal computer and other related equipment in the course of work.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Excellent legal research and writing skills; excellent interpersonal skills and the ability to interact with and advise department managers and employees; knowledge of government law; knowledge of current board and court rules and the rules of evidence and procedure; ability to communicate courteously and effectively both verbally and in writing; ability to interpret and apply laws, ordinances, policies and procedures; demonstrated recall of, and ability to apply, institutional knowledge.

MINIMUM QUALIFICATIONS: At least 10 years with New Castle County, including prior work as an attorney with the Office of Law; graduation from an accredited law school; and membership in good standing in the Delaware Bar.

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

HISTORY OF REVISIONS:

Established: DRAFT

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897
ETHICS COMMISSION ADMIN ASST	20	42,458	44,581	46,810	49,151	51,609	54,189	56,898	59,744	62,730	65,867
EXECUTIVE ASSISTANT I	22	46,809	49,150	51,607	54,188	56,897	59,743	62,729	65,866	69,159	72,617
OFFICE OF LAW PARALEGAL	24	51,609	54,189	56,898	59,744	62,730	65,867	69,160	72,618	76,249	80,062
PARALEGAL TO THE COUNTY ATTORNEY	25	54,190	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066
EXECUTIVE ASSISTANT II	26	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066	88,269
LAW ENFORCEMENT TECHNICIAN	26										
COMPLAINTS OFFICER	27	59,744	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682
EXECUTIVE ASSISTANT III	30	69,161	72,619	76,250	80,063	84,066	88,269	92,683	97,317	102,183	107,292
STAFF DIRECTOR	30										
ASSISTANT COUNTY ATTORNEY I	32	76,252	80,065	84,068	88,271	92,685	97,319	102,185	107,294	112,658	118,291
ASSISTANT COUNTY ATTORNEY II	34	84,067	88,270	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414
DIRECTOR OF COMMUNICATIONS	34										
EXECUTIVE ASSISTANT IV	34										
DIRECTOR OF REDEVELOPMENT	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781
<u>SENIOR ASSISTANT COUNTY ATTORNEY</u>											
CHIEF HUMAN RESOURCES OFFICER	38	102,185	107,294	112,658	118,291	124,206	130,416	136,937	143,784	150,974	158,523
CHIEF OF TECHNOLOGY AND ADMIN SERVICES	38										
COMMUNITY SERVICES DEPT. GEN. MANAGER	38										
COUNTY SOLICITOR	39	107,295	112,659	118,293	124,207	130,417	136,938	143,785	150,975	158,524	166,449
CHIEF FINANCIAL OFFICER	40	112,658	118,291	124,206	130,416	136,937	143,783	150,973	158,522	166,447	174,769
CHIEF OF STAFF	40										
COUNTY ATTORNEY	40										
DEPUTY CHIEF ADMINISTRATIVE OFFICER	40										
DIRECTOR OF PUBLIC SAFETY	40										
LAND USE DEPARTMENT GENERAL MANAGER	40										
POLICY DIRECTOR FOR THE COUNTY EXECUTIVE	40										
PUBLIC WORKS DEPARTMENT GENERAL MGR.	40										
CHIEF OF POLICE	41	137,997	144,896	152,141	159,748	167,736	176,123	184,929	194,175	203,884	214,078
PART-TIME ATTORNEY (hourly rate)		42.42	44.54	46.77	49.11	51.57	54.15	56.86	59.70	62.69	65.82
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		109,439	123,665	131,085	138,951	154,235	161,946	170,043	178,545	187,472	196,846
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

Effective: 07/01/2024 (Ordinance 23-063)
Revised: 07/01/2024 (Ordinance 23-086)
Revised: 07/01/2023 (Ordinance 23-148)
Revised: 07/01/2024 (Ordinance 24-056)
Revised: 07/01/2024 (Ordinance 24-xxx)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320
ETHICS COMMISSION ADMIN ASST	20	43,520	45,696	47,981	50,380	52,900	55,544	58,321	61,238	64,299	67,514
EXECUTIVE ASSISTANT I	22	47,980	50,379	52,898	55,543	58,320	61,237	64,298	67,513	70,888	74,433
OFFICE OF LAW PARALEGAL	24	52,900	55,544	58,321	61,238	64,299	67,512	70,889	74,434	78,156	82,064
PARALEGAL TO THE COUNTY ATTORNEY	25	55,545	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168	90,476
COMPLAINTS OFFICER	27	61,238	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	70,891	74,435	78,157	82,065	86,168	90,476	95,001	99,750	104,738	109,975
ASSISTANT COUNTY ATTORNEY I	32	78,159	82,067	86,170	90,478	95,003	99,752	104,740	109,977	115,475	121,249
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	86,169	90,477	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675
DIRECTOR OF REDEVELOPMENT <u>SENIOR ASSISTANT COUNTY ATTORNEY</u>	36	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,358	147,376
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	104,740	109,977	115,475	121,249	127,312	133,677	140,361	147,379	154,749	162,487
COUNTY SOLICITOR	39	109,978	115,476	121,251	127,313	133,678	140,362	147,380	154,750	162,488	170,611
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	115,475	121,249	127,312	133,677	140,361	147,378	154,748	162,486	170,609	179,139
CHIEF OF POLICE	41	141,447	148,518	155,945	163,742	171,929	180,526	189,552	199,029	208,981	219,430
PART-TIME ATTORNEY (hourly rate)		43.48	45.65	47.93	50.33	52.85	55.49	58.26	61.17	64.23	67.44
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		112,175	126,757	134,363	142,425	158,091	165,995	174,295	183,009	192,159	201,768
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

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

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

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2024 (Ordinance 24-056)

Revised: 07/01/2025 (Ordinance 24-xxx)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
LEGAL SECRETARY	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778
ETHICS COMMISSION ADMIN ASST	20	44,608	46,839	49,181	51,640	54,223	56,933	59,780	62,769	65,907	69,202
EXECUTIVE ASSISTANT I	22	49,180	51,639	54,221	56,932	59,778	62,768	65,906	69,201	72,661	76,294
OFFICE OF LAW PARALEGAL	24	54,223	56,933	59,780	62,769	65,907	69,202	72,662	76,295	80,110	84,116
PARALEGAL TO THE COUNTY ATTORNEY	25	56,934	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323	92,738
COMPLAINTS OFFICER	27	62,769	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	72,664	76,296	80,111	84,117	88,323	92,738	97,377	102,244	107,357	112,725
ASSISTANT COUNTY ATTORNEY I	32	80,113	84,119	88,325	92,740	97,379	102,246	107,359	112,727	118,362	124,281
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017
DIRECTOR OF REDEVELOPMENT <u>SENIOR ASSISTANT COUNTY ATTORNEY</u>	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	107,359	112,727	118,362	124,281	130,495	137,019	143,871	151,064	158,618	166,550
COUNTY SOLICITOR	39	112,728	118,363	124,283	130,496	137,020	143,872	151,065	158,619	166,551	174,877
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	118,362	124,281	130,495	137,019	143,871	151,063	158,617	166,549	174,875	183,618
CHIEF OF POLICE	41	141,447	148,518	155,945	163,742	171,929	180,526	189,552	199,029	208,981	219,430
PART-TIME ATTORNEY (hourly rate)		44.57	46.80	49.14	51.60	54.18	56.89	59.73	62.72	65.86	69.15
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY											
CHIEF ADMINISTRATIVE OFFICER		114,980	129,926	137,723	145,986	162,044	170,145	178,653	187,585	196,963	206,813
BOARD AND COMMISSIONERS RATES OF PAY											
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR									
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.									
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING									
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING									

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

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

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2024 (Ordinance 24-056)

Revised: 07/01/2026 (Ordinance 24-xxx)

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
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

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 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	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											
<u>FIRST ASSISTANT COUNTY ATTORNEY</u>	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781
PUBLIC WORKS SENIOR MANAGER											
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: 08/01/2023 (Ordinance 23-126)****Revised: 07/07/2023 (Ordinance 24-013)****Revised: 07/01/2024 (Ordinance 24-xxx)**

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
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

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 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	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											
<u>FIRST ASSISTANT COUNTY ATTORNEY</u>	36	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,358	147,376
PUBLIC WORKS SENIOR MANAGER											
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: 08/01/2023 (Ordinance 23-126)****Revised: 07/07/2022 (Ordinance 24-013)****Revised: 07/01/2025 (Ordinance 24-xxx)**

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
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

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 ASSISTANT LAND USE MANAGER 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	34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017
FINANCE LEGAL OFFICER FIRST ASSISTANT COUNTY ATTORNEY HUMAN RESOURCES MANAGER	35	92,740	97,379	102,246	107,359	112,727	118,362	124,281	130,495	137,019	143,871
<u>FIRST ASSISTANT COUNTY ATTORNEY</u> PUBLIC WORKS SENIOR MANAGER DEPUTY CHIEF OF TECHNOLOGY	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061

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: 08/01/2023 (Ordinance 23-126)**Revised: 07/07/2022 (Ordinance 24-013)**Revised: 07/01/2026 (Ordinance 24-xxx)*

ORDINANCE NO. 24-150

AMEND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS AND THE PAY PLAN AND RATES OF PAY FOR CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC EMPLOYEES COUNCIL 81, AFSCME (AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES) AFL-CIO AND ITS AFFILIATE, LOCAL 3109

1 **WHEREAS**, the County Executive has recommended amendments to the Pay Plans and
2 Rates of Pay for Classified Service Managers and Administrators, and Classified Service
3 Professional Employees represented by the Delaware Public Employees Council 81, AFSCME
4 AFL-CIO and its affiliate, Local 3109 (hereinafter "Local 3109") to reflect wage increases agreed
5 to during contract negotiations.

6
7 **NOW, THEREFORE, THE NEW CASTLE COUNTY COUNCIL HEREBY ORDAINS:**
8

9 Section 1. The Pay Plan and Rates of Pay for Classified Service Managers and
10 Administrators (Non-Paramedic Classifications) represented by Local 3109, for the period July
11 1, 2023 through June 30, 2024 as set forth in Exhibit "A", all of which shall be considered
12 underscored, is hereby adopted in its entirety retroactive to July 1, 2023.
13

14 Section 2. The Pay Plan and Rates of Pay for Classified Service Managers and
15 Administrators (Non-Paramedic Classifications) represented by Local 3109, for the period July
16 1, 2024 through June 30, 2025 as set forth in Exhibit "B", all of which shall be considered
17 underscored, is hereby adopted in its entirety retroactive to July 1, 2024.
18

19 Section 3. The Pay Plan and Rates of Pay for Classified Service Managers and
20 Administrators (Non-Paramedic Classifications) represented by Local 3109, effective July 1,
21 2025 through June 30, 2026 as set forth in Exhibit "C", all of which shall be considered
22 underscored, is hereby adopted in its entirety.
23

24 Section 4. The Pay Plan and Rates of Pay for Classified Service Managers and
25 Administrators (Non-Paramedic Classifications) represented by Local 3109, effective July 1,
26 2026 as set forth in Exhibit "D", all of which shall be considered underscored, is hereby adopted
27 in its entirety.
28

29 Section 5. The Pay Plan and Rates of Pay for Classified Service Managers and
30 Administrators (Paramedic Classifications) represented by Local 3109, for the period July 1,
31 2023 through December 31, 2023 as set forth in Exhibit "E", all of which shall be considered
32 underscored, is hereby adopted in its entirety retroactive to July 1, 2023.
33

34 Section 6. The Pay Plan and Rates of Pay for Classified Service Managers and
35 Administrators (Paramedic Classifications) represented by Local 3109, for the period January 1,
36 2024 through June 30, 2024 as set forth in Exhibit "F", all of which shall be considered
37 underscored, is hereby adopted in its entirety retroactive to January 1, 2024.

38 Section 7. The Pay Plan and Rates of Pay for Classified Service Managers and
39 Administrators (Paramedic Classifications) represented by Local 3109, for the period July 1,
40 2024 through June 30, 2025 as set forth in Exhibit "G", all of which shall be considered
41 underscored, is hereby adopted in its entirety retroactive to July 1, 2024.
42

43 Section 8. The Pay Plan and Rates of Pay for Classified Service Managers and
44 Administrators (Paramedic Classifications) represented by Local 3109, effective July 1, 2025
45 through June 30, 2026 as set forth in Exhibit "H", all of which shall be considered underscored,
46 is hereby adopted in its entirety.
47

48 Section 9. The Pay Plan and Rates of Pay for Classified Service Managers and
49 Administrators (Paramedic Classifications) represented by Local 3109, effective July 1, 2026 as
50 set forth in Exhibit "I", all of which shall be considered underscored, is hereby adopted in its
51 entirety.
52

53 Section 10. The Pay Plan and Rates of Pay for Classified Service Professional
54 Employees represented by Local 3109, for the period July 1, 2023 through June 30, 2024 as set
55 forth in Exhibit "J", all of which shall be considered underscored, is hereby adopted in its entirety
56 retroactive to July 1, 2023.
57

58 Section 11. The Pay Plan and Rates of Pay for Classified Service Professional
59 Employees represented by Local 3109, effective July 1, 2024 through June 30, 2025 as set forth
60 in Exhibit "K", all of which shall be considered underscored, is hereby adopted in its entirety
61 retroactive to July 1, 2024.
62

63 Section 12. The Pay Plan and Rates of Pay for Classified Service Professional
64 Employees represented by Local 3109, effective July 1, 2025 through June 30, 2026 as set forth
65 in Exhibit "L", all of which shall be considered underscored, is hereby adopted in its entirety.
66

67 Section 13. The Pay Plan and Rates of Pay for Classified Service Professional
68 Employees represented by Local 3109, effective July 1, 2026 as set forth in Exhibit "M", all of
69 which shall be considered underscored, is hereby adopted in its entirety.
70

71 Section 14. This Ordinance shall be effective upon adoption by New Castle County
72 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:

Karen Hartley-Nagle
President of County Council
New Castle County

Approved on:

Matthew Meyer
County Executive

SYNOPSIS: This Ordinance, if approved, amends the Pay Plan and Rates of Pay to implement the wage increases resulting from the County's collective bargaining negotiations with Local 3109.

This four-year agreement defines the wages and other terms of employment for the bargaining unit retroactive to July 1, 2023. The agreement provides for a 2.5% wage increase for the period July 1, 2023 through June 30, 2024; a 2.5% wage increase for the period July 1, 2024 through June 30, 2025; a 2.5% wage increase for the period July 1, 2025 through June 30, 2026; and a 2.5% wage increase effective July 1, 2026. Additionally, effective July 1, 2023, an increase to Step 11 (from 3% above Step 10 to 4% above Step 10) and effective July 1, 2024, an additional increase to Step 11 (from 4% above Step 10 to 5% above Step 10). Furthermore, effective January 1, 2024, the pay scale steps for Emergency Medical Services Captain and Emergency Services Assistant Chief have been adjusted to provide pay equity between paramedic employees and supervisors.

FISCAL NOTE: This Ordinance approves and adopts a new pay plan and rates of pay for the Classified Employees represented by Union Local 3109.

The estimated fiscal impacts (Salaries/Wages and Employee Benefits) of the Collective Bargaining agreement for the period of July 1, 2023 through June 30, 2027 are as follows:

FY2024	\$510,732
FY2025	\$1,057,229
FY2026	\$1,533,153
FY2027	\$2,028,495

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Non-Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY SERVICES ADMINISTRATOR	25	52,847	55,489	58,264	61,177	64,238	67,448	70,822	74,363	78,081	81,985	85,264
RECREATION SUPERVISOR	25											
MAPPING SUPPORT SUPERVISOR	26	55,489	58,264	61,177	64,238	67,448	70,822	74,363	78,081	81,985	86,084	89,527
ACCOUNTANT III	28	61,177	64,238	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,908	98,704
LIBRARIAN II	28											
PROPERTY ASSESSMENT SERVICES ADMINISTRATOR	28											
FINANCE OPERATIONS SUPERVISOR	29	64,238	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,908	99,654	103,640
ACCOUNTING AND FISCAL OFFICER	30	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,908	99,654	104,637	108,822
ASSISTANT PLANNING MANAGER	30											
CHIEF OF BUILDING OPERATIONS AND MAIN.	30											
CHIEF OF CONSTRUCTION SUPPORT	30											
COMP. AND PENSION SYSTEMS COORD.	30											
EMERGENCY SERVICES ASSISTANT MANAGER	30											
FLEET SERVICES MANAGER	30											
INSPECTIONS MANAGER	30											
PROPERTY MANAGER	30											
ASSISTANT COUNTY ENGINEER	34	81,985	86,084	90,388	94,908	99,654	104,637	109,869	115,362	121,129	127,186	132,273

Effective: 07/01/2023 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Non-Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY SERVICES ADMINISTRATOR RECREATION SUPERVISOR	25 25	54,168	56,876	59,721	62,706	65,844	69,134	72,593	76,222	80,033	84,035	88,237
MAPPING SUPPORT SUPERVISOR	26	56,876	59,721	62,706	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648
ACCOUNTANT III LIBRARIAN II PROPERTY ASSESSMENT SERVICES ADMINISTRATOR	28 28 28	62,706	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145
FINANCE OPERATIONS SUPERVISOR	29	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145	107,252
ACCOUNTING AND FISCAL OFFICER ASSISTANT PLANNING MANAGER CHIEF OF BUILDING OPERATIONS AND MAIN. CHIEF OF CONSTRUCTION SUPPORT COMP. AND PENSION SYSTEMS COORD. EMERGENCY SERVICES ASSISTANT MANAGER FLEET SERVICES MANAGER INSPECTIONS MANAGER PROPERTY MANAGER	30 30 30 30 30 30 30 30 30	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145	107,253	112,616
ASSISTANT COUNTY ENGINEER	34	84,035	88,236	92,648	97,281	102,145	107,253	112,616	118,246	124,157	130,366	136,884

Effective: 07/01/2024 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Non-Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY SERVICES ADMINISTRATOR RECREATION SUPERVISOR	25 25	55,522	58,298	61,214	64,274	67,490	70,862	74,408	78,128	82,034	86,136	90,443
MAPPING SUPPORT SUPERVISOR	26	58,298	61,214	64,274	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964
ACCOUNTANT III LIBRARIAN II PROPERTY ASSESSMENT SERVICES ADMINISTRATOR	28 28 28	64,274	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699
FINANCE OPERATIONS SUPERVISOR	29	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699	109,933
ACCOUNTING AND FISCAL OFFICER ASSISTANT PLANNING MANAGER CHIEF OF BUILDING OPERATIONS AND MAIN. CHIEF OF CONSTRUCTION SUPPORT COMP. AND PENSION SYSTEMS COORD. EMERGENCY SERVICES ASSISTANT MANAGER FLEET SERVICES MANAGER INSPECTIONS MANAGER PROPERTY MANAGER	30 30 30 30 30 30 30 30 30	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699	109,934	115,431
ASSISTANT COUNTY ENGINEER	34	86,136	90,442	94,964	99,713	104,699	109,934	115,431	121,202	127,261	133,625	140,306

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

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Non-Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY SERVICES ADMINISTRATOR	25	56,910	59,755	62,744	65,881	69,177	72,634	76,268	80,081	84,085	88,289	92,704
RECREATION SUPERVISOR	25											
MAPPING SUPPORT SUPERVISOR	26	59,755	62,744	65,881	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338
ACCOUNTANT III	28	65,881	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316
LIBRARIAN II	28											
PROPERTY ASSESSMENT SERVICES ADMINISTRATOR	28											
FINANCE OPERATIONS SUPERVISOR	29	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316	112,681
ACCOUNTING AND FISCAL OFFICER	30	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316	112,682	118,317
ASSISTANT PLANNING MANAGER	30											
CHIEF OF BUILDING OPERATIONS AND MAIN.	30											
CHIEF OF CONSTRUCTION SUPPORT	30											
COMP. AND PENSION SYSTEMS COORD.	30											
EMERGENCY SERVICES ASSISTANT MANAGER	30											
FLEET SERVICES MANAGER	30											
INSPECTIONS MANAGER	30											
PROPERTY MANAGER	30											
ASSISTANT COUNTY ENGINEER	34	88,289	92,703	97,338	102,206	107,316	112,682	118,317	124,232	130,443	136,966	143,814

Effective: 07/01/2026 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY MEDICAL SERVICES CAPTAIN	32	81,538	85,256	89,160	93,259	97,563	102,083	106,829	111,812	117,044	122,537	127,438
EMERGENCY MEDICAL SERVICES ASST. CHIEF	34	89,160	93,259	97,563	102,083	106,829	111,812	117,044	122,537	128,304	134,361	139,735

Effective: 07/01/2023 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY MEDICAL SERVICES CAPTAIN	32	86,059	90,362	94,880	99,624	104,605	109,835	115,327	121,093	127,148	133,505	138,845
EMERGENCY MEDICAL SERVICES ASST. CHIEF	34	94,665	99,398	104,368	109,586	115,065	120,818	126,859	133,202	139,862	146,855	152,729

Effective: 01/01/2024 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY MEDICAL SERVICES CAPTAIN	32	88,210	92,621	97,252	102,114	107,220	112,580	118,210	124,121	130,326	136,843	143,685
EMERGENCY MEDICAL SERVICES ASST. CHIEF	34	97,031	101,883	106,977	112,325	117,942	123,838	130,031	136,533	143,359	150,527	158,053

Effective: 07/01/2024 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY MEDICAL SERVICES CAPTAIN	32	90,415	94,936	99,683	104,667	109,900	115,396	121,165	127,223	133,584	140,263	147,276
EMERGENCY MEDICAL SERVICES ASST. CHIEF	34	99,457	104,430	109,651	115,134	120,890	126,936	133,282	139,945	146,942	154,289	162,003

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

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE MANAGERS AND ADMINISTRATORS REPRESENTED BY LOCAL 3109
(Paramedic Classifications)**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
EMERGENCY MEDICAL SERVICES CAPTAIN	32	92,676	97,310	102,175	107,284	112,648	118,280	124,194	130,404	136,924	143,771	150,960
EMERGENCY MEDICAL SERVICES ASST. CHIEF	34	101,944	107,041	112,393	118,012	123,913	130,108	136,613	143,444	150,616	158,148	166,055

Effective: 07/01/2026 (Ordinance xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC
EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3109**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
HOUSING SPECIALIST RECREATION SPECIALIST	19 19	39,433	41,405	43,475	45,650	47,932	50,329	52,847	55,489	58,264	61,177	63,624
AUTOMOTIVE PARTS SUPERVISOR PLANNER I	22 22	45,650	47,932	50,329	52,847	55,489	58,264	61,177	64,238	67,448	70,822	73,655
COMMUNITY SERVICES COORDINATOR CUSTOMER INFO AND ASSISTANCE COORD HEALTH SERVICES NURSE	23 23 23	47,932	50,329	52,847	55,489	58,264	61,177	64,238	67,448	70,822	74,363	77,338
ASSESSMENT ANALYST EMERGENCY PREPAREDNESS PLANNER HOUSING FINANCIAL ADVISOR PROGRAM ANALYST	24 24 24 24	50,329	52,847	55,489	58,264	61,177	64,238	67,448	70,822	74,363	78,081	81,204
JUNIOR SYSTEMS PROGRAMMER LIBRARIAN I PENSION PROGRAM ANALYST PLANNER II	26 26 26 26	55,489	58,264	61,177	64,238	67,448	70,822	74,363	78,081	81,985	86,084	89,527
BUDGET AND PROCEDURES ANALYST	27	58,264	61,177	64,238	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,004
COORDINATOR OF EMERGENCY PLANNING HOUSING MANAGEMENT ANALYST INFORMATION SYSTEMS SPECIALIST LANDSCAPE ARCHITECT SEWER SYSTEM ANALYST SYSTEMS PROGRAMMER TRAFFIC ENGINEER	28 28 28 28 28 28 28	61,177	64,238	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,908	98,704
SENIOR BUDGET AND PROCEDURES ANALYST	29	64,238	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,908	99,654	103,640
INFORMATION SYSTEMS COORDINATOR OPERATIONS ENGINEER PARKS DEVELOPMENT PLANNER PLANNER III TRAINING ADMINISTRATOR	30 30 30 30 30	67,448	70,822	74,363	78,081	81,985	86,084	90,388	94,908	99,654	104,637	108,822
SENIOR NETWORK ENGINEER	31	70,822	74,363	78,081	81,985	86,084	90,388	94,908	99,654	104,637	109,869	114,264
GEOGRAPHIC INFORMATION SYSTEMS MANAGER	32	74,363	78,081	81,985	86,084	90,388	94,908	99,654	104,637	109,869	115,362	119,976
CHIEF PROCUREMENT OFFICER	34	81,985	86,084	90,388	94,908	99,654	104,637	109,869	115,362	121,129	127,186	132,273

Effective: 07/01/2023 (Ord xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC
EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3109**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
HOUSING SPECIALIST	19	40,419	42,440	44,562	46,791	49,130	51,587	54,168	56,876	59,721	62,706	65,841
RECREATION SPECIALIST	19											
AUTOMOTIVE PARTS SUPERVISOR	22	46,791	49,130	51,587	54,168	56,876	59,721	62,706	65,844	69,134	72,593	76,223
PLANNER I	22											
COMMUNITY SERVICES COORDINATOR	23	49,130	51,587	54,168	56,876	59,721	62,706	65,844	69,134	72,593	76,222	80,033
CUSTOMER INFO AND ASSISTANCE COORD	23											
HEALTH SERVICES NURSE	23											
ASSESSMENT ANALYST	24	51,587	54,168	56,876	59,721	62,706	65,844	69,134	72,593	76,222	80,033	84,035
EMERGENCY PREPAREDNESS PLANNER	24											
HOUSING FINANCIAL ADVISOR	24											
PROGRAM ANALYST	24											
JUNIOR SYSTEMS PROGRAMMER	26	56,876	59,721	62,706	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648
LIBRARIAN I	26											
PENSION PROGRAM ANALYST	26											
PLANNER II	26											
BUDGET AND PROCEDURES ANALYST	27	59,721	62,706	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,280
COORDINATOR OF EMERGENCY PLANNING	28	62,706	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145
HOUSING MANAGEMENT ANALYST	28											
INFORMATION SYSTEMS SPECIALIST	28											
LANDSCAPE ARCHITECT	28											
SEWER SYSTEM ANALYST	28											
SYSTEMS PROGRAMMER	28											
TRAFFIC ENGINEER	28											
SENIOR BUDGET AND PROCEDURES ANALYST	29	65,844	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145	107,252
INFORMATION SYSTEMS COORDINATOR	30	69,134	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145	107,253	112,616
OPERATIONS ENGINEER	30											
PARKS DEVELOPMENT PLANNER	30											
PLANNER III	30											
TRAINING ADMINISTRATOR	30											
SENIOR NETWORK ENGINEER	31	72,593	76,222	80,033	84,035	88,236	92,648	97,281	102,145	107,253	112,616	118,247
GEOGRAPHIC INFORMATION SYSTEMS MANAGER	32	76,222	80,033	84,035	88,236	92,648	97,281	102,145	107,253	112,616	118,246	124,158
CHIEF PROCUREMENT OFFICER	34	84,035	88,236	92,648	97,281	102,145	107,253	112,616	118,246	124,157	130,366	136,884

Effective: 07/01/2024 (Ord xx-xxx)

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC
EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3109**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
HOUSING SPECIALIST	19	41,429	43,501	45,676	47,961	50,358	52,877	55,522	58,298	61,214	64,274	67,487
RECREATION SPECIALIST	19											
AUTOMOTIVE PARTS SUPERVISOR	22	47,961	50,358	52,877	55,522	58,298	61,214	64,274	67,490	70,862	74,408	78,129
PLANNER I	22											
COMMUNITY SERVICES COORDINATOR	23	50,358	52,877	55,522	58,298	61,214	64,274	67,490	70,862	74,408	78,128	82,034
CUSTOMER INFO AND ASSISTANCE COORD	23											
HEALTH SERVICES NURSE	23											
ASSESSMENT ANALYST	24	52,877	55,522	58,298	61,214	64,274	67,490	70,862	74,408	78,128	82,034	86,136
EMERGENCY PREPAREDNESS PLANNER	24											
HOUSING FINANCIAL ADVISOR	24											
PROGRAM ANALYST	24											
JUNIOR SYSTEMS PROGRAMMER	26	58,298	61,214	64,274	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964
LIBRARIAN I	26											
PENSION PROGRAM ANALYST	26											
PLANNER II	26											
BUDGET AND PROCEDURES ANALYST	27	61,214	64,274	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,712
COORDINATOR OF EMERGENCY PLANNING	28	64,274	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699
HOUSING MANAGEMENT ANALYST	28											
INFORMATION SYSTEMS SPECIALIST	28											
LANDSCAPE ARCHITECT	28											
SEWER SYSTEM ANALYST	28											
SYSTEMS PROGRAMMER	28											
TRAFFIC ENGINEER	28											
SENIOR BUDGET AND PROCEDURES ANALYST	29	67,490	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699	109,933
INFORMATION SYSTEMS COORDINATOR	30	70,862	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699	109,934	115,431
OPERATIONS ENGINEER	30											
PARKS DEVELOPMENT PLANNER	30											
PLANNER III	30											
TRAINING ADMINISTRATOR	30											
SENIOR NETWORK ENGINEER	31	74,408	78,128	82,034	86,136	90,442	94,964	99,713	104,699	109,934	115,431	121,203
GEOGRAPHIC INFORMATION SYSTEMS MANAGER	32	78,128	82,034	86,136	90,442	94,964	99,713	104,699	109,934	115,431	121,202	127,262
CHIEF PROCUREMENT OFFICER	34	86,136	90,442	94,964	99,713	104,699	109,934	115,431	121,202	127,261	133,625	140,306

Effective: 07/01/2025 (Ord xx-xxx)

Exhibit M

**PAY PLANS AND RATES OF PAY FOR
CLASSIFIED SERVICE PROFESSIONAL EMPLOYEES REPRESENTED BY THE DELAWARE PUBLIC
EMPLOYEES COUNCIL 81, AFSCME, AFL-CIO, AFFILIATE LOCAL 3109**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
HOUSING SPECIALIST RECREATION SPECIALIST	19 19	42,465	44,589	46,818	49,160	51,617	54,199	56,910	59,755	62,744	65,881	69,174
AUTOMOTIVE PARTS SUPERVISOR PLANNER I	22 22	49,160	51,617	54,199	56,910	59,755	62,744	65,881	69,177	72,634	76,268	80,082
COMMUNITY SERVICES COORDINATOR CUSTOMER INFO AND ASSISTANCE COORD HEALTH SERVICES NURSE	23 23 23	51,617	54,199	56,910	59,755	62,744	65,881	69,177	72,634	76,268	80,081	84,085
ASSESSMENT ANALYST EMERGENCY PREPAREDNESS PLANNER HOUSING FINANCIAL ADVISOR PROGRAM ANALYST	24 24 24 24	54,199	56,910	59,755	62,744	65,881	69,177	72,634	76,268	80,081	84,085	88,289
JUNIOR SYSTEMS PROGRAMMER LIBRARIAN I PENSION PROGRAM ANALYST PLANNER II	26 26 26 26	59,755	62,744	65,881	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338
BUDGET AND PROCEDURES ANALYST	27	62,744	65,881	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,205
COORDINATOR OF EMERGENCY PLANNING HOUSING MANAGEMENT ANALYST INFORMATION SYSTEMS SPECIALIST LANDSCAPE ARCHITECT SEWER SYSTEM ANALYST SYSTEMS PROGRAMMER TRAFFIC ENGINEER	28 28 28 28 28 28 28	65,881	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316
SENIOR BUDGET AND PROCEDURES ANALYST	29	69,177	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316	112,681
INFORMATION SYSTEMS COORDINATOR OPERATIONS ENGINEER PARKS DEVELOPMENT PLANNER PLANNER III TRAINING ADMINISTRATOR	30 30 30 30 30	72,634	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316	112,682	118,317
SENIOR NETWORK ENGINEER	31	76,268	80,081	84,085	88,289	92,703	97,338	102,206	107,316	112,682	118,317	124,233
GEOGRAPHIC INFORMATION SYSTEMS MANAGER	32	80,081	84,085	88,289	92,703	97,338	102,206	107,316	112,682	118,317	124,232	130,444
CHIEF PROCUREMENT OFFICER	34	88,289	92,703	97,338	102,206	107,316	112,682	118,317	124,232	130,443	136,966	143,814

Effective: 07/01/2026 (Ord xx-xxx)

Prime Sponsor(s): Ms. Hartley-Nagle
Requested by: Administration/HR
Date of introduction: September 24, 2024

ORDINANCE NO. 24-151

AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED SERVICE EMPLOYEES, NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE, NON-UNION CLASSIFIED SERVICE ROW OFFICE EMPLOYEES, NON-UNION UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES AND CLASSIFIED SERVICE EMPLOYEES REPRESENTED BY FRATERNAL ORDER OF POLICE (FOP) LODGE #5 SWORN DEPUTY SHERIFFS

1 **WHEREAS**, County Council amended the Pay Plan and Rates of Pay for
2 Classified Service Employees represented by Local 459 adding a Step 11 via
3 Ordinance 02-073; and
4

5 **WHEREAS**, County Council amended the Pay Plan and Rates of Pay for
6 Unclassified Employees of County Council adding a Step 11 via Ordinance 16-075; and
7

8 **WHEREAS**, County Council amended the Pay Plan and Rates of Pay for
9 Classified Service Employees represented by the Delaware Public Employees Council
10 81, AFSME, AFL-CIO, Affiliate Local 3109 to include Step 11 via Ordinance 21-095; and
11

12 **WHEREAS**, County Council amended the Pay Plan and Rates of Pay for
13 Classified Service Employees represented by Fraternal Order of Police, New Castle
14 County Lodge No. 5, adding Steps for Completion of Year 18 and Year 21 via
15 Ordinance 22-078; and
16

17 **WHEREAS**, County Council amended the Pay Plan and Rates of Pay for
18 Fraternal Order of Police, New Castle County Lodge No. 5, Captains, Majors and
19 Lieutenant Colonel adding Steps for Completion of Year 18 and Year 21 via Ordinance
20 23-003; and
21

22 **WHEREAS**, County Council authorized the County Executive to enter into an
23 agreement with the Classified Service Emergency Services Employees represented by
24 the Delaware Public Employees Council 81, AFSME, AFL-CIO, Affiliate Local 3911
25 providing retention pay via Resolution 23-219; and
26

27 **WHEREAS**, County Council amended the Pay Plan and Rates of Pay for
28 Classified Service Employees represented by the Delaware Public Employees Council
29 81, AFSME, AFL-CIO, Affiliate Local 1607 adding a Step 11 via Ordinance 24-089; and
30

31 **WHEREAS**, the pay plan and rates of pay for Non-Union Classified Service
32 Employees, Classified Service Employees represented by Fraternal Order of Police
33 (FOP) Lodge #5 Sworn Deputy Sheriffs, Non-Union Unclassified Employees of the
34 Executive Office, Non-Union Classified Service Row Office Employees, Non-Union
35 Unclassified Service Row Office Employees and do not include a Step 11 or any form of
36 longevity pay; and

37 **WHEREAS**, it is recommended that a Step 11 be added to the respective Pay
38 Plans to ensure pay equity between employees and supervisors and to provide an
39 incentive to long-term employees with valuable institutional knowledge to maintain their
40 employment with the County; and

41
42 **WHEREAS**, the Acting Chief Human Resources Officer concurs with the
43 recommendation.

44
45 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

46
47 Section 1. The Pay Plan and Rates of Pay for Non-Union Classified Service
48 Employees, effective July 1, 2024, is hereby amended by adding the material that is
49 underscored and deleting the material that is stricken as set forth in Exhibit "A-C".

50
51 Section 2. The Pay Plan and Rates of Pay for Classified Service Employees
52 represented by Fraternal Order of Police (FOP) Lodge #5 Sworn Deputy Sheriffs,
53 effective July 1, 2024, is hereby amended by adding the material that is underscored
54 and deleting the material that is stricken as set forth in Exhibit "D".

55
56 Section 3. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
57 Employees of the Executive Office, effective July 1, 2024, is hereby amended by adding
58 the material that is underscored and deleting the material that is stricken as set forth in
59 Exhibit "E-G".

60
61 Section 4. The Pay Plan and Rates of Pay for Non-Union Classified Service Row
62 Office Employees, effective July 1, 2024, is hereby amended by adding the material that
63 is underscored and deleting the material that is stricken as set forth in Exhibit "H-J".

64
65 Section 5. The Pay Plan and Rates of Pay for Non-Union Unclassified Service
66 Row Office Employees, effective July 1, 2024, is hereby amended by adding the
67 material that is underscored and deleting the material that is stricken as set forth in
68 Exhibit "K-M".

69
70 Section 6. This Ordinance shall become effective immediately upon its adoption
71 by County Council and approval by the County Executive, or as otherwise provided in 9
72 *Del. C. § 1156*.

73
74 Section 7. It is the intent of the County Council that the provisions of this
75 Ordinance shall be effective retroactive to July 1, 2024.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, adds a Step 11 for Non-Union Classified Service Employees, Non-Union Unclassified Employees of the Executive Office, Non-Union Classified Service Row Office Employees, Non-Union Unclassified Service Row Office Employees and Classified Service Employees represented by Fraternal Order of Police (FOP) Lodge #5 Sworn Deputy Sheriffs.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2024. Employees in these respective pay plans at Step 10 as of June 30, 2024 may move to Step 11 effective upon their next Anniversary Service Date on or following July 1, 2024.

It is the intent that the Pay Plans presented will be adjusted based on the consideration of Ordinances 24-xxx and 24-xxx related to the Assistant Chief of Emergency Communications and Law career ladder job classifications.

FISCAL IMPACT: This Ordinance, if approved, adds a Step 11 for Non-Union Classified Service Employees, Non-Union Unclassified Employees of the Executive Office, Non-Union Classified Service Row Office Employees, Non-Union Unclassified Service Row Office Employees and Classified Service Employees represented by Fraternal Order of Police (FOP) Lodge #5 Sworn Deputy Sheriffs.

It is the intent of the County Council that the provisions of this Ordinance shall be effective retroactive to July 1, 2024. Employees in these respective pay plans at Step 10 as of June 30, 2024 may move to Step 11 upon their next Anniversary Service Date.

The estimated fiscal impact (Salaries/Wages and Benefits) of adding the Step 11 to these pay plans are:

FY2025	\$562,420
FY2026	\$196,250
FY2027	\$ 76,606

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	11
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	56,894
INSURANCE CLAIMS ASSISTANT	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897	59,742
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	62,731
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	69,160
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	76,248
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	80,059
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	84,065
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	88,269
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	92,682
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	97,316
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	102,182
PAYROLL SUPERVISOR	29	65,869	69,162	72,620	76,251	80,064	84,067	88,270	92,684	97,318	102,184	107,293
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	112,657
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	118,293
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	124,206

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	11
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	136,935
ASSISTANT LAND USE MANAGER												
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	88,271	92,685	97,319	102,185	107,294	112,658	118,291	124,206	130,416	136,937	143,784
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	150,970
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	117,290
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	155,604
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	174,171

Effective: 07/01/2024 (Ordinance 23-063)**Revised: 07/01/2024 (Ordinance 23-086)****Revised: 08/29/2023 (Ordinance 23-097)****Revised: 08/01/2023 (Ordinance 23-126)****Revised: 07/07/2023 (Ordinance 24-013)****Revised: 07/01/2024 (Ordinance 24-xxx) - Add Step 11 (Incumbents in Step 10 to move to Step 11 upon reaching anniversary date following 7/1/2024)**

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	11
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	58,317
INSURANCE CLAIMS ASSISTANT	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320	61,236
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	64,300
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	70,889
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	78,155
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	82,061
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	86,167
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	90,476
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	95,000
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	99,749
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	104,737
PAYROLL SUPERVISOR	29	67,516	70,892	74,436	78,158	82,066	86,169	90,477	95,002	99,751	104,739	109,976
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	115,474
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	121,251
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	127,312

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	11
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	140,359
ASSISTANT LAND USE MANAGER												
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	90,478	95,003	99,752	104,740	109,977	115,475	121,249	127,312	133,677	140,361	147,379
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	154,745
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	120,223
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	159,495
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	178,526

Effective: 07/01/2025 (Ordinance 23-063)
Revised: 07/01/2025 (Ordinance 23-086)
Revised: 08/29/2023 (Ordinance 23-097)
Revised: 08/01/2023 (Ordinance 23-126)
Revised: 07/07/2022 (Ordinance 24-013)
Revised: 07/01/2025 (Ordinance 24-xxx) - Add Step 11

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	11
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	59,775
INSURANCE CLAIMS ASSISTANT	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778	62,767
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	65,908
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	72,662
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	80,109
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	84,113
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	88,322
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	92,738
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	97,375
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	102,243
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	107,356
PAYROLL SUPERVISOR	29	69,204	72,665	76,297	80,112	84,118	88,324	92,739	97,378	102,245	107,358	112,726
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	118,361
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	124,283
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	130,495

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	11
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	143,868
ASSISTANT LAND USE MANAGER												
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	92,740	97,379	102,246	107,359	112,727	118,362	124,281	130,495	137,019	143,871	151,064
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	158,614
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	123,229
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	163,483
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	182,990

*Effective: 07/01/2026 (Ordinance 23-063)**Revised: 07/01/2026 (Ordinance 23-086)**Revised: 08/29/2023 (Ordinance 23-097)**Revised: 08/01/2023 (Ordinance 23-126)**Revised: 07/07/2022 (Ordinance 24-013)**Revised: 07/01/2026 (Ordinance 24-xxx) - Add Step 11*

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

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
DEPUTY SHERIFF	19	39,447	41,421	43,492	45,666	47,948	50,347	52,863	55,508	58,285	61,199	
CHIEF DEPUTY SHERIFF	25	52,863	55,508	58,285	61,199	64,259	67,473	70,845	74,388	78,107	82,012	

Effective: 07/01/2022-06/30/23

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
DEPUTY SHERIFF	22	46,806	49,149	51,606	54,186	56,894	59,740	62,726	65,864	69,159	72,617	
CHIEF DEPUTY SHERIFF	25	54,185	56,896	59,742	62,729	65,865	69,160	72,616	76,248	80,060	84,062	

Effective: 07/01/2023-06/30/24

Revised: 07/20/2023

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
DEPUTY SHERIFF	22	47,977	50,378	52,895	55,541	58,317	61,234	64,294	67,510	70,888	74,432	78,154
CHIEF DEPUTY SHERIFF	25	55,540	58,318	61,236	64,297	67,512	70,889	74,431	78,154	82,062	86,164	90,472

Effective: 07/01/2024-06/30/25

Revised: 07/20/2023

Revised: 07/01/2024 (Ordinance 24-xxx) - Add Step 11 (Incumbents in Step 10 to move to Step 11 upon reaching anniversary date following 7/1/2024)

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
DEPUTY SHERIFF	22	49,176	51,637	54,217	56,929	59,774	62,764	65,902	69,198	72,661	76,292	80,108
CHIEF DEPUTY SHERIFF	25	56,929	59,776	62,767	65,904	69,200	72,661	76,292	80,108	84,114	88,318	92,734

Effective: 07/01/2025

Revised: 07/20/2023

Revised: 07/01/2025 (Ordinance 24-xxx) - Add Step 11

Ordinance 23-004

Ordinance 24-002

Revised: 07/01/2024 (Ordinance 24-xxx) - Add Step 11

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
LEGAL SECRETARY	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897	59,742
ETHICS COMMISSION ADMIN ASST	20	42,458	44,581	46,810	49,151	51,609	54,189	56,898	59,744	62,730	65,867	69,160
EXECUTIVE ASSISTANT I	22	46,809	49,150	51,607	54,188	56,897	59,743	62,729	65,866	69,159	72,617	76,248
OFFICE OF LAW PARALEGAL	24	51,609	54,189	56,898	59,744	62,730	65,867	69,160	72,618	76,249	80,062	84,065
PARALEGAL TO THE COUNTY ATTORNEY	25	54,190	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066	88,269
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	56,899	59,745	62,732	65,868	69,161	72,619	76,250	80,063	84,066	88,269	92,682
COMPLAINTS OFFICER	27	59,744	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682	97,316
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	69,161	72,619	76,250	80,063	84,066	88,269	92,683	97,317	102,183	107,292	112,657
ASSISTANT COUNTY ATTORNEY I	32	76,252	80,065	84,068	88,271	92,685	97,319	102,185	107,294	112,658	118,291	124,206
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	84,067	88,270	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,935
DIRECTOR OF REDEVELOPMENT	36	92,684	97,318	102,184	107,293	112,657	118,290	124,204	130,414	136,934	143,781	150,970
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	102,185	107,294	112,658	118,291	124,206	130,416	136,937	143,784	150,974	158,523	166,449
COUNTY SOLICITOR	39	107,295	112,659	118,293	124,207	130,417	136,938	143,785	150,975	158,524	166,449	174,771
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	112,658	118,291	124,206	130,416	136,937	143,783	150,973	158,522	166,447	174,769	183,507
CHIEF OF POLICE	41	137,997	144,896	152,141	159,748	167,736	176,123	184,929	194,175	203,884	214,078	224,782
PART-TIME ATTORNEY (hourly rate)		42.42	44.54	46.77	49.11	51.57	54.15	56.86	59.70	62.69	65.82	69.11
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY												
CHIEF ADMINISTRATIVE OFFICER		109,439	123,665	131,085	138,951	154,235	161,946	170,043	178,545	187,472	196,846	206,688
BOARD AND COMMISSIONERS RATES OF PAY												
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR										
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.										
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING										
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										

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

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

Revised: 07/01/2023 (Ordinance 23-148)

Revised: 07/01/2024 (Ordinance 24-056)

Revised: 07/01/2024 (Ordinance 24-xxx) - Add Step 11 (Incumbents in Step 10 to move to Step 11 upon reaching anniversary date following 7/1/2024)

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
LEGAL SECRETARY	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320	61,236
ETHICS COMMISSION ADMIN ASST	20	43,520	45,696	47,981	50,380	52,900	55,544	58,321	61,238	64,299	67,514	70,889
EXECUTIVE ASSISTANT I	22	47,980	50,379	52,898	55,543	58,320	61,237	64,298	67,513	70,888	74,433	78,155
OFFICE OF LAW PARALEGAL	24	52,900	55,544	58,321	61,238	64,299	67,512	70,889	74,434	78,156	82,064	86,167
PARALEGAL TO THE COUNTY ATTORNEY	25	55,545	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168	90,476
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	58,322	61,239	64,301	67,515	70,891	74,435	78,157	82,065	86,168	90,476	95,000
COMPLAINTS OFFICER	27	61,238	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000	99,749
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	70,891	74,435	78,157	82,065	86,168	90,476	95,001	99,750	104,738	109,975	115,474
ASSISTANT COUNTY ATTORNEY I	32	78,159	82,067	86,170	90,478	95,003	99,752	104,740	109,977	115,475	121,249	127,312
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	86,169	90,477	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,359
DIRECTOR OF REDEVELOPMENT	36	95,002	99,751	104,739	109,976	115,474	121,248	127,310	133,675	140,358	147,376	154,745
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	104,740	109,977	115,475	121,249	127,312	133,677	140,361	147,379	154,749	162,487	170,611
COUNTY SOLICITOR	39	109,978	115,476	121,251	127,313	133,678	140,362	147,380	154,750	162,488	170,611	179,141
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	115,475	121,249	127,312	133,677	140,361	147,378	154,748	162,486	170,609	179,139	188,095
CHIEF OF POLICE	41	141,447	148,518	155,945	163,742	171,929	180,526	189,552	199,029	208,981	219,430	230,402
PART-TIME ATTORNEY (hourly rate)		43.48	45.65	47.93	50.33	52.85	55.49	58.26	61.17	64.23	67.44	71.00
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY												
CHIEF ADMINISTRATIVE OFFICER		112,175	126,757	134,363	142,425	158,091	165,995	174,295	183,009	192,159	201,768	211,856
BOARD AND COMMISSIONERS RATES OF PAY												
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR										
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.										
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING										
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
Effective: 07/01/2025 (Ordinance 23-063)												
Revised: 07/01/2025 (Ordinance 23-086)												
Revised: 07/01/2023 (Ordinance 23-148)												
Revised: 07/01/2024 (Ordinance 24-056)												
Revised: 07/01/2025 (Ordinance 24-xxx)												

**PAY PLAN AND RATES OF PAY FOR
NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
LEGAL SECRETARY	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778	62,767
ETHICS COMMISSION ADMIN ASST	20	44,608	46,839	49,181	51,640	54,223	56,933	59,780	62,769	65,907	69,202	72,662
EXECUTIVE ASSISTANT I	22	49,180	51,639	54,221	56,932	59,778	62,768	65,906	69,201	72,661	76,294	80,109
OFFICE OF LAW PARALEGAL	24	54,223	56,933	59,780	62,769	65,907	69,202	72,662	76,295	80,110	84,116	88,322
PARALEGAL TO THE COUNTY ATTORNEY	25	56,934	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323	92,738
EXECUTIVE ASSISTANT II LAW ENFORCEMENT TECHNICIAN	26 26	59,781	62,770	65,909	69,203	72,664	76,296	80,111	84,117	88,323	92,738	97,375
COMPLAINTS OFFICER	27	62,769	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375	102,243
EXECUTIVE ASSISTANT III STAFF DIRECTOR	30 30	72,664	76,296	80,111	84,117	88,323	92,738	97,377	102,244	107,357	112,725	118,361
ASSISTANT COUNTY ATTORNEY I	32	80,113	84,119	88,325	92,740	97,379	102,246	107,359	112,727	118,362	124,281	130,495
ASSISTANT COUNTY ATTORNEY II DIRECTOR OF COMMUNICATIONS EXECUTIVE ASSISTANT IV	34 34 34	88,324	92,739	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,868
DIRECTOR OF REDEVELOPMENT	36	97,378	102,245	107,358	112,726	118,361	124,280	130,493	137,017	143,867	151,061	158,614
CHIEF HUMAN RESOURCES OFFICER CHIEF OF TECHNOLOGY AND ADMIN SERVICES COMMUNITY SERVICES DEPT. GEN. MANAGER	38 38 38	107,359	112,727	118,362	124,281	130,495	137,019	143,871	151,064	158,618	166,550	174,877
COUNTY SOLICITOR	39	112,728	118,363	124,283	130,496	137,020	143,872	151,065	158,619	166,551	174,877	183,620
CHIEF FINANCIAL OFFICER CHIEF OF STAFF COUNTY ATTORNEY DEPUTY CHIEF ADMINISTRATIVE OFFICER DIRECTOR OF PUBLIC SAFETY LAND USE DEPARTMENT GENERAL MANAGER POLICY DIRECTOR FOR THE COUNTY EXECUTIVE PUBLIC WORKS DEPARTMENT GENERAL MGR.	40 40 40 40 40 40 40 40	118,362	124,281	130,495	137,019	143,871	151,063	158,617	166,549	174,875	183,618	192,798
CHIEF OF POLICE	41	141,447	148,518	155,945	163,742	171,929	180,526	189,552	199,029	208,981	219,430	236,163
PART-TIME ATTORNEY (hourly rate)		44.57	46.80	49.14	51.60	54.18	56.89	59.73	62.72	65.86	69.15	73.00
EXECUTIVE AND ADMINISTRATIVE RATES OF PAY												
CHIEF ADMINISTRATIVE OFFICER		114,980	129,926	137,723	145,986	162,044	170,145	178,653	187,585	196,963	206,813	217,153
BOARD AND COMMISSIONERS RATES OF PAY												
JUDGEMENT COMMISSIONERS		\$9.25 PER HOUR										
MEMBER, BOARD OF ADJUSTMENT		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, BOARD OF ASSESSMENT REVIEW		\$100 PER MEETING FOR ANY MEETING LASTING NOT MORE THAN SIX (6) HOURS PLUS \$25 PER HOUR FOR EVERY HOUR OVER SIX THAT A MEMBER SPENDS HEARING APPEALS IN A SINGLE DAY.										
MEMBER, HISTORIC REVIEW BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, HUMAN RESOURCES ADVISORY BOARD		\$100 PER MEETING										
MEMBER, PLANNING BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
MEMBER, POLICE ACCOUNTABILITY BOARD		\$100 PER REGULAR MEETING AND \$100 PER SPECIAL MEETING										
Effective: 07/01/2026 (Ordinance 23-063)												
Revised: 07/01/2026 (Ordinance 23-086)												
Revised: 07/01/2023 (Ordinance 23-148)												
Revised: 07/01/2024 (Ordinance 24-056)												
Revised: 07/01/2026 (Ordinance 24-xxx)												

**PAY PLAN AND RATES OF PAY FOR NON-UNION
CLASSIFIED SERVICE ROW OFFICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ROW OFFICE CONFIDENTIAL SECRETARY	20	42,458	44,581	46,809	49,150	51,607	54,187	56,897	59,742	62,728	65,865
REGISTER OF WILLS OFFICE ADMINISTRATOR	25	54,190	56,899	59,745	62,732	65,868	69,161	72,620	76,250	80,063	84,066
RECORDER OF DEEDS OFFICE ADMINISTRATOR	27	59,745	62,732	65,868	69,161	72,620	76,250	80,063	84,066	88,269	92,683

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

Revised: 07/01/2024 (Ordinance 24-xxx) - Add Step 11 (Incumbents in Step 10 to move to Step 11 upon reaching anniversary date following 7/1/2024)

**PAY PLAN AND RATES OF PAY FOR NON-UNION
CLASSIFIED SERVICE ROW OFFICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ROW OFFICE CONFIDENTIAL SECRETARY	20	43,520	45,696	47,980	50,379	52,898	55,542	58,320	61,236	64,297	67,512
REGISTER OF WILLS OFFICE ADMINISTRATOR	25	55,545	58,322	61,239	64,301	67,515	70,891	74,436	78,157	82,065	86,168
RECORDER OF DEEDS OFFICE ADMINISTRATOR	27	61,239	64,301	67,515	70,891	74,436	78,157	82,065	86,168	90,476	95,001

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

Revised: 07/01/2025 (Ordinance 24-xxx) - Add Step 11

**PAY PLAN AND RATES OF PAY FOR NON-UNION
CLASSIFIED SERVICE ROW OFFICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10
ROW OFFICE CONFIDENTIAL SECRETARY	20	44,608	46,839	49,180	51,639	54,221	56,931	59,778	62,767	65,905	69,200
REGISTER OF WILLS OFFICE ADMINISTRATOR	25	56,934	59,781	62,770	65,909	69,203	72,664	76,297	80,111	84,117	88,323
RECORDER OF DEEDS OFFICE ADMINISTRATOR	27	62,770	65,909	69,203	72,664	76,297	80,111	84,117	88,323	92,738	97,377

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

Revised: 07/01/2026 (Ordinance 24-xxx) - Add Step 11

**PAY PLAN AND RATES OF PAY FOR NON-UNION
UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ROW OFFICE LEGAL AIDE	17	36,676	38,510	40,436	42,457	44,580	46,809	49,150	51,607	54,188	56,897	59,742
ROW OFFICE LEGAL ASSISTANT	21	44,581	46,810	49,151	51,609	54,189	56,898	59,744	62,730	65,867	69,160	72,618
CHIEF DEPUTY RECORDER OF DEEDS	28	62,730	65,867	69,160	72,618	76,249	80,062	84,065	88,268	92,682	97,316	102,182
CHIEF DEPUTY REGISTER OF WILLS	28											
CHIEF DEPUTY CLERK OF THE PEACE	28											
CHIEF DEPUTY												

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

Revised: 07/01/2024 (Ordinance 24-xxx) - Add Step 11 (Incumbents in Step 10 to move to Step 11 upon reaching anniversary date following 7/1/2024)

**PAY PLAN AND RATES OF PAY FOR NON-UNION
UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ROW OFFICE LEGAL AIDE	17	37,593	39,473	41,447	43,519	45,695	47,980	50,379	52,898	55,543	58,320	61,236
ROW OFFICE LEGAL ASSISTANT	21	45,696	47,981	50,380	52,900	55,544	58,321	61,238	64,299	67,514	70,889	74,434
CHIEF DEPUTY RECORDER OF DEEDS	28	64,299	67,514	70,889	74,434	78,156	82,064	86,167	90,475	95,000	99,749	104,737
CHIEF DEPUTY REGISTER OF WILLS	28											
CHIEF DEPUTY CLERK OF THE PEACE	28											
CHIEF DEPUTY												

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

Revised: 07/01/2025 (Ordinance 24-xxx) - Add Step 11

**PAY PLAN AND RATES OF PAY FOR NON-UNION
UNCLASSIFIED SERVICE ROW OFFICE EMPLOYEES**

CLASSIFICATION	PAY GRADE	1	2	3	4	5	6	7	8	9	10	11
ROW OFFICE LEGAL AIDE	17	38,533	40,460	42,484	44,607	46,838	49,180	51,639	54,221	56,932	59,778	62,767
ROW OFFICE LEGAL ASSISTANT	21	46,839	49,181	51,640	54,223	56,933	59,780	62,769	65,907	69,202	72,662	76,295
CHIEF DEPUTY RECORDER OF DEEDS	28	65,907	69,202	72,662	76,295	80,110	84,116	88,322	92,737	97,375	102,243	107,356
CHIEF DEPUTY REGISTER OF WILLS	28											
CHIEF DEPUTY CLERK OF THE PEACE	28											
CHIEF DEPUTY												

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

Revised: 07/01/2026 (Ordinance 24-xxx) - Add Step 11

Prime Sponsor(s): Mr. Bell
Requested by: Land Use
Date of introduction: April 23, 2024

SUBSTITUTE NO. 1 TO ORDINANCE NO. 24-067

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 12 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-030.00-046 (0 RIVER RD), 10-035.00-002 (300 S DUPONT HWY), 10-035.00-056 (790 GRANTHAM LN, DELLAVERSANO SUBDIVISION); RED LION HUNDRED: 12-002.00-024 (0 S DUPONT HWY), 12-006.00-041 (1535 RED LION RD, HARRIS SUBDIVISION), 12-007.00-020 (4120 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-013.00-081 (4110 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-036.00-001 (0 BIGGS LN, UNION CARBIDE CORP); ST GEORGES HUNDRED: 13-008.00-019 (2093 DUPONT PKY), 13-008.00-028 (2105 DUPONT PKY, LESTER SUBDIVISION), 13-008.00-044 (310 HYETTS CORNER RD, HYETTS CORNER ROAD WATER TREATMENT PLANT), 13-013.00-029 (2344 DUPONT PKY), 13-013.00-030 (2348 DUPONT PKY), 13-013.00-035 (2398 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-148 (2356 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-249 (0 DUPONT PKY).

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 amended by Floor Amendment No. 1 ("New Castle County Comprehensive Plan" or "the
3 Plan"), on July 26, 2022, and the County Executive approved the Ordinance on August
4 4, 2022; and
5

6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and
10

11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and
14

15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and
17

18 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and

22 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
23 the official zoning map in accordance with the uses and intensities of uses provided for in
24 the future land use element of the New Castle County Comprehensive Plan; and
25

26 **WHEREAS**, the County can foster more informed participation by the public,
27 including increased opportunities for review, by amending the zoning map in smaller
28 portions, such as by Councilmanic District; and
29

30 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
31 growth consistent with the spirit and intent of the Comprehensive Development Plan as
32 provided by State law; and

33 **WHEREAS**, County Council has determined that the amendments to the zoning
34 map substantially advance, and are reasonably and rationally related to, legitimate
35 government interests (i.e., promoting the health, safety, morals, convenience, order,
36 prosperity and/or welfare of the present and future inhabitants of this State).
37

38 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
39

40 Section 1. The Zoning Maps of New Castle Hundred, Red Lion Hundred, and St
41 Georges Hundred, are hereby amended by changing the zoning classification of the land
42 shown on attached Exhibit "A", Maps 1-9 dated 3/24/2024, and Map 6 dated 8/26/2024,
43 as set forth therein.
44

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title, however the portion of parcel 12-036.00-001 zoned
Business Park has been reconfirmed and will remain Business Park zoned.

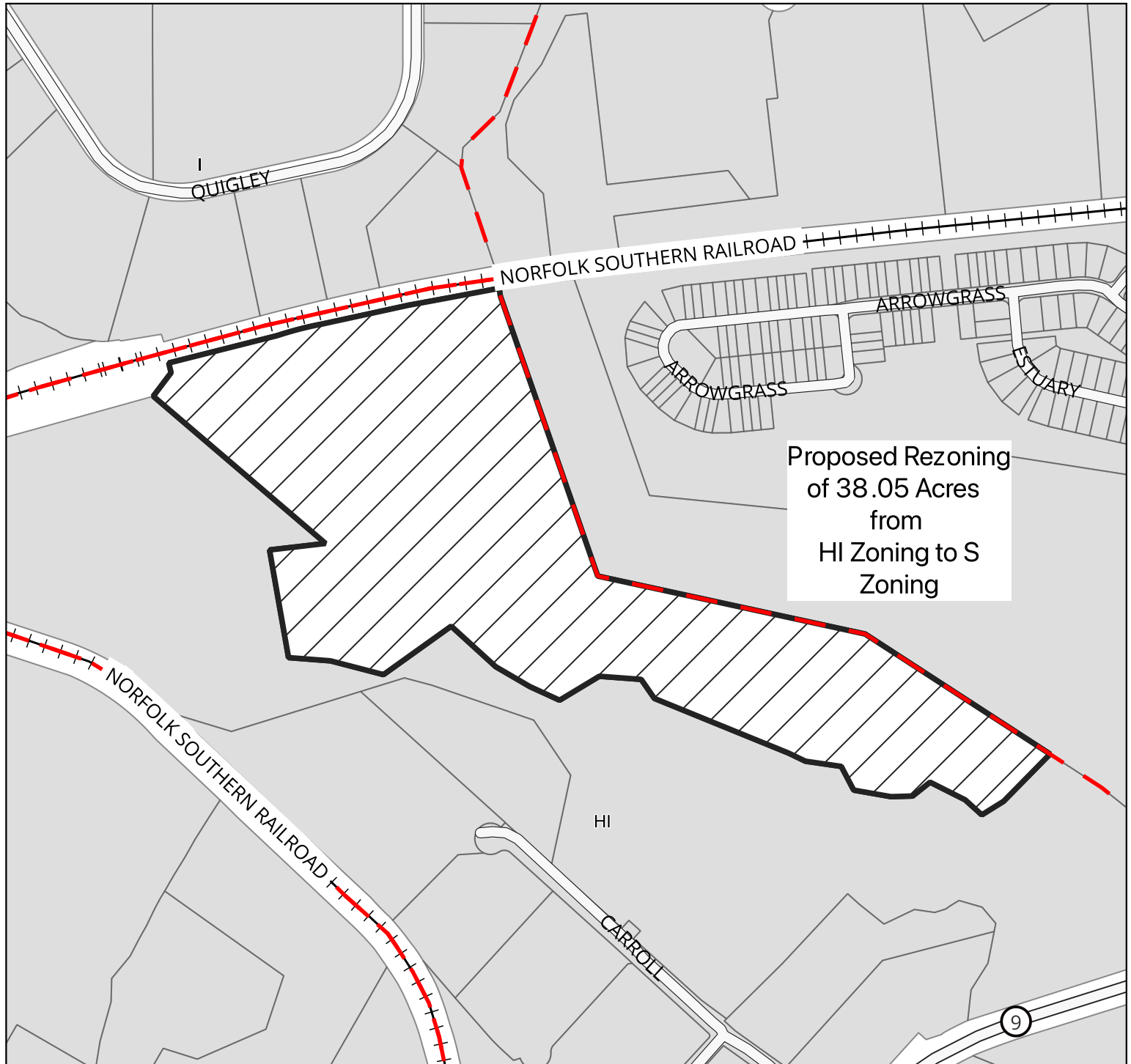
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this legislation.

PROPERTY MAP

EXHIBIT A: MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 10-030.00-046



HUNDRED: NEW CASTLE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5381
Prepared by: Matthew Rogers

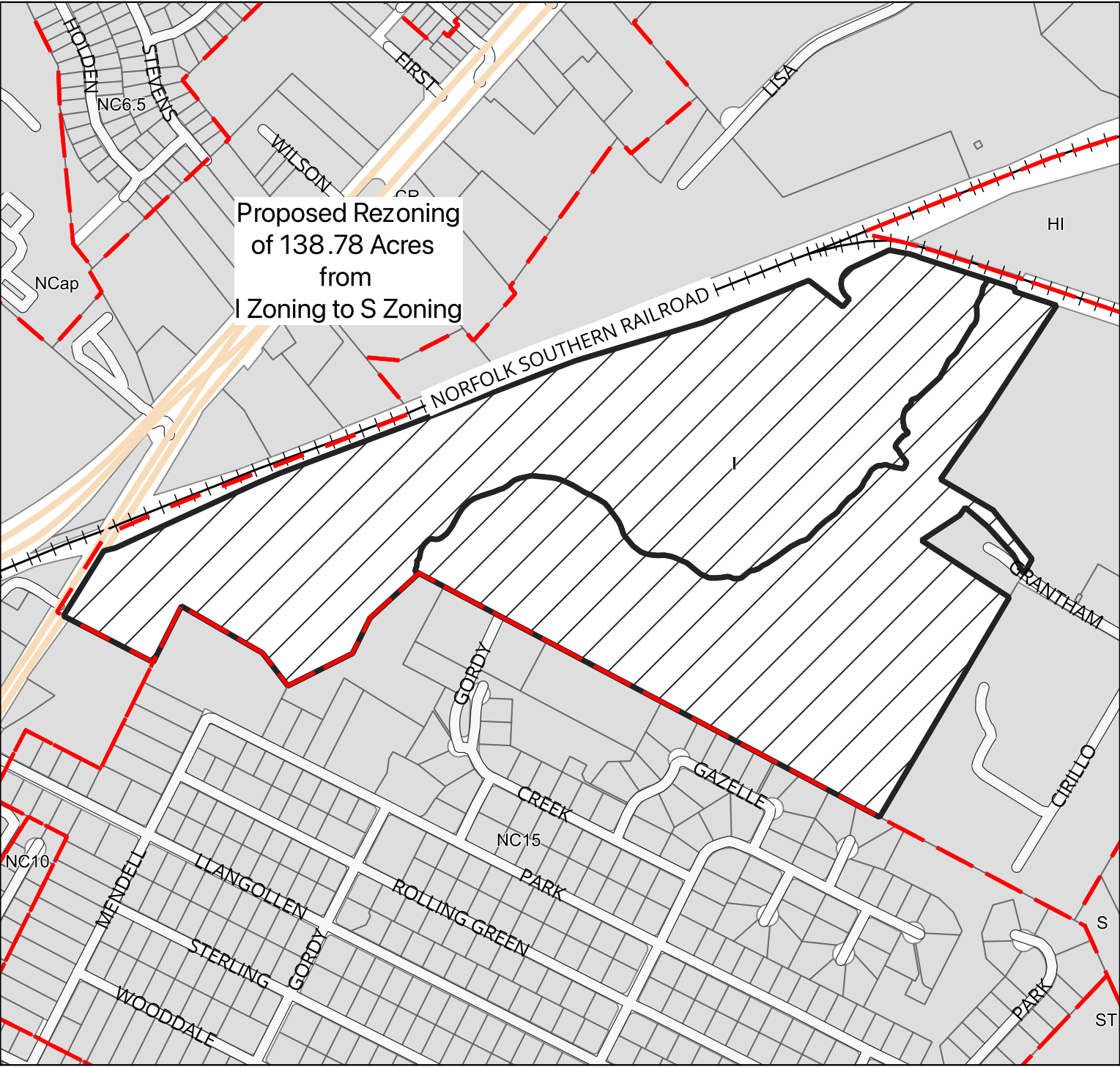
Date: 3/24/2024



Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 10-035.00-002,
10-035.00-056



HUNDRED: NEW CASTLE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8048
Prepared by: Matthew Rogers

Date: 3/24/2024



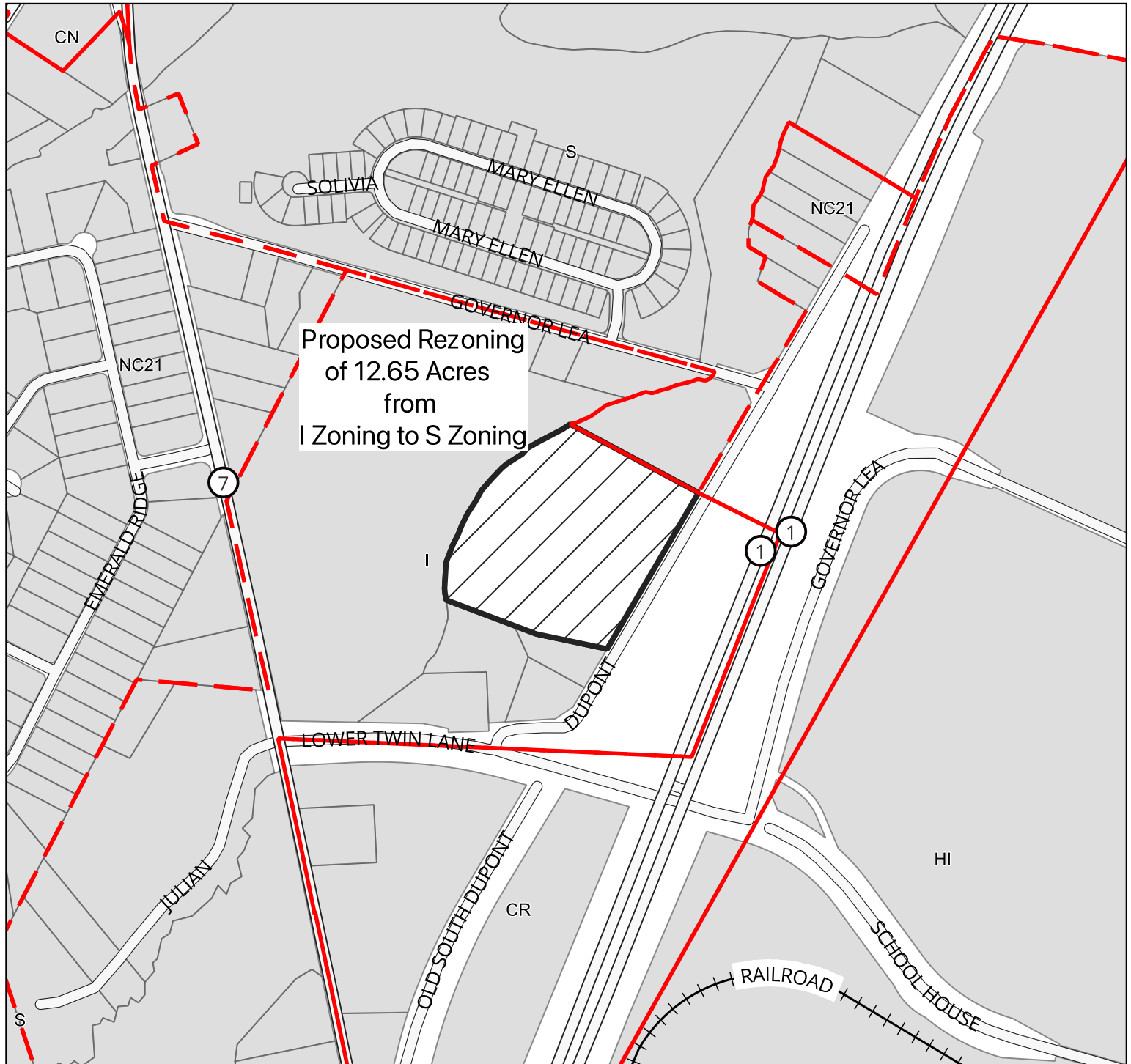
Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A: MAP 3
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-002.00-024



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6627
Prepared by: Matthew Rogers

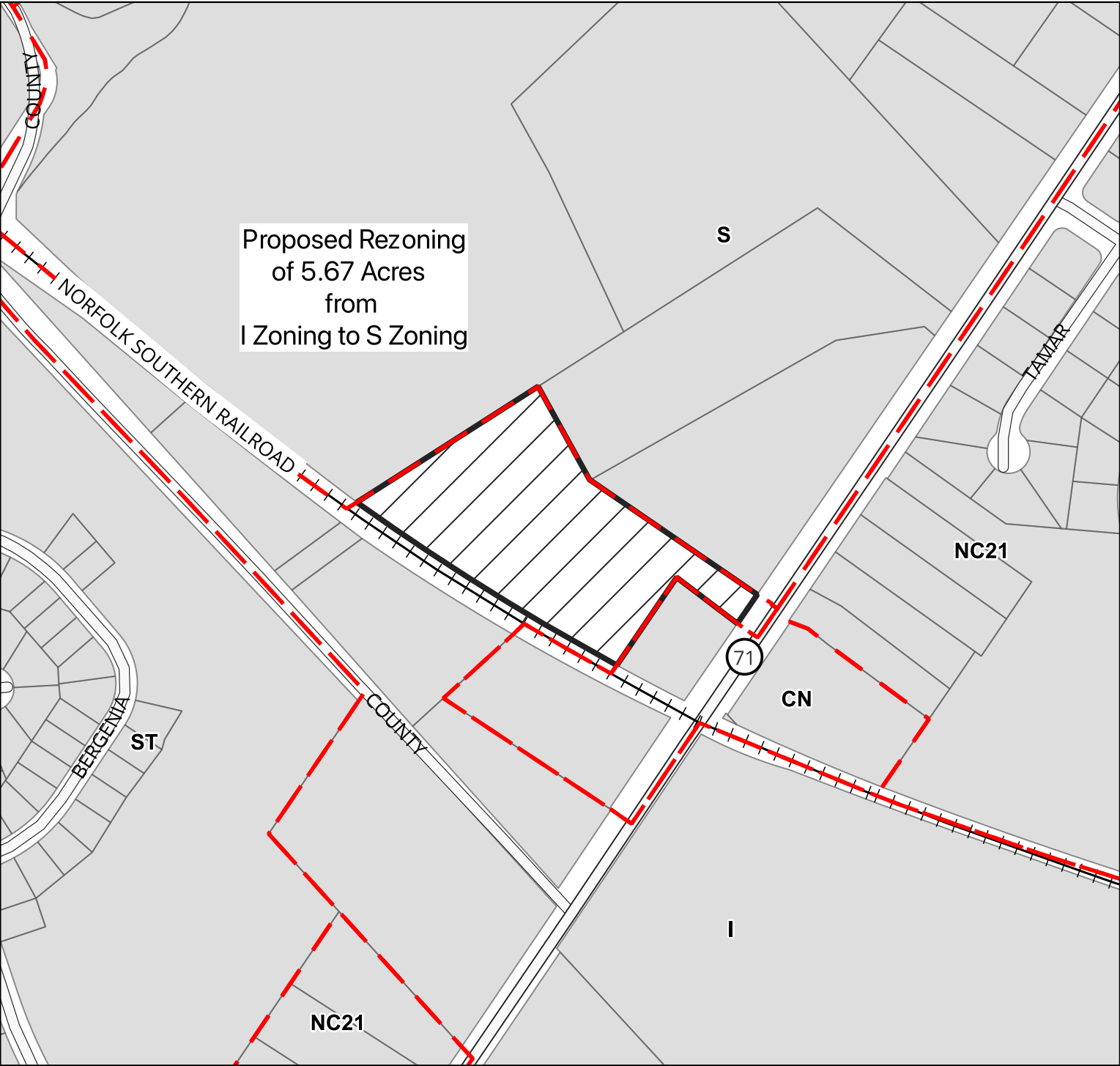
Date: 3/24/2024



Substitute No.1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-006.00-041



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3932
Prepared by: Matthew Rogers

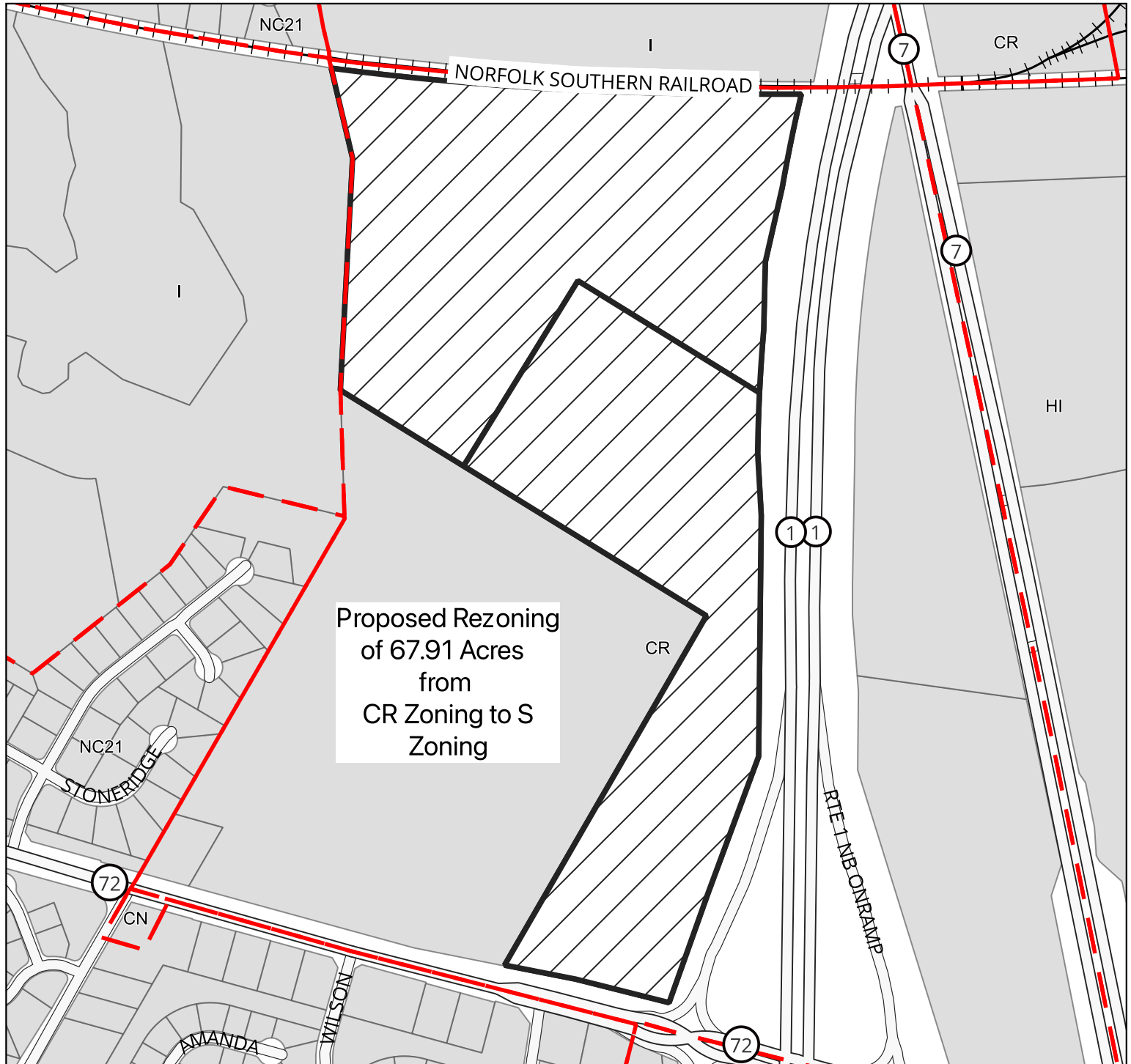
Date: 3/24/2024



Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-007.00-020,
12-013.00-081



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6025
Prepared by: Matthew Rogers

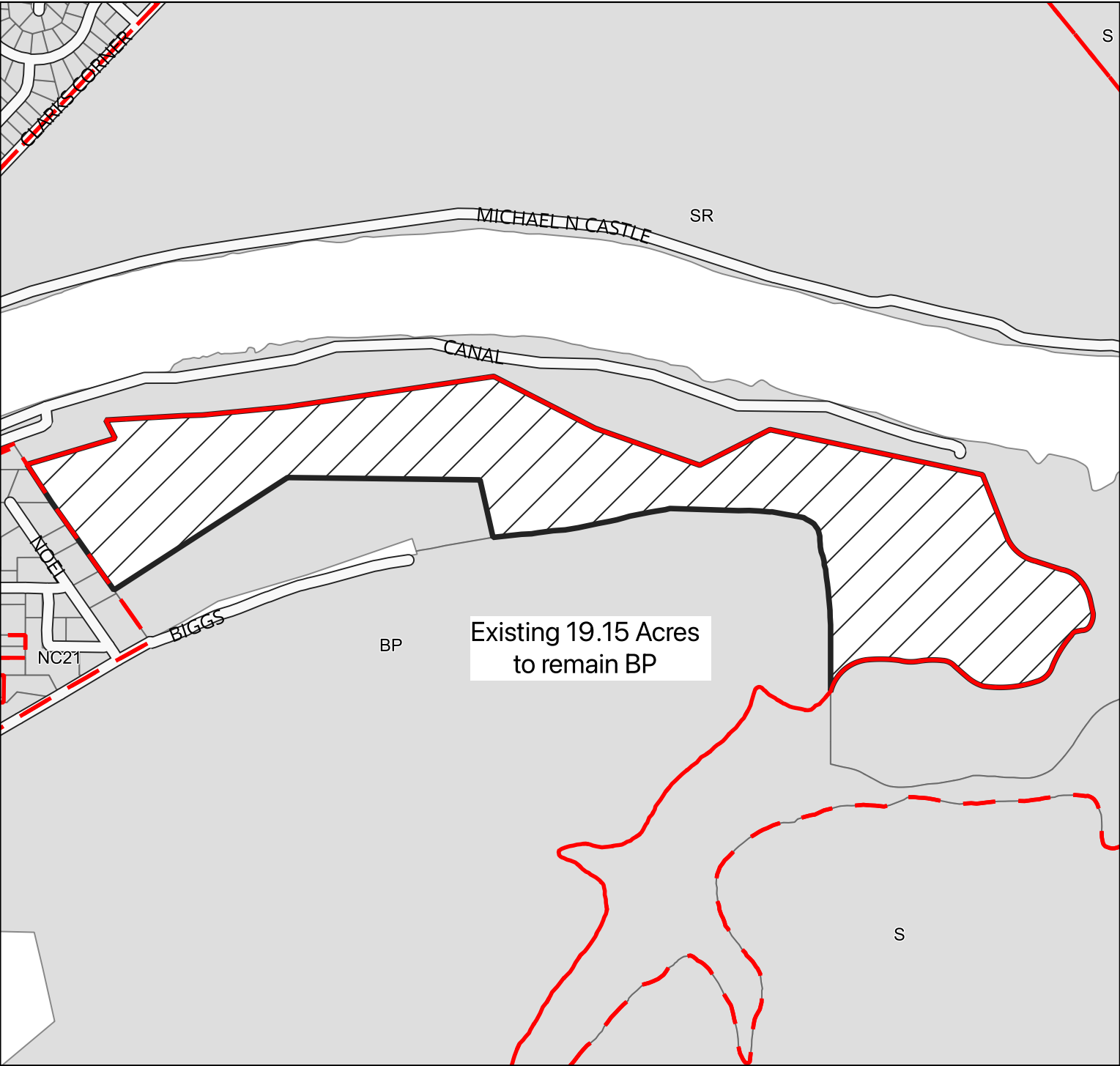
Date: 3/24/2024



Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: BP ZONING REMAINING BP
ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-036.00-001



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11097
Prepared by: Matthew Rogers

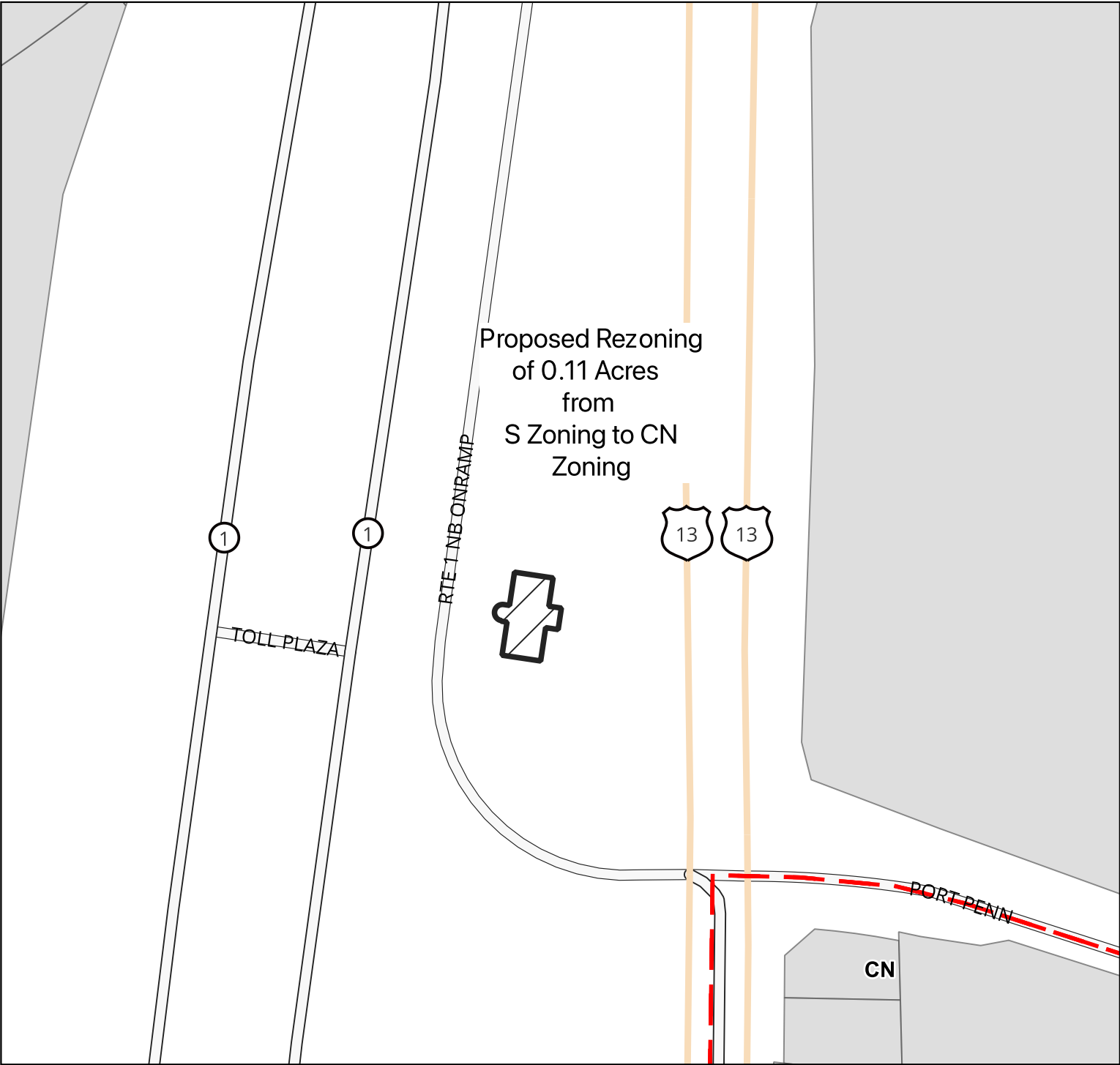
Date: 8/26/2024



Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 13-008.00-019



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:1876
Prepared by: Matthew Rogers

Date: 3/24/2024



Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A: MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2024-180-Z
TAX PARCEL NO: 13-008.00-028,
13-008.00-044



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7245
Prepared by: Matthew Rogers

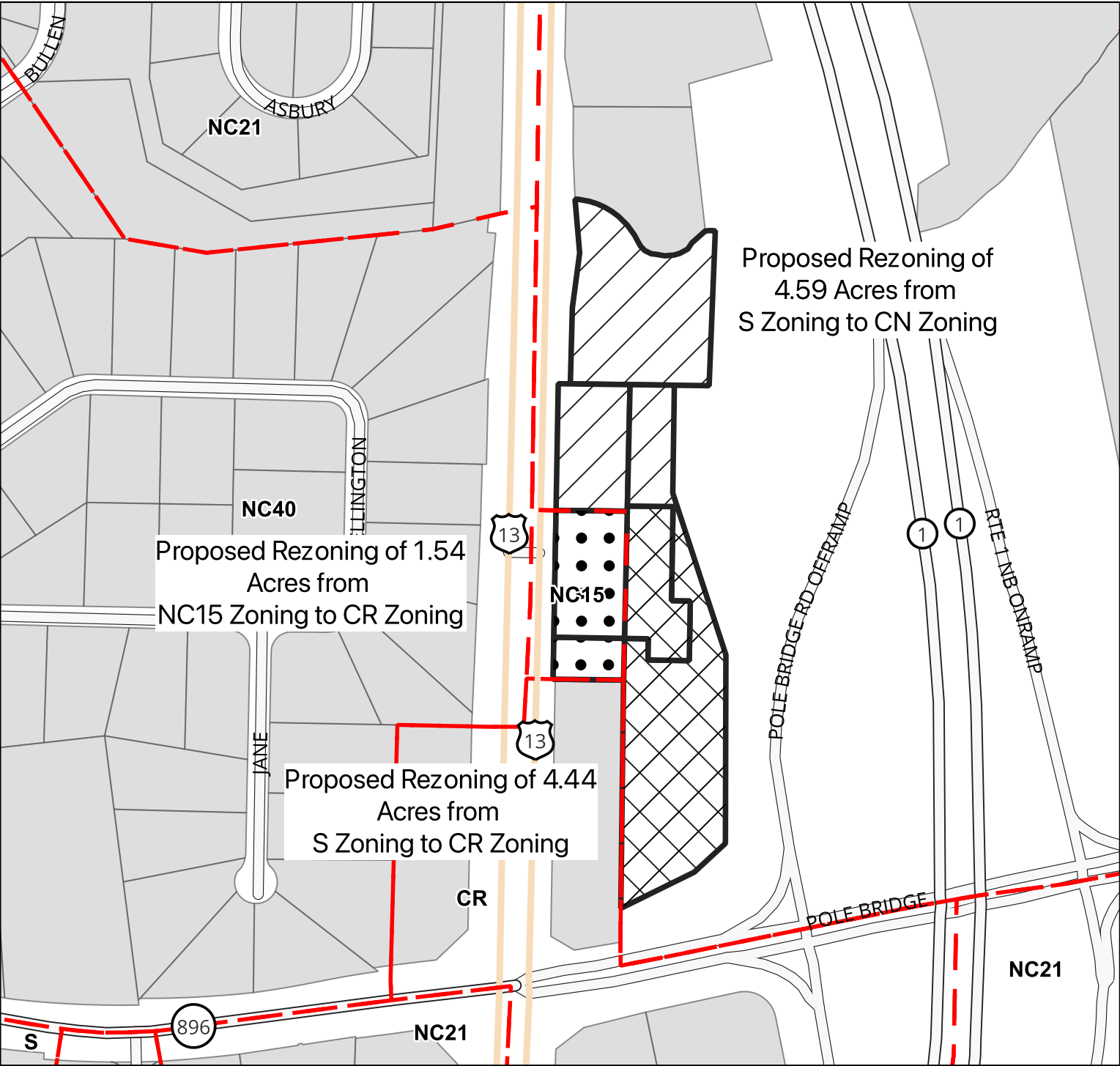
Date: 3/24/2024



Substitute No. 1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING
NC15 ZONING TO CN ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 13-013.00-029,
13-013.00-030,13-013.00-035,
13-013.00-148,13-013.00-249



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3994
Prepared by: Matthew Rogers

Date: 3/24/2024



-  S to CN
-  S to CR
-  NC-15 to CR

Substitute No.1
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive

Prime Sponsor(s): Mr. Bell
Requested by: Land Use
Date of introduction: April 23, 2024

ORDINANCE NO. 24-067

COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS IN COUNTY COUNCIL DISTRICT 12 REGARDING THE FOLLOWING TAX PARCELS: NEW CASTLE HUNDRED: 10-030.00-046 (0 RIVER RD), 10-035.00-002 (300 S DUPONT HWY), 10-035.00-056 (790 GRANTHAM LN, DELLAVERSANO SUBDIVISION); RED LION HUNDRED: 12-002.00-024 (0 S DUPONT HWY), 12-006.00-041 (1535 RED LION RD, HARRIS SUBDIVISION), 12-007.00-020 (4120 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-013.00-081 (4110 WRANGLE HILL RD, BEAR BABE RUTH KODIAK PARK), 12-036.00-001 (0 BIGGS LN, UNION CARBIDE CORP); ST GEORGES HUNDRED: 13-008.00-019 (2093 DUPONT PKY), 13-008.00-028 (2105 DUPONT PKY, LESTER SUBDIVISION), 13-008.00-044 (310 HYETTS CORNER RD, HYETTS CORNER ROAD WATER TREATMENT PLANT), 13-013.00-029 (2344 DUPONT PKY), 13-013.00-030 (2348 DUPONT PKY), 13-013.00-035 (2398 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-148 (2356 DUPONT PKY, SHOPPES OF ST GEORGES), 13-013.00-249 (0 DUPONT PKY).

1 **WHEREAS**, County Council adopted Substitute No. 2 to Ordinance No. 22-024 as
2 amended by Floor Amendment No. 1 ("New Castle County Comprehensive Plan" or "the
3 Plan"), on July 26, 2022, and the County Executive approved the Ordinance on August
4 4, 2022; and
5

6 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle
7 County Comprehensive Plan designates proposed future general distribution, location
8 and extent of the uses of land consistent with goals, policies and measurable objectives
9 enumerated in the Plan; and
10

11 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
12 sustainable economic development sensitive to the context of neighboring residential
13 developments; and
14

15 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
16 preservation efforts to best protect important ecological habitats; and
17

18 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official
19 zoning map within eighteen months of the date of adoption of a revision to the county
20 comprehensive plan "to rezone all lands in accordance with the uses and intensities of
21 uses provided for in the future land use element for the County"; and

22 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend
23 the official zoning map in accordance with the uses and intensities of uses provided for in
24 the future land use element of the New Castle County Comprehensive Plan; and
25

26 **WHEREAS**, the County can foster more informed participation by the public,
27 including increased opportunities for review, by amending the zoning map in smaller
28 portions, such as by Councilmanic District; and
29

30 **WHEREAS**, this County-initiated rezoning is intended to guide and control future
31 growth consistent with the spirit and intent of the Comprehensive Development Plan as
32 provided by State law; and

33 **WHEREAS**, County Council has determined that the amendments to the zoning
34 map substantially advance, and are reasonably and rationally related to, legitimate
35 government interests (i.e., promoting the health, safety, morals, convenience, order,
36 prosperity and/or welfare of the present and future inhabitants of this State).
37

38 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
39

40 Section 1. The Zoning Maps of New Castle Hundred, Red Lion Hundred, and St
41 Georges Hundred, are hereby amended by changing the zoning classification of the land
42 shown on attached Exhibit "A", Maps 1-9 dated 3/24/2024, as set forth therein.
43

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

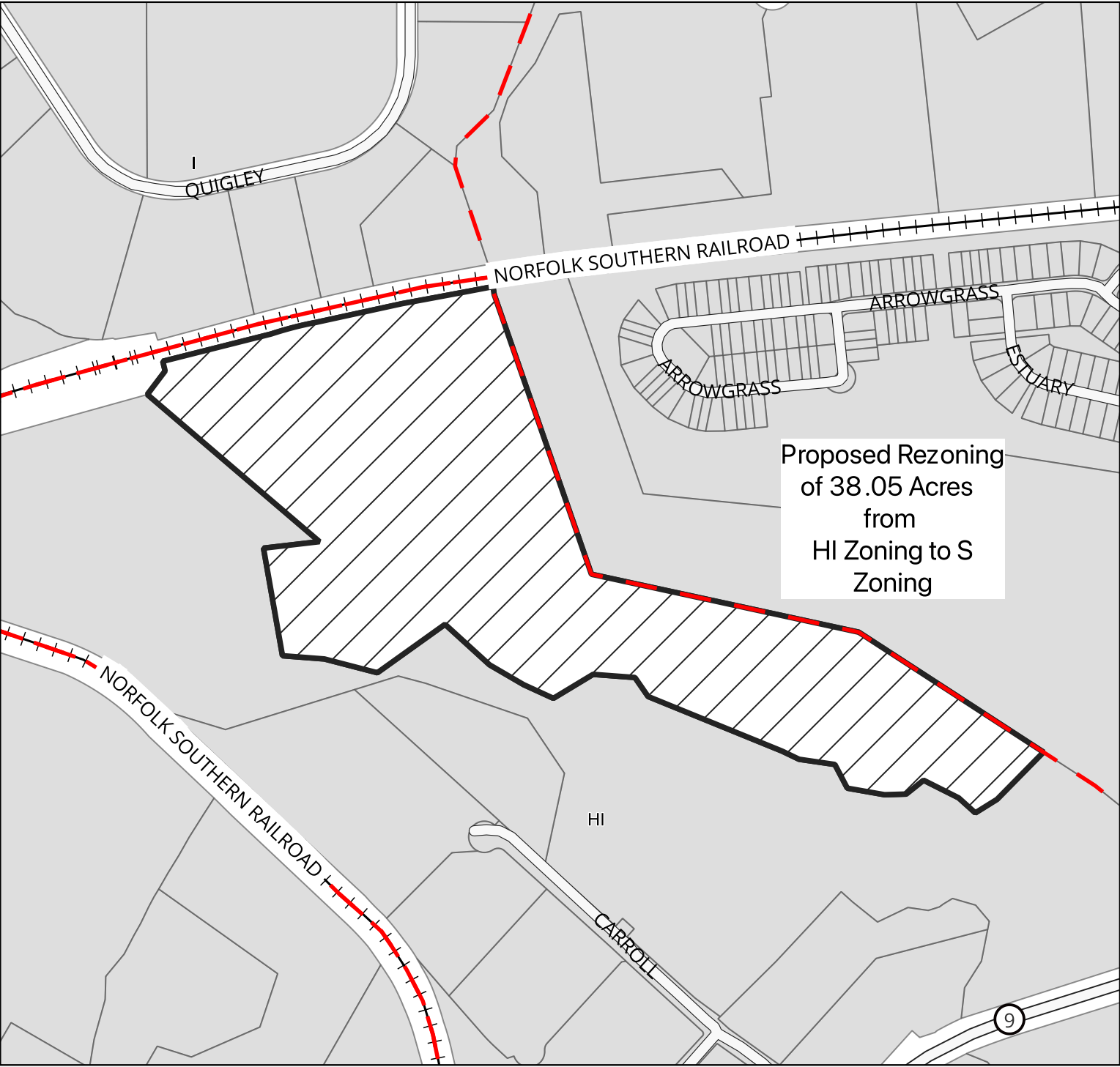
Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title.

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

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 10-030.00-046



HUNDRED: NEW CASTLE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:5381
Prepared by: Matthew Rogers

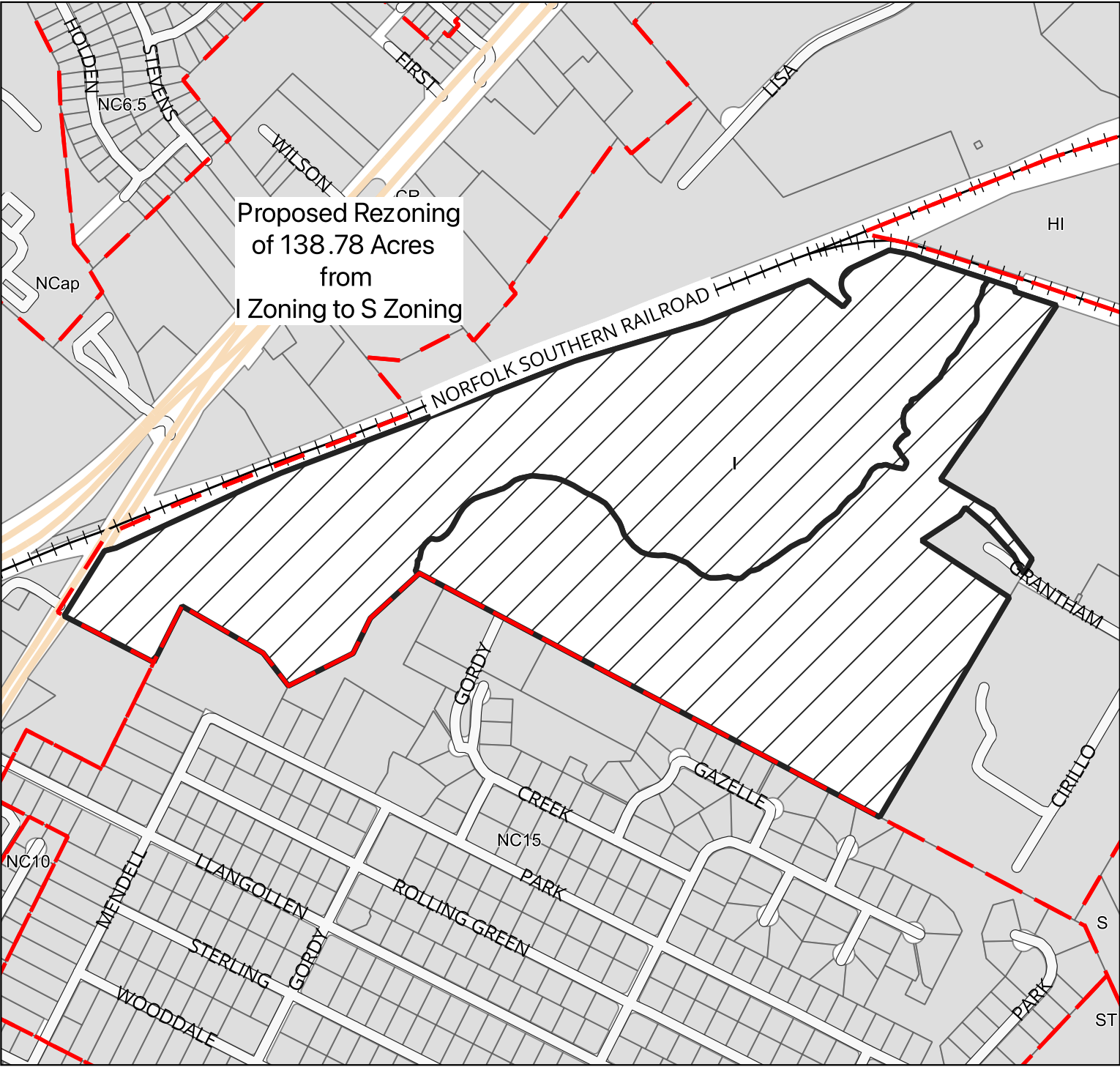
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 10-035.00-002,
10-035.00-056



HUNDRED: NEW CASTLE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8048
Prepared by: Matthew Rogers

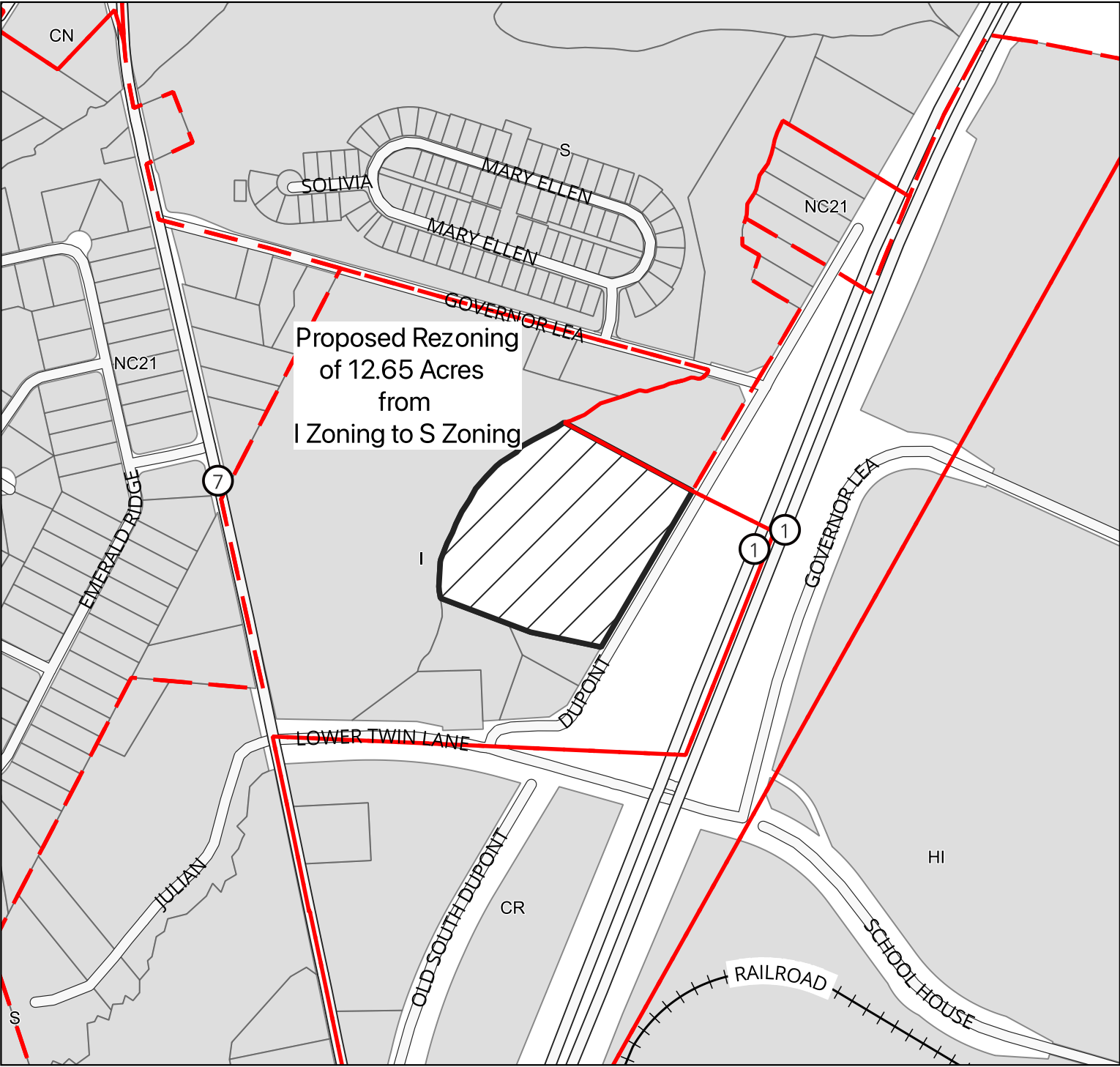
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-002.00-024



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6627
Prepared by: Matthew Rogers

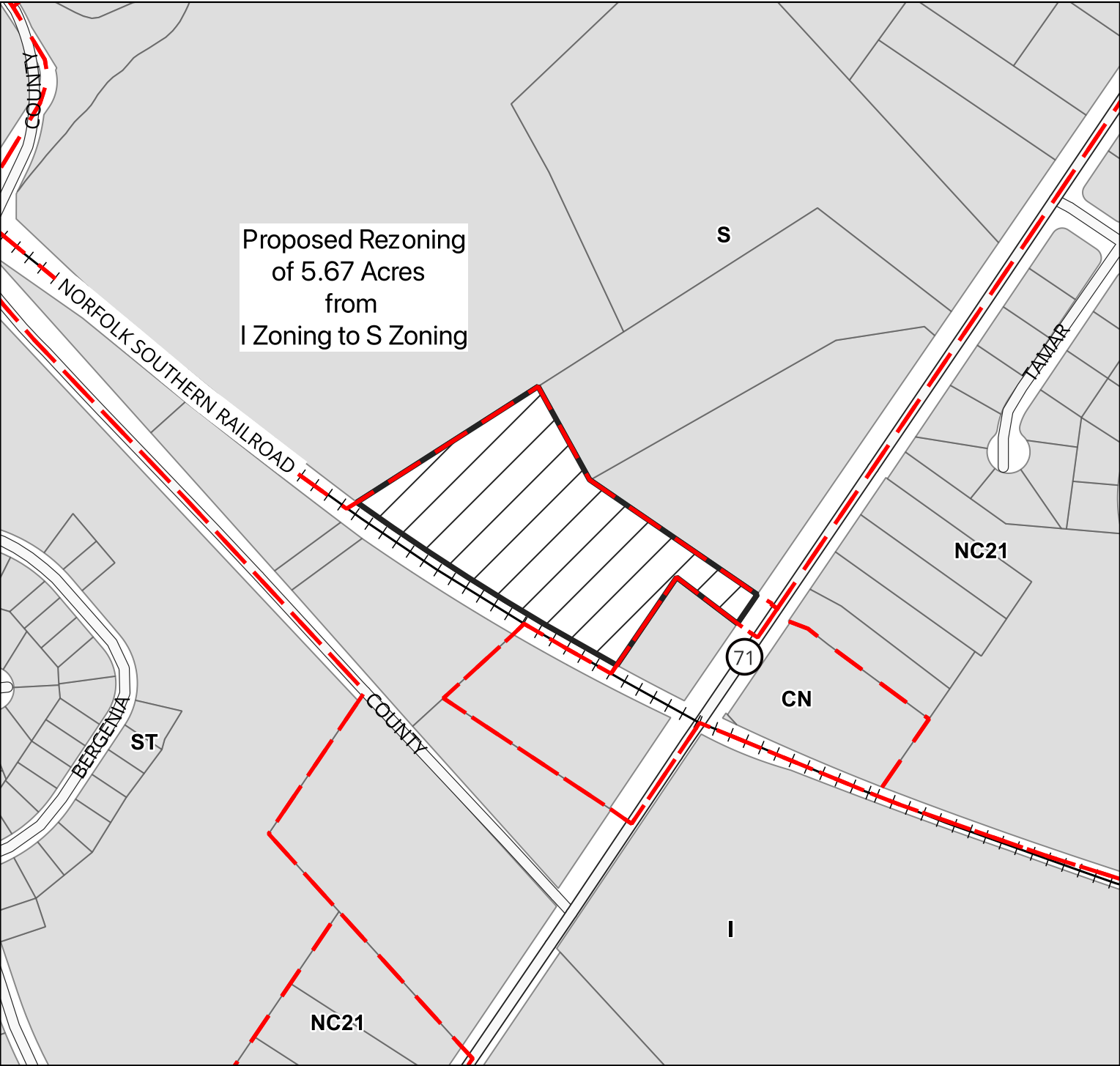
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-006.00-041



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3932
Prepared by: Matthew Rogers

Date: 3/24/2024



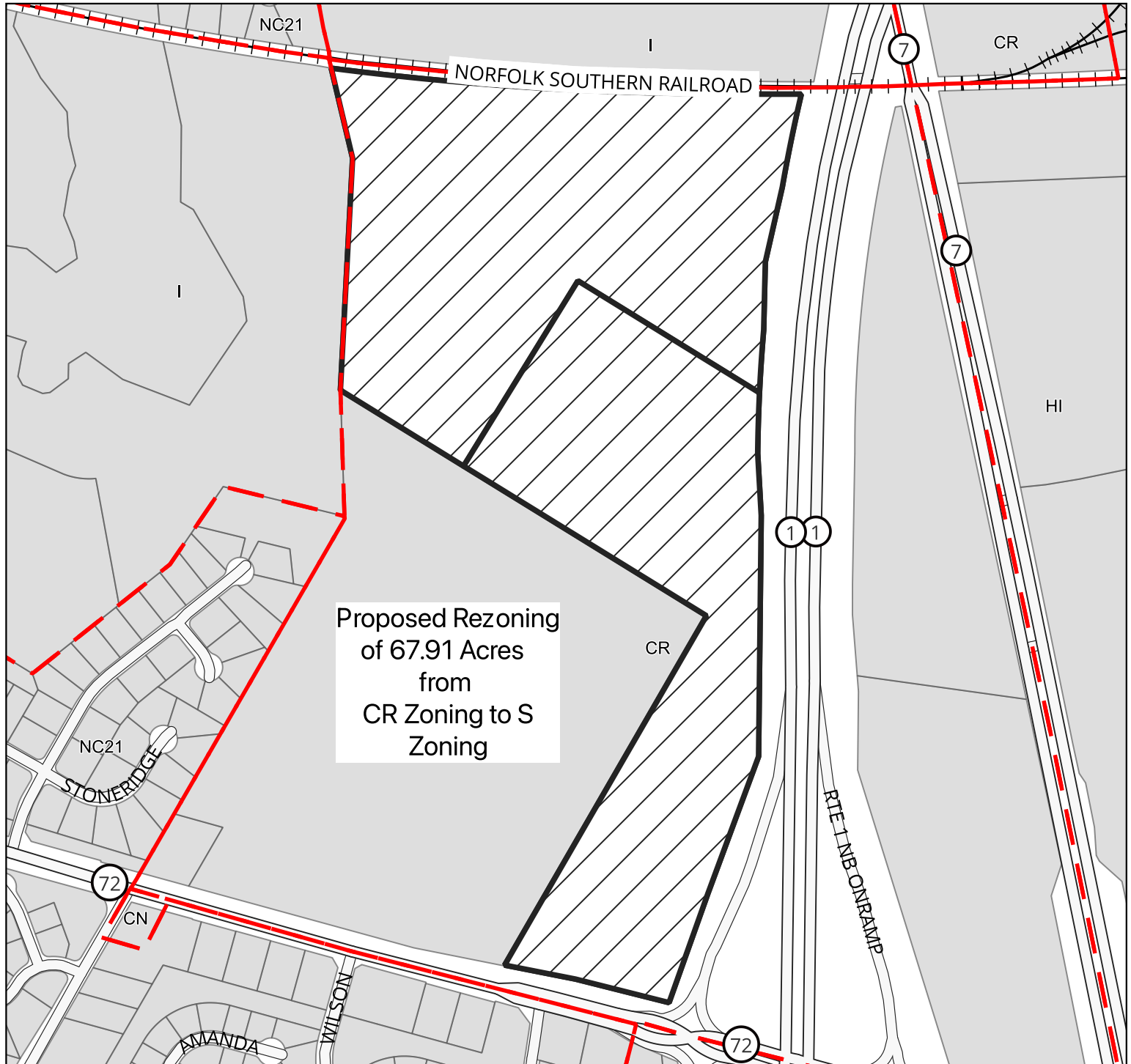
PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A: MAP 5
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CR ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-007.00-020,
12-013.00-081



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6025
Prepared by: Matthew Rogers

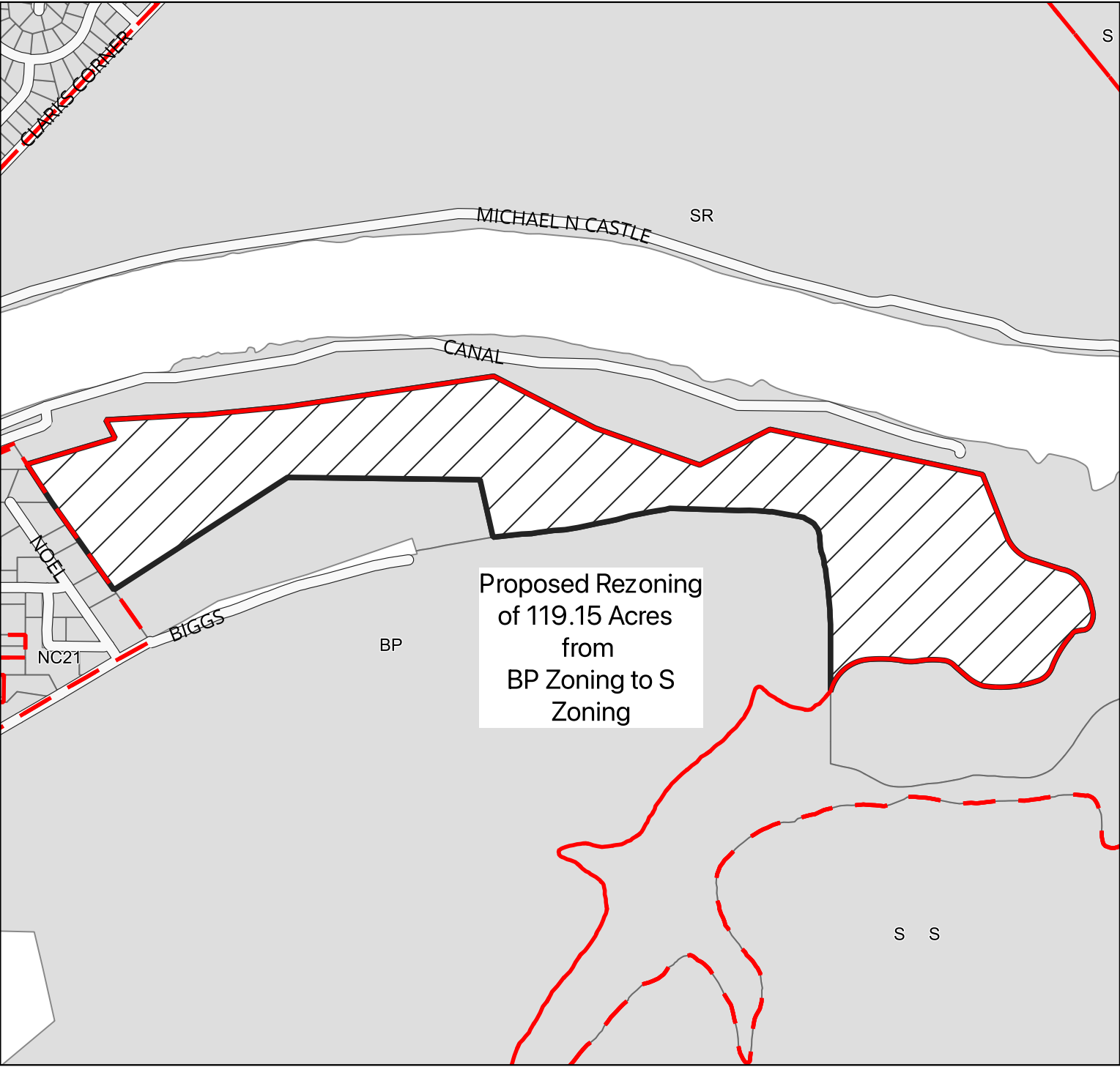
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: BP ZONING TO S ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 12-036.00-001



HUNDRED: RED LION
NEW CASTLE COUNTY, DELAWARE

Scale: 1:11097
Prepared by: Matthew Rogers

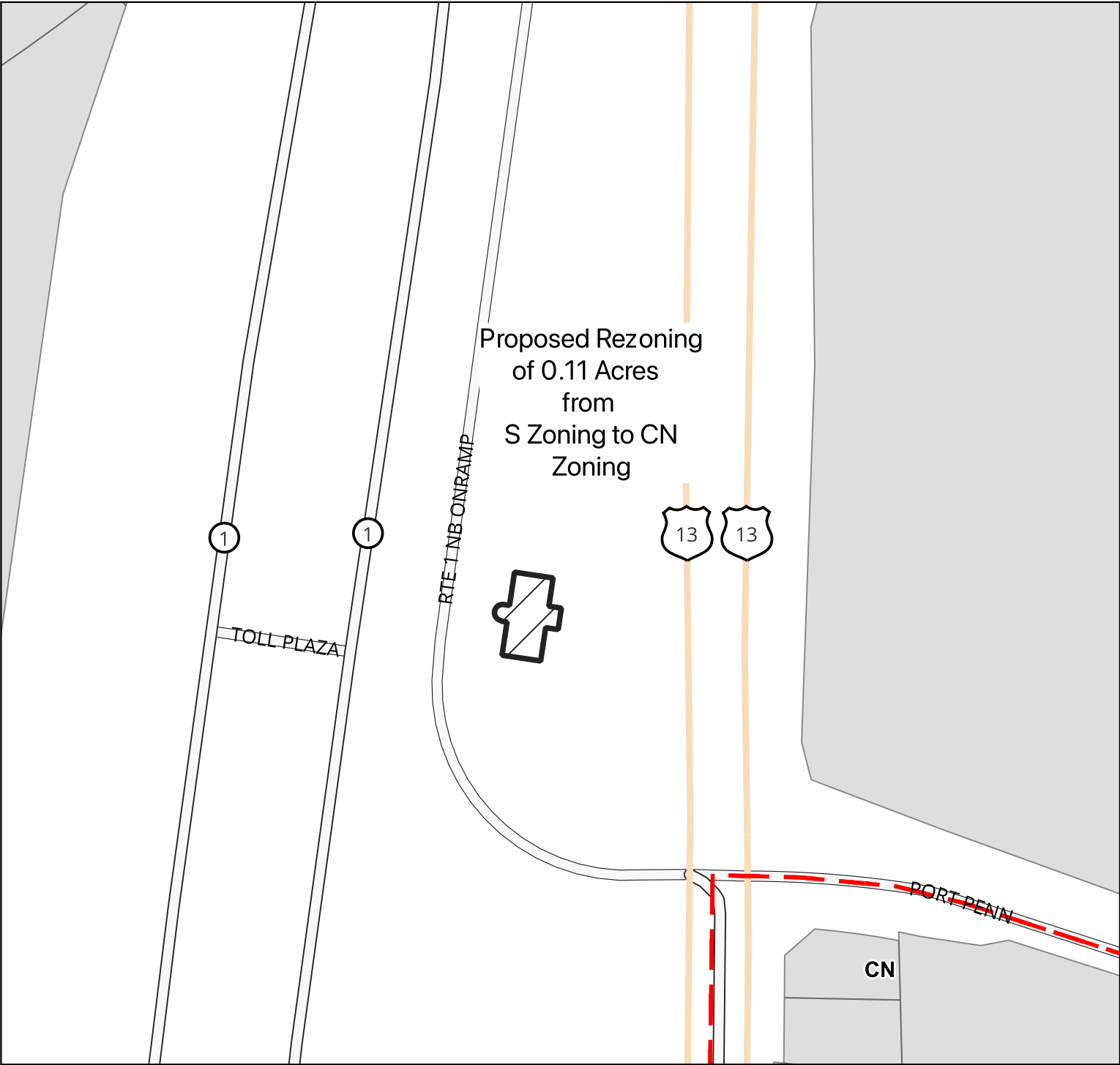
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 13-008.00-019



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:1876
Prepared by: Matthew Rogers

Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

PROPERTY MAP

EXHIBIT A: MAP 8
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING

APPLICATION NO. 2024-180-Z
TAX PARCEL NO: 13-008.00-028,
13-008.00-044



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:7245
Prepared by: Matthew Rogers

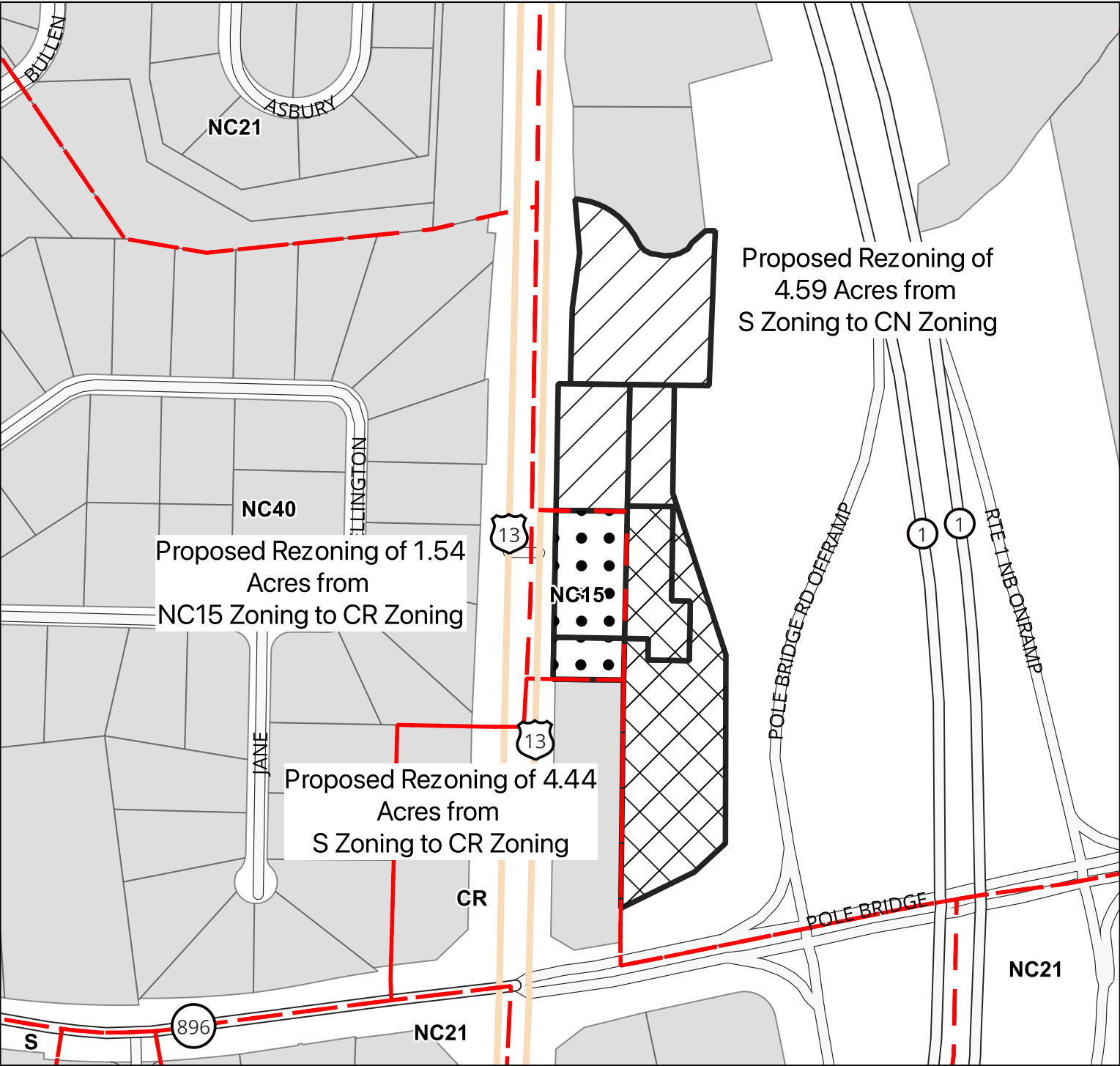
Date: 3/24/2024



PERMANENT ORDINANCE NO. 24-067
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: S ZONING TO CN ZONING
NC15 ZONING TO CN ZONING

APPLICATION NO. 2024-0180-Z
TAX PARCEL NO: 13-013.00-029,
13-013.00-030,13-013.00-035,
13-013.00-148,13-013.00-249



HUNDRED: ST GEORGES
NEW CASTLE COUNTY, DELAWARE

Scale: 1:3994
Prepared by: Matthew Rogers

Date: 3/24/2024



-  S to CN
-  S to CR
-  NC-15 to CR

Prime Sponsor(s): Mr. Cartier
Requested by: Land Use
Date of introduction: March 12, 2024

**SUBSTITUTE NO. 1 TO
ORDINANCE NO. 24-032**

**COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS
IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING
TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN);
BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-
122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK),
06-147.00-017 (1204 LIGHTHOUSE RD)**

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

5 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle County
6 Comprehensive Plan designates proposed future general distribution, location and extent of the
7 uses of land consistent with goals, policies and measurable objectives enumerated in the Plan;
8 and
9

10 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
11 sustainable economic development sensitive to the context of neighboring residential
12 developments; and
13

14 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
15 preservation efforts to best protect important ecological habitats; and
16

17 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official zoning map
18 within eighteen months of the date of adoption of a revision to the county comprehensive plan "to
19 rezone all lands in accordance with the uses and intensities of uses provided for in the future land
20 use element for the County"; and
21

22 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend the official
23 zoning map in accordance with the uses and intensities of uses provided for in the future land use
24 element of the New Castle County Comprehensive Plan; and

25 **WHEREAS**, the County can foster more informed participation by the public, including
26 increased opportunities for review, by amending the zoning map in smaller portions, such as by
27 Councilmanic District; and
28

29 **WHEREAS**, this County-initiated rezoning is intended to guide and control future growth
30 consistent with the spirit and intent of the Comprehensive Development Plan as provided by State
31 law; and

32 **WHEREAS**, County Council has determined that the amendments to the zoning map
33 substantially advance, and are reasonably and rationally related to, legitimate government
34 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare
35 of the present and future inhabitants of this State).
36

37 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
38

39 Section 1. The Zoning Maps of Ardentown and Brandywine Hundred, are hereby
40 amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps
41 1, 2, and 5 dated 2/04/2024, and Maps 3 and 4 dated 8/23/2024, as set forth therein.
42

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title, however portion of parcel 06-147.00-017 zoned Industrial and Heavy Industry has been reconfirmed and will remain Industrial and Heavy Industry zoned.

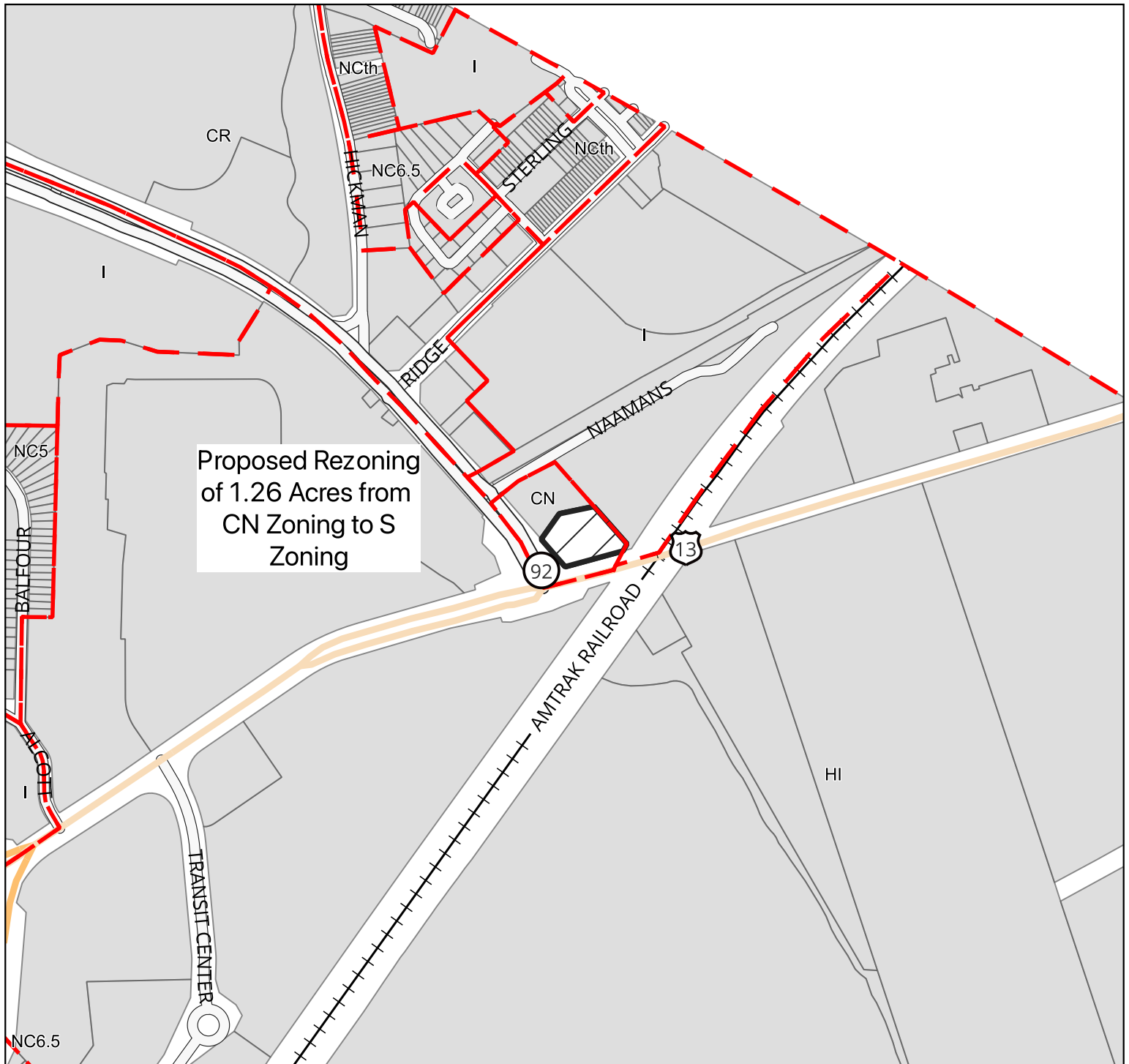
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this ordinance.

PROPERTY MAP

EXHIBIT A: MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-060.00-010



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6960
Prepared by: Matthew Rogers

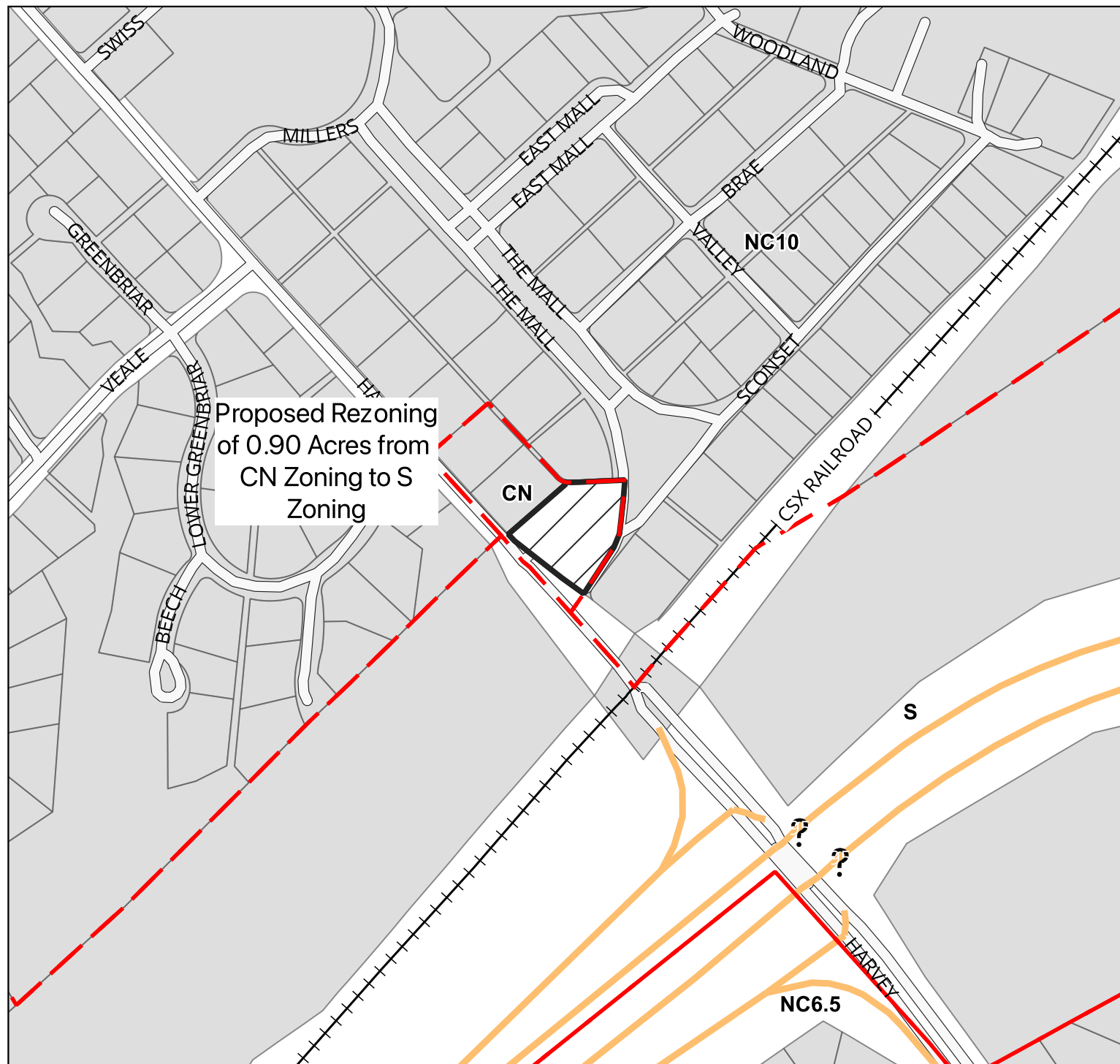
Date: 2/04/2024



Substitute No.1
PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

EXHIBIT A: MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 27-001.00-001



Substitute No.1

PERMANENT ORDINANCE NO. 24-032

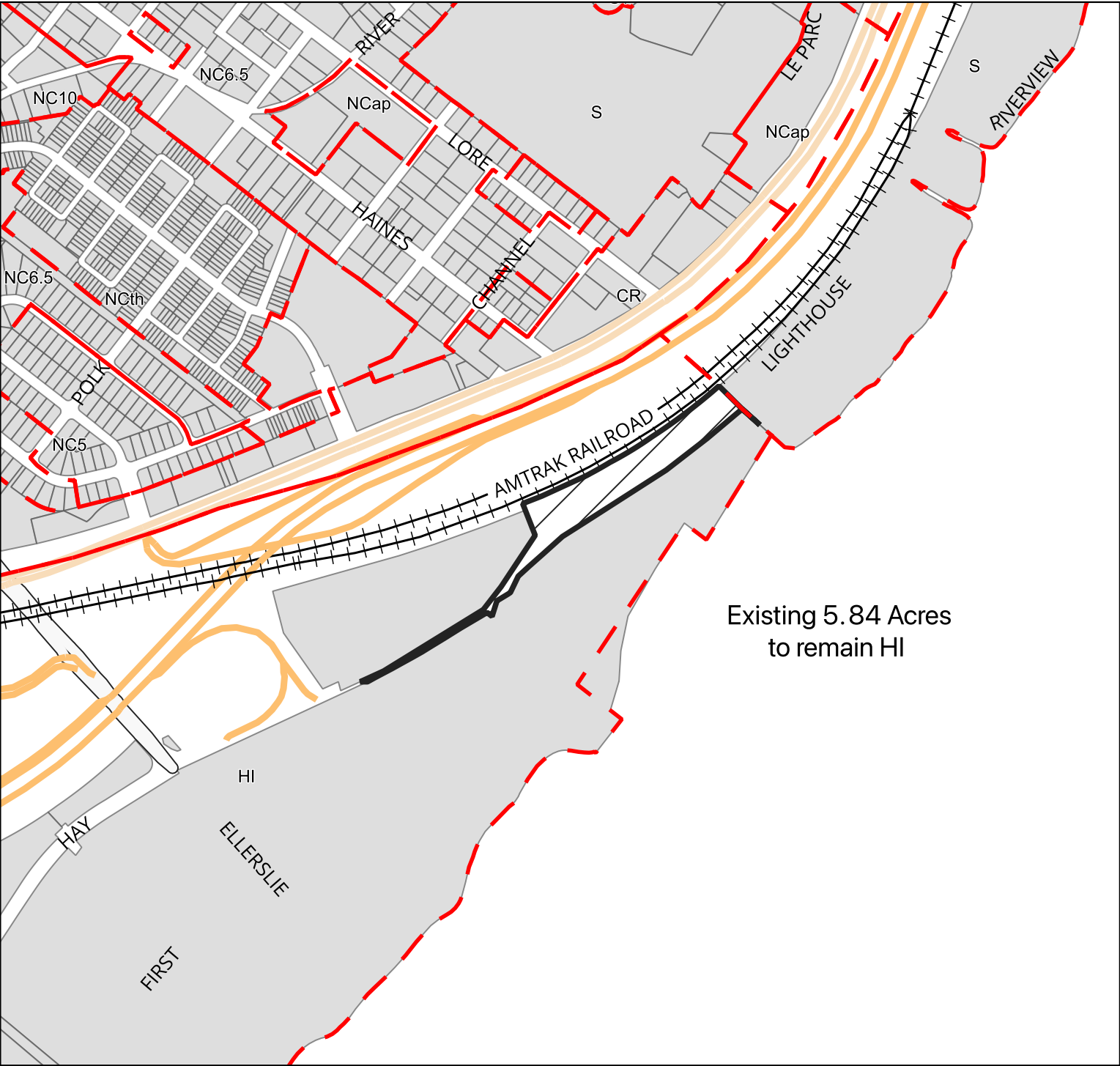
Date Adopted by County Council:

Date Approved by County Executive:

Page 149 of 275

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: HI ZONING REMAINING HI

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-147.00.017



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:8362
Prepared by: Matthew Rogers

Date: 8/23/2024



Substitute No.1
PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING REMAINING I ZONING

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-147.00.017



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

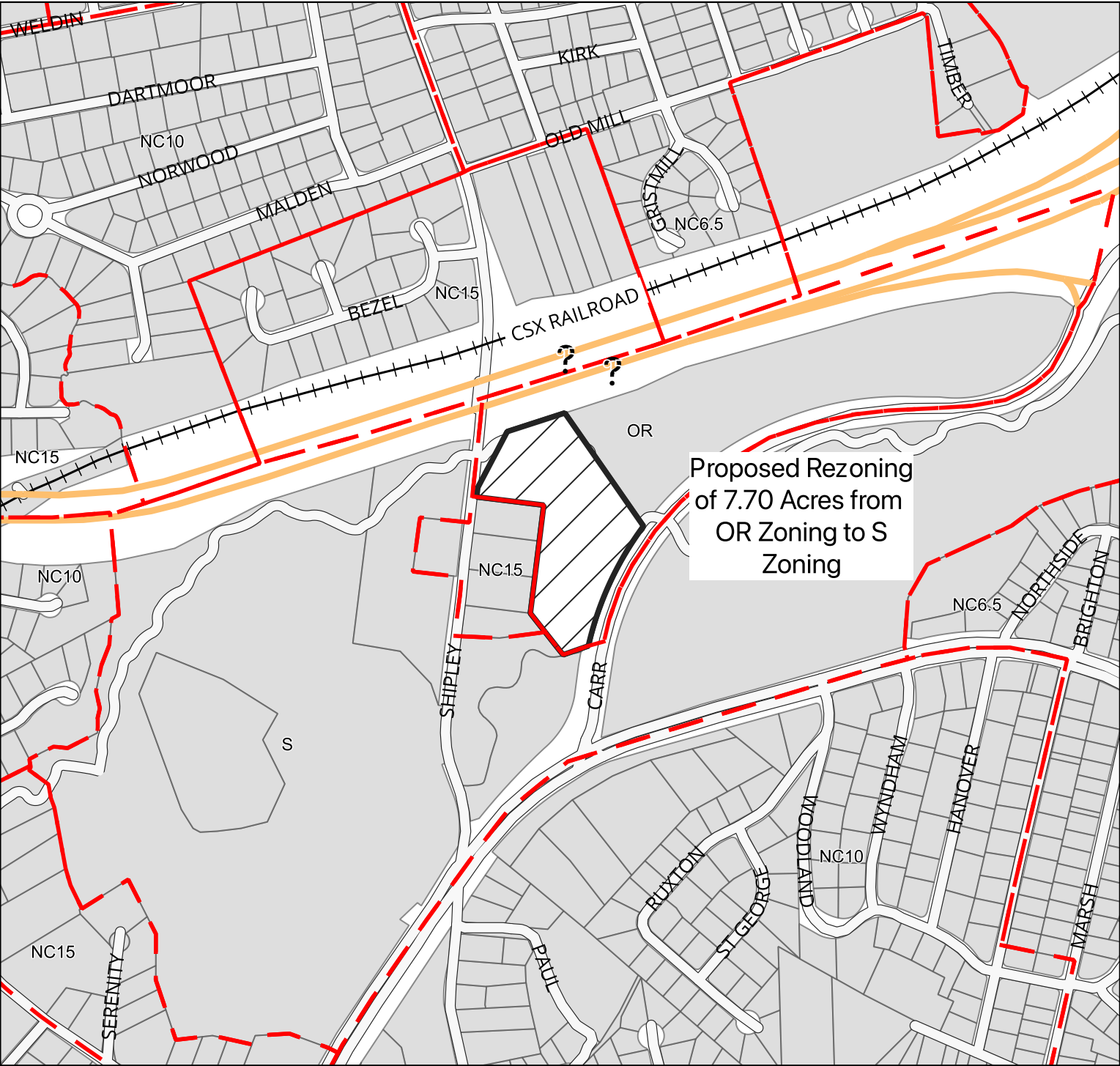
Scale: 1:9188
Prepared by: Matthew Rogers
Date: 8/23/2024



Substitute No.1
PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-122.00-081



Substitute No.1

HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE



PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

Scale: 1:6972
Prepared by: Matthew Rogers

Date: 2/04/2024

Prime Sponsor(s): Mr. Cartier
Requested by: Land Use
Date of introduction: March 12, 2024

ORDINANCE NO. 24-032

**COMPREHENSIVE REZONING - TO REVISE THE NEW CASTLE COUNTY ZONING MAPS
IN COUNTY COUNCIL DISTRICT 8 REGARDING THE FOLLOWING
TAX PARCELS: ARDENTOWN: 27-001.00-001(2206 MILLERS RD, ARDENTOWN);
BRANDYWINE HUNDRED: 06-060.00-010 (1 NAAMANS RD, GILBERT SUBDIVISION), 06-
122.00-081 (301 CARR RD, ROCKWOOD OFFICE PARK),
06-147.00-017 (1204 LIGHTHOUSE RD)**

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

5 **WHEREAS**, the Future Land Use Element and Map Series of the New Castle County
6 Comprehensive Plan designates proposed future general distribution, location and extent of the
7 uses of land consistent with goals, policies and measurable objectives enumerated in the Plan;
8 and
9

10 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
11 sustainable economic development sensitive to the context of neighboring residential
12 developments; and
13

14 **WHEREAS**, the New Castle County Comprehensive Plan guides and encourages
15 preservation efforts to best protect important ecological habitats; and
16

17 **WHEREAS**, 9 Del. C. § 2660 requires New Castle County to amend its official zoning map
18 within eighteen months of the date of adoption of a revision to the county comprehensive plan "to
19 rezone all lands in accordance with the uses and intensities of uses provided for in the future land
20 use element for the County"; and
21

22 **WHEREAS**, Ordinance No. 23-083 was introduced on June 13, 2023, to amend the official
23 zoning map in accordance with the uses and intensities of uses provided for in the future land use
24 element of the New Castle County Comprehensive Plan; and

25 **WHEREAS**, the County can foster more informed participation by the public, including
26 increased opportunities for review, by amending the zoning map in smaller portions, such as by
27 Councilmanic District; and
28

29 **WHEREAS**, this County-initiated rezoning is intended to guide and control future growth
30 consistent with the spirit and intent of the Comprehensive Development Plan as provided by State
31 law; and

32 **WHEREAS**, County Council has determined that the amendments to the zoning map
33 substantially advance, and are reasonably and rationally related to, legitimate government
34 interests (i.e., promoting the health, safety, morals, convenience, order, prosperity and/or welfare
35 of the present and future inhabitants of this State).
36

37 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
38

39 Section 1. The Zoning Maps of Ardentown and Brandywine Hundred, are hereby
40 amended by changing the zoning classification of the land shown on attached Exhibit "A", Maps
41 1-5 dated 2/04/2024, as set forth therein.
42

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

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
New Castle County

SYNOPSIS: Same as title.

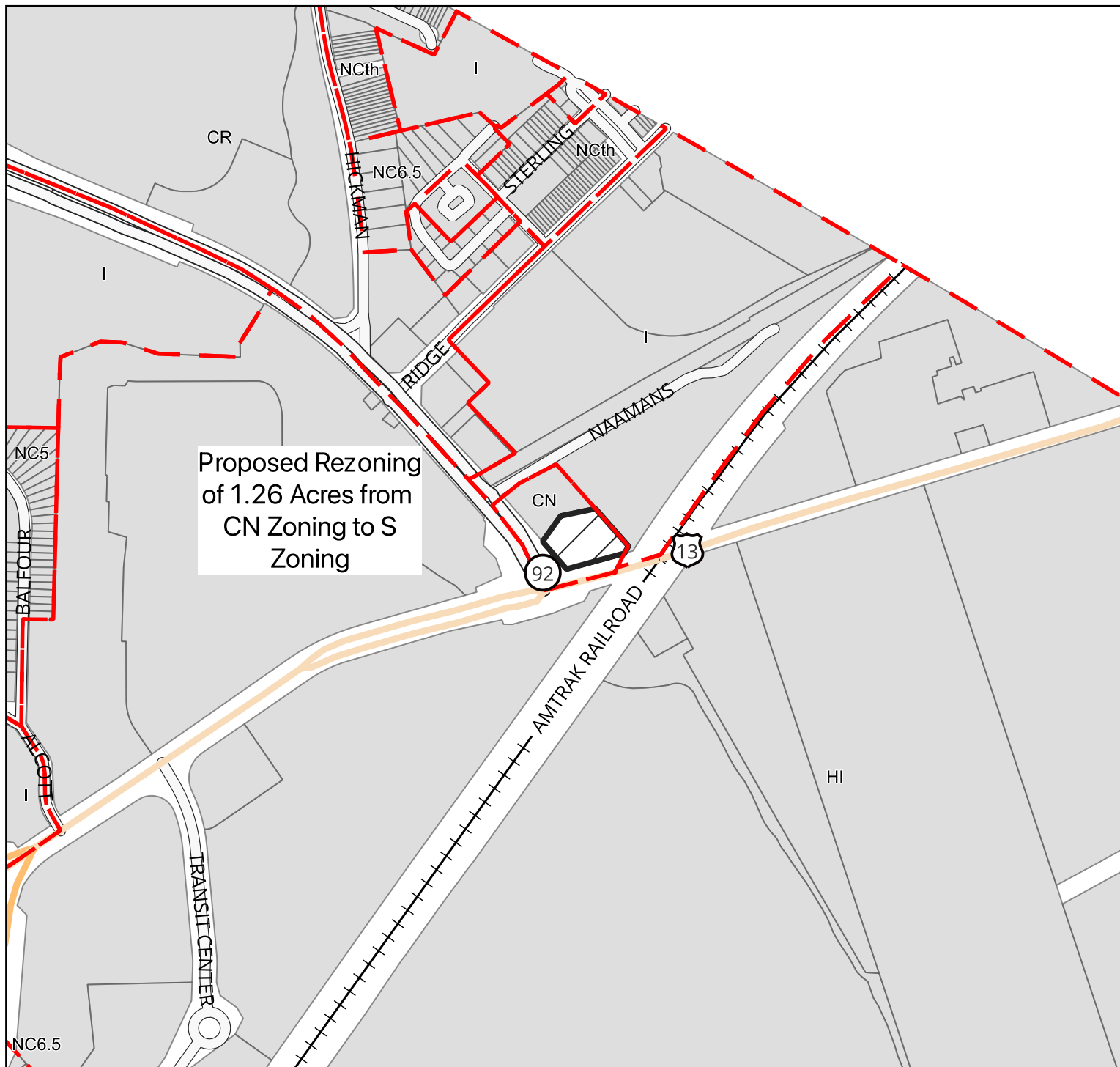
FISCAL IMPACT: There is no discernible fiscal impact with the adoption of this ordinance.

PROPERTY MAP

EXHIBIT A: MAP 1
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: CN ZONING TO S ZONING

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-060.00-010



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6960
Prepared by: Matthew Rogers

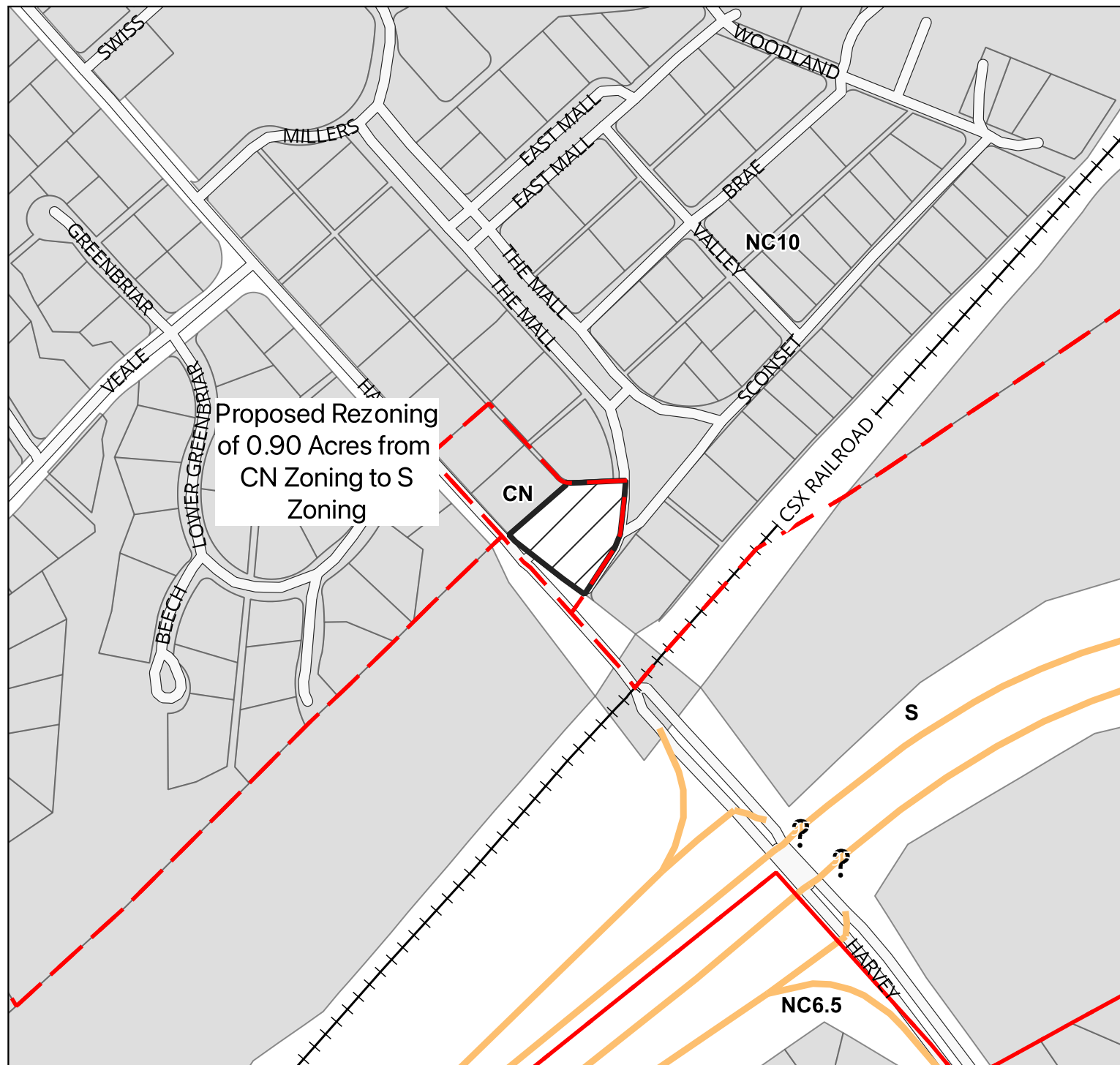
Date: 2/04/2024



PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

EXHIBIT A: MAP 2
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 27-001.00-001



PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

Date: 2/04/2024

EXHIBIT A: MAP 3
ZONING ORDINANCE AS INTRODUCED

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-147.00.017



PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

Date: 2/04/2024

PROPERTY MAP

EXHIBIT A: MAP 4
ZONING ORDINANCE AS INTRODUCED

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: I ZONING TO S ZONING

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-147.00.017



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

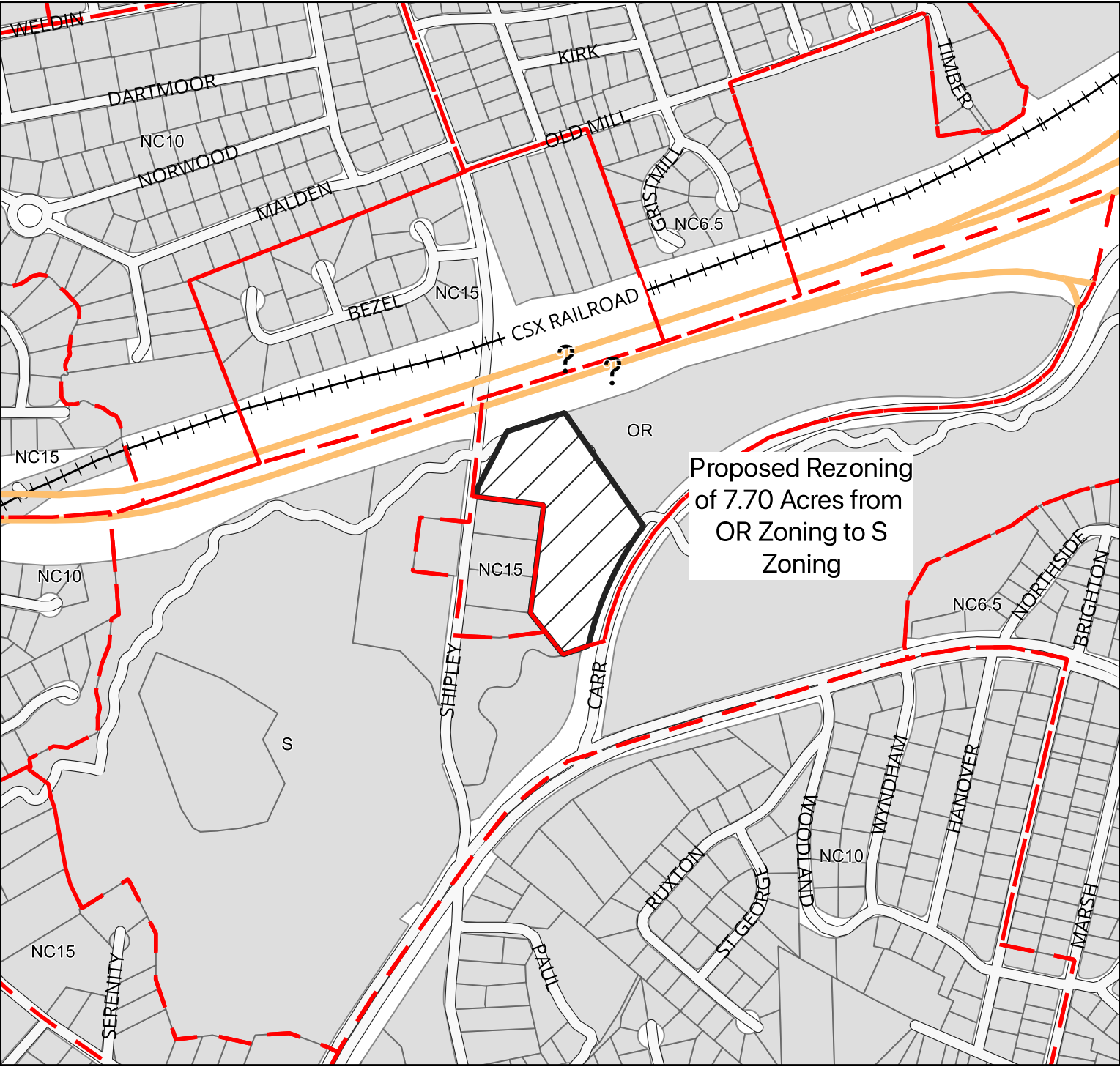
Scale: 1:9188
Prepared by: Matthew Rogers
Date: 2/04/2024



PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

APPLICANT: NEW CASTLE COUNTY
PROPOSED REZONING: OR ZONING TO S ZONING

APPLICATION NO. 2024-0125-Z
TAX PARCEL NO: 06-122.00-081



HUNDRED: BRANDYWINE
NEW CASTLE COUNTY, DELAWARE

Scale: 1:6972
Prepared by: Matthew Rogers

Date: 2/04/2024



PERMANENT ORDINANCE NO. 24-032
Date Adopted by County Council:
Date Approved by County Executive:

Prime Sponsor(s): Ms. Durham, Mr. Carter,
Mr. Toole
Co-Sponsors: Mr. Cartier, Mr. Smiley
Date of introduction: January 23, 2024

SUBSTITUTE NO. 1 TO ORDINANCE NO. 24-008

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED
DEVELOPMENT CODE”), ARTICLE 14 (“IMPACT FEES”) REGARDING
ADJUSTMENTS TO IMPACT FEES**

1 **WHEREAS**, New Castle County imposes impact fees to pay for a portion of
2 additional public services needed as the result of new development for which the County
3 would bear the additional or increased costs; and
4

5 **WHEREAS**, impact fees, when accurately maintained, can be an effective tool for
6 ensuring adequate infrastructure to accommodate growth where and when it is
7 anticipated; and
8

9 **WHEREAS**, the impact fees raise funds to pay for increased cost of services and
10 infrastructure projects for parks and special facilities, libraries, county facilities, EMS, fire
11 and rescue, and law enforcement; and
12

13 **WHEREAS**, except for fire and rescue, impact fees for the above services have
14 not been adjusted for more than 20 years (since 1999), meanwhile there have been
15 significant increases in the costs of construction during this timeframe; and
16

17 **WHEREAS**, New Castle County has established a goal of preserving a minimum
18 of 30% of its acreage as protected open space by 2030, and assessing an open space
19 impact fee would be a key component to providing the funding to meet that goal and offset
20 the loss of greenfields as development occurs, and
21

22 **WHEREAS**, the NCC2050 Comprehensive Plan states, “in alignment with
23 recommendations from the Housing Advisory Board evaluate possible adjustments to
24 Impact Fees, such as an exemption/waiver for developers of low to very low-income
25 housing in exchange for covenants that run with the land to continue affordability for 30
26 years and accept all sources of income for rental unit developments,” and
27

28 **WHEREAS**, the NCC2050 Comprehensive Plan calls for ensuring the current fees
29 are commensurate with the true costs of providing services and facilities, and for the
30 study, implementation and enactment of adjustments to impact fees to ensure
31 sustainability of community infrastructure and services over time; and
32

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

37
38 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
39

40 Section 1. *New Castle County Code* Chapter 40 (“Unified Development Code”),
41 Article 14 (“Impact Fees”), Section 40.14.230 is hereby amended by adding the material
42 that is underscored and deleting the material with strikethroughs, as set forth below.
43

44 **Sec. 40.14.230. - Other necessary adjustments.**
45

- 46 A. All costs in the impact fee calculations are given in current dollars with no assumed
47 inflation rate over time. Necessary cost adjustments will be made as part of the
48 periodic evaluation and corresponding update of impact fees which shall occur
49 annually as of February 1, 2028 and be adjusted utilizing the Engineering News-
50 Record Construction Cost Index (ENR CCI), published each January providing
51 data for the previous year.
52

53 Following enactment of this ordinance, the next adjustments shall be proposed to
54 County Council by the Department by no later than July 1, 2025 using one of the
55 methods proposed in the Development Impact Fee Study conducted by the Rossi
56 Group and Century Engineering (published June 13, 2023), and utilizing the
57 cumulative ENR CCI for the period back to the most recent prior fee update. This
58 next round of adjustments to each fee may be phased in as long as 100% of the
59 ENR CCI change since the most recent prior fee update is captured in full by no
60 later than February 1, 2028.
61

- 62 B. As of August 1, 2024 the following are exempt from impact fees:
63

- 64
 - any dwelling unit built as a Moderately Priced Dwelling Unit (MPDU) as
identified in Division 40.07.500
 - any dwelling unit built by an IRS 501(c)(3) nonprofit organization for the
intent and purpose of providing low or moderate priced housing
 - any qualified units built using the IRS Low Income Housing Tax Credit (IRS
Section 42) or participating in the Delaware State Housing
Authority/Cinnaire’s Catalyst Fund.
70

- 71 C. In addition, the Department shall:
72

- 73 1. Study the potentially higher costs of providing services in Delaware State
Strategy Levels 3 and 4 and propose to County Council an impact fee structure
74 reflecting this by no later than July 1, 2025, to take effect February 1, 2026.
75
76 2. Guided by the recommendations in the Development Impact Fee Study
conducted by the Rossi Group and Century Engineering (published June 13,
77 2023), and with advice from the County Open Space Advisory Board and input
78 from other stakeholders, propose to County Council an open space impact fee
79 by no later than July 1, 2025, to take effect February 1, 2026.
80

81 D. Impact fees ~~will~~ are to be adjusted for inflation in construction costs as reflected in
82 the Engineering News Record (ENR CCI) index and upon approval by New Castle
83 County Council. Any impact fee based in part upon land cost shall be reviewed
84 and adjusted annually ~~periodically~~ by the Departments of Land Use and Finance
85 and adjusted to account for any significant change in the cost of land upon approval
86 of County Council.

87
88 Section 2. This Ordinance shall become effective upon its adoption by County
89 Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
90 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance amends *New Castle County Code* Section 40.14.230 to, among other things, provide for review and necessary adjustments to impact fees at least every 5 years.

Substitute No. 1 amends the original proposed ordinance by: (1) clarifying that updates to the impact fees will occur annually, by February 1, pursuant to the Engineering News-Record Construction Cost Index; (2) requiring that the Land Use Department propose updates on fees to County Council by no later than 7/1/25, utilizing one of the methods outlined in the impact fee study produced by the Rossi Group and Century Engineering in 2023; (3) creating several new subsections, requiring that any dwelling unit built as a MPDU and any nonprofit organization is exempt from impact fees; and (4) the Department is to study the potentially higher costs of providing services in Levels 3 and 4 and to propose an impact fee structure that reflects this as well as propose an open space impact fee by no later than 7/1/25.

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

Prime Sponsor(s): Ms. Durham, Mr. Carter
Mr. Toole
Co-sponsor(s): Mr. Cartier, Mr. Smiley
Date of introduction: January 23, 2024

ORDINANCE NO. 24-008

**TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 40 (“UNIFIED
DEVELOPMENT CODE”), ARTICLE 14 (“IMPACT FEES”) REGARDING
ADJUSTMENTS TO IMPACT FEES**

1 **WHEREAS**, New Castle County imposes impact fees to pay for a portion of
2 additional public services needed as the result of new development for which the County
3 would bear the additional or increased costs; and
4

5 **WHEREAS**, impact fees, when accurately maintained, can be an effective tool for
6 ensuring adequate infrastructure to accommodate growth where and when it is
7 anticipated; and
8

9 **WHEREAS**, the impact fees raise funds to pay for services such as parks, libraries,
10 EMS, and law enforcement; and
11

12 **WHEREAS**, impact fees for the above services and others have not been adjusted
13 for more than 20 years (since 1999), meanwhile there have been significant increases in
14 the costs of construction during this timeframe; and
15

16 **WHEREAS**, County Council has determined that the provisions of this Ordinance
17 substantially advance and are reasonably and rationally related to legitimate
18 government interests, including, but not limited to, promoting the public health, safety,
19 welfare, and quality of life of the present and future inhabitants of New Castle County.
20

21 **NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**
22

23 Section 1. *New Castle County Code* Chapter 40 (“Unified Development Code”),
24 Article 14 (“Impact Fees”), Section 40.14.230 is hereby amended by adding the material
25 that is underscored and deleting the material that is stricken, as set forth below.
26

27 **Sec. 40.14.230. - Other necessary adjustments.**
28

29 All costs in the impact fee calculations are given in current dollars with no assumed
30 inflation rate over time. Necessary cost adjustments will be made as part of the periodic
31 evaluation and corresponding update of impact fees which shall occur at least once every
32 5 years, with the next adjustment being effectuated no later than January 1, 2025.

33 Impact fees ~~will~~ are to be adjusted for inflation in construction costs as reflected in
34 the Engineering News Record (ENR) index and upon approval by New Castle County
35 Council. Any impact fee based in part upon land cost also shall be reviewed and adjusted
36 at least once every five years ~~periodically~~ by the Departments of Land Use and Finance
37 and adjusted to account for any significant change in the cost of land upon approval of
38 County Council.

39
40 Section 2. This Ordinance shall become effective upon its adoption by County
41 Council and approval by the County Executive, or as otherwise provided in 9 *Del. C.* §
42 1156.

Adopted by County Council of
New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

Approved on:

Matthew Meyer
County Executive
of New Castle County

SYNOPSIS: This Ordinance amends *New Castle County Code*, Section 40.14.230 to provide for review and necessary adjustments to impact fees at least every 5 years.

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

**DEPARTMENT OF LAND USE
RECOMMENDATION REPORT**

**Ordinance No. 24-008
Application No. 2024-0062-T
Impact Fees**

May 21, 2024

Sponsor: Councilwoman Dee Durham (District 2), Councilman David Carter
(Council District 6)

Description: To amend New Castle County Code, Section 40.14.230 to provide for review and necessary adjustments to impact fees at least every five years.

EXECUTIVE SUMMARY

Ordinance 24-008 (Application 2024-0062-T) proposes changes to Section 40.14.230 of the New Castle County Code to require the County's impact fees be regularly adjusted every five years in order to account for inflation in construction costs which are reflected in the Engineering News Record (ENR) index. The proposed ordinance follows the completion of a *2023 Development Impact Fee Study* that was undertaken by the County and completed in June of 2023. As currently written, the adjustment of impact fees would be required to occur by January 1, 2025.

The Department of Land Use concurs that the County's impact fees should be evaluated regularly and acknowledges the bearing the collection of impact fees has on the County's infrastructure. Based on the recommendations from the *2023 Development Impact Fee Study*, the Department believes a comprehensive look at Article 14 ("Impact Fees") and Section 40.14.110 ("Impact Fee Methodology") in consultation with the Department of Finance to ensure that specific changes to the impact fee structure are based on a rational nexus and do not result in arbitrary increases.

The Department of Land Use recommends **DENIAL** of Ordinance 24-008 (Application 2024-0062-T) as written to allow for further evaluation and implementation of an updated impact fee methodology and structure.

DESCRIPTION

Ordinance 24-008 proposes revisions to Section 40.14.203 of the New Castle County Code to require the County's impact fees be regularly adjusted every five years in order to account for inflation and construction costs reflected in the Engineering News Record (ENR) index, with the first adjustment beginning by January 1, 2025.

BACKGROUND

The collection of impact fees in New Castle County began with the adoption of the Unified Development Code in 1997. Since the adoption of the UDC, the County has consistently considered changes and updates to the structure / methodology of impact fees to account for development and changing economies.

1998 New Castle County Impact Fee Study

Between 1997 and June of 1998, New Castle County conducted an impact fee study with Tischler & Associates. The study recommended both a methodology and fee structure for new development in the county that the legal standards established by the U.S. Supreme Court in *Nollan v. California Coastal Commission* (483 U.S. 825, 1987)¹ and *Dolan v. City of Tigard* (512 U.S. 687, 1994).² For an impact fee to be legal it must meet two standards; (1) there must be a “*rationale nexus*”³ between the imposition of the fee and the achievement of a legitimate public purpose, and (2) the amount of the fee must be “*roughly proportionate*”⁴ to the impact of the proposed development.

The report recommended three specific methodologies to determine impact fees; (1) plan based, (2) incremental expansion, and (3) buy-in approach. The plan-based approach was proposed for libraries, because they have specific capital improvement plans. The incremental expansion method was recommended for parks, public facilities and equipment, EMS, fire/rescue and law enforcement, and are derived by comparing the current level of service (LOS) to what is projected to be needed to expand or provide additional facilities, to accommodate new development.⁵ The buy-in approach was recommended for parks under the rationale that new development is paying for its share of the useful life and remaining capacity of existing facilities.

Ordinance 97-172 Unified Development Code

On December 31, 1997, New Castle County adopted the Unified Development Code (UDC) (Ordinance 97-172). Among the many changes brought by the UDC was the enactment of the first impact fee structure in Article 14. Since the Impact Fee Study (1998), was still in production, the updated UDC only included specific fees related to providing sewer service to the Southern Service Area. Fees for this were based on the *Wastewater Needs Evaluation and Plan for Southern New Castle County (1992)* and *Southern New Castle County Land Use Study (1996)* as well as the *1996 New Castle County Comprehensive Development Plan*.

Ordinance 98-130 Impact Fees on New Development

¹Nollan v. California Coastal Commission 483 U.S. 825 (1987):

<https://supreme.justia.com/cases/federal/us/483/825/>

² Dolan v. City of Tigard 512 U.S. 687, (1994): <https://supreme.justia.com/cases/federal/us/512/374/>

³ Established by Nollan v. California Coastal Commission 483 U.S. 825 (1987)

⁴ Established by Dolan v. City of Tigard 512 U.S. 687 (1994)

⁵ The County cannot use the funds for maintenance or replacement of existing facilities.

With the Impact fee study complete in June of 1998, Ordinance 98-130 was adopted on January 12, 1999. Ordinance 98-130 revised the UDC to include the methodology and fee structure in the 1998 study. Services that received impact fees included:

- Libraries
- Fire
- Emergency Medical Services (EMS)
- Police
- Parks & Special Facilities
- Sewers
- County Facilities
- Schools

Most of the fee values and services receiving impact fees have remained largely consistent since the adoption of Ordinance 98-130

Ordinance 99-042 Impact Fees and Schools

Ordinance 99-042 was adopted on June 22, 1999, removing the impact fees related to school capacity, in favor of relying on certification by the school district that adequate capacity exists in the school district to support development.

Ordinance 06-042

Ordinance 06-042 was adopted on July 25, 2006, shifting the method for recovering sewer service expansion from an impact fee to a capital recovery fee.

2006 Fire Impact Fee Study and Ordinance 06-047

New Castle County conducted an update to the 1998 Impact Fee Study with TischlerBise (formerly Tischler & Associates) to revise fees collected, to support expanded fire services that were needed to accommodate the increased development trends. The study was commenced in 2005 and was completed on January 26, 2006. The recommended changes from the study were adopted on August 22, 2006.

2009 Impact Fee Study and the Great Recession

New Castle County initiated a comprehensive update to the 1998 Impact Fee Study with TischlerBise to update fees collected and to support expanded fire services needed to accommodate the increased development trends in 2009. A draft of the study was completed on December 28, 2009. The study was never finalized and recommendations from the draft study were not pursued due in part to concerns related to the Great Recession and the effect increasing fees would have on the housing market.

2023 Development Impact Fee Study

Following the New Castle County Audit Report (May 2020), which recommended the County consider reviewing current impact fee amounts, the Rossi Group and Century Engineering were contracted to look at best practices. The *2023 Development Impact Fee Study* proposed that the County consider specific changes to the impact fee structure based on best practices by the American Planning Association, neighboring jurisdictions, and nation-wide trends. Based on this analysis, the study includes six key recommendations:

1. Utilization of the Delaware State Strategies Map to assess a surcharge impact fee to cover additional costs associated with developments in Levels 3 and 4.
2. Expansion of the uses included in the Impact Fee Table (Table 40.15.210)⁶.
3. Incentivizing low-income housing through the potential exemption or reduction of impact fees for Moderately Price Dwelling Units (MPDU's).
4. Graduated fee increases based on the ENR CCI, whether it be annual indexing adjustments or phased increases over time.
5. Creation of an impact fee for open space.
6. Consideration of impact fees for certain redevelopment proposals that may require additional services.

The *2023 Development Impact Fee Study* recommendations were obtained via an online survey presented at a public workshop held on December 13, 2022. Some recommendations were more favored than others and were considered as part of the final report.

While there were several recommendations in the memorandums that made up the report, it is important to note that the report did not evaluate the necessary data to assure that changes in fees were “roughly proportionate” to the impact from the development:

... Thorough documentation of the current practices along with best practices and case studies will allow the County and its residents to determine needs and opportunities to refine impact fees to align with the County's long-range plans and achieve a sustainable source of revenue.⁷

It is for this reason that the report recommends additional research be conducted. Ensuring that any proposed change in fees meets the legal tests established by the U.S. Supreme Court is an essential next step in the process to determine appropriate impact fees. Additionally, it is important for the County to evaluate how an increase would be consistent with the methodologies set by County Code.

⁶ [Impact Fee Table](#)

⁷ 2023 Development Impact Fee Study, Memo 1, Page 5 of 5

PLUS REVIEW

The PLUS Report dated March 27, 2024, contains comments from State agencies. The Office of State Planning and Coordination (OSPC) commended the County for proposing to review impact fees every five years to ensure they align with development costs. There were no additional comments from other State agencies.

PLANNING BOARD PUBLIC HEARING – May 7, 2024

Councilman Carter presented Ordinance 24-008 at the May 7, 2024, joint New Castle County Department of Land Use and Planning Board Public Hearing. During his presentation, he discussed the history of impact fees in New Castle County as well as the scope and intent of the ordinance.

Chairwoman Peterson asked Councilman Carter if there was a definition for “significant change.” Councilman Carter stated that he will need to confer with Counsel to Council. Mr. Snowden voiced concerns regarding the time that fees have remained constant and asked if the intent was to increase fees all at once. Councilman Carter stated that while the ordinance does not directly address this, he believes that County Council would be most comfortable with an incremental increase. He further remarked that he would prefer to not use the tax stabilization fund for capital projects such as the Boyd’s Corner EMS station. Mr. Cantrell referenced the requirement that impact fees be adjusted for inflation, and asked if the intent was that the fees would be adjusted annually. Councilman Carter stated that the fees would be required to be adjusted every five years, however it could occur more frequently if something drastic happened. Mr. Cantrell asked about the mechanism for adjusting the fees after an event such as the COVID 19 pandemic. Councilman Carter stated that in such a circumstance he would hope that any shortfall would be funded by the tax stabilization fund.

Antoni Sekowski, Assistant Land Use Manager for the Department of Land Use made a brief presentation expressing the Department’s concerns with Ordinance 24-008. He discussed the background of the *2023 Development Impact Fee Study*, as well as key recommendations of the report. He stated that while the Department concurs that updating impact fees every five years is warranted, Ordinance 24-008 is as drafted, premature because the Department has not had adequate time to evaluate how to best implement recommendations from the study. Specific concerns are that the study does not determine which fees should be modified, what new fees should be included, and the impacts on affordable housing. He further discussed specific concerns regarding recommendations in the study and the additional research (as noted in the study) needed to best address their implementation. He reiterated the Department’s support for increasing fees at regular intervals, however voiced concern that a flat increase in fees may have unintended consequences and may not have a rationale nexus between the fee and improvement.

Chairwoman Peterson asked if the Department knew if Kent and Sussex Counties had a similar fee structure. Mr. Sekowski stated that from his understanding their structure was significantly more limited. Ms. Drake expressed concern about the potential time that it would take to conduct the recommended research, considering the amount of time since the

last increase in impact fees. Mr. Sekowski discussed the Department's current efforts to address recommendations of the study, including having an expert evaluate Area Median Income requirements for affordable housing. He also discussed proposed changes in Ordinance 24-054 on how impact fees would be addressed in redevelopment.

Charuni Patibanda, General Manager for the Department of Land Use, remarked that the Department is not looking to hold up the process in pursuit of perfection, but wants to make sure that affordable housing in New Castle County is not adversely impacted. She acknowledged Councilman Carter's comments but stressed the importance of a balanced approach in order to minimize impacts to affordable housing.

Councilwoman Durham stated that the American Planning Association calls for a review of impact fees every two years, and that she had requested an ordinance from the Department to increase fees consistent with the recommendations of the study. She further remarked that the Open Space Advisory Board supports the ordinance and that the Chair of the Board intends to submit a letter of support. Councilwoman Durham indicated that there are a number of ways that fees could be phased in, and in what is to be included and that affordable housing could be exempted. She stated that it is disingenuous for the Department to state that they need to study, since they have a study.

Public Comment

During the public comment period three residents spoke in favor of the ordinance: (1) Dale Swain, (representing the Facebook group RADAR), (2) RJ Miles (CCOBH), and (3) Robin Glaiser (Delaware Nature Society). Mr. Swain expressed support for the ordinance, and concern that the fees had not been adjusted in twenty-five years. He also stated that a lot of the concerns that Land Use has addressed could be added to the bill. Mr. Miles expressed support for the ordinance, stating the importance of having proposed development equitably contribute to the infrastructure demands that will be created. He mentioned traffic impacts from the Incyte development as an example. Ms. Glaiser voiced support for the ordinance specifically with respect to the acquisition and preservation of open space land.

Rebuttal

Councilman Carter committed to work as closely as possible with the Department of Land Use but has no intention of slowing down. He remarked that he does not feel that the increase in impact fees will significantly affect affordable housing since they can be spread out over a thirty-year mortgage.

Written Public Comment

The Department received letters of support for Ordinance 24-008 from the following agencies / individuals, which are enclosed with this report.

Delaware Nature Society (Mark Nardone)
Kristina Brandis (Middletown resident)
Joshua Fischer (MOT resident)
Amanda Fischer (MOT resident)
Andy Olenderski (Middletown resident)

ANALYSIS

As noted in the purpose statement of Article 14 (Impact Fees), the intent behind the collection of impact fees is to addresses facilities and services that New Castle County provides, which are impacted by population growth and new development. Article 14 (Impact Fees) of the UDC includes a detailed methodology, determination of the cost of service, and Impact Fee Table that provide detailed instruction to the County regarding the collection of impact fees and the subsequent administration of funds. Understanding the changes and expected growth trends in New Castle County, the County acknowledged the need for updates to the fee structure through the most recently completed impact study.

Following the completion of the *2023 Development Impact Fee Study*, Ordinance 24-008 was introduced by its sponsors in the spirit of the study. Ordinance 24-008 proposes to require impact fees be updated once every five years, with a deadline for the first date being January 1, 2025. Based on best practices and the recommendations of the *2023 Development Impact Fee Study*, the Department agrees that the five-year time period is an appropriate update cycle. The requirement that the next adjustment be conducted by January 1, 2025, does not provide the County sufficient time to perform the research recommended by the study to implement recommendations in a manner consistent with legal requirements for impact fees. The Department of Land Use prefers to take a comprehensive look at Article 14 and make changes that would not be arbitrary, noting that changes to the impact fees will have a significant impact on the County.

2023 Development Impact Fee Study Recommendation	Department Comment
Utilizing State Strategies Map <i>Implementation of a surcharge for development in Investment Levels 3 and 4.</i>	Additional research needed and coordination with the OSPC
Expanding the list of uses in the Impact Fee Table	Need to understand the actual costs vs. forecasted increases for existing impact fees to ensure there is a rational nexus
	The Department would like to more narrowly define the list of uses and assess their impacts.
	Additional research needed
Strategic incentives for low-income housing.	Consideration of a sliding scale relative to home prices and Area Median Income (AMI)
	Department is currently working with an expert to determine appropriate AMI levels with respect to MPDU locations, results will be shared with DHSA and Community Services.
	Additional research & outreach needed.
Graduated Fee increase	Additional study is needed to assess a phased approach for increasing fees over a period of multiple years.
Creation of an Open Space Impact Fee	Article 14 already has a Parks and Special Facilities impact fee
	Recommend further consultation with the Open Space Advisory Committee should a fee be proposed / adopted.
	Public feedback during the <i>2023 Development Impact Fee Study</i> indicated that this should be included within existing categories
Change / Use of Redevelopment Impact Fees	Concern about disincentivizing redevelopment of underutilized properties. The Comprehensive Plan encourages the redevelopment of underutilized sites.

As directed by the US Supreme Court in *Nollan v. California Coastal Commission* (483 U.S. 825, 1987)⁸ and *Dolan v. City of Tigard* (512 U.S. 687, 1994),⁹ when government enacts an exaction (such as the collection of impact fees), it is essential that it provides both a “rational nexus” as well as fees that are “roughly proportionate” to the impact created by the development. The *2023 Development Impact Fee Study* provided recommendations for further analysis into areas where additional impact fees might be appropriate, as well as potential ways to avoid longer periods between updates. It did not perform the analysis at the depth required to ensure that proposed changes would meet the *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*.

Impact fees must be based on an accurate inventory of existing capital inventory and what increase in capital is needed to support future development needs. Because impact fees must be specifically based on the impact that new development creates, the fees cannot be used for replacement capital, only for new/additional improvements. Any proposed increase needs to be based on a thorough understanding of capital needs for existing residents, as well as on formally approved population, household and job projections adopted by the Delaware Population Consortium. The 1998, 2006 (Fire Impact Fees), and 2009 studies were completed with a thorough knowledge of both existing capital and projected needs. The *2023 Development Impact Fee Study* provides valuable and important recommendations for consideration, but as the study stated, requires additional research.

Specifically, one area that needs additional evaluation is the tying of future increases in impact fees to the Construction Cost Index. While this may be an adequate measure for approximating capital costs associated with *construction*, it would fail to address important capital expenses that are not associated with construction. For example, while there are construction related capital expenses for the volunteer fire services, the vast majority of requests for reimbursement that the Department receives are for new, non-replacement equipment such as computers, fire hoses, fire trucks, radios, and other non-construction related expenses. Because there is no nexus between the cost of non-construction capital expenses and construction costs, relying on the Construction Cost Index for future increases in impact fees would be ill-suited to account for non-construction related needs. Another point of concern, regarding the Construction Cost Index approach is that it relies on population and households continuing to increase. According to the Delaware Population Consortium’s demographic trends and projections, households and overall population in New Castle County will likely peak in the next decade and a half. After that, both will likely decline.

The Department concurs with the sponsors that impact fees do need to be updated every five-years. However, the Department disagrees with the requirement that fees be adjusted by January 1, 2025, as research has not yet been completed that would assure that any increase

⁸Nollan v. California Coastal Commission 483 U.S. 825 (1987):

<https://supreme.justia.com/cases/federal/us/483/825/>

⁹ Dolan v. City of Tigard 512 U.S. 687, (1994): <https://supreme.justia.com/cases/federal/us/512/374/>

would be “roughly proportionate” to impacts from new development. Impact fees are not and cannot be punitive measures to have new development pay for services for existing communities. Impact fees can *only* be used to pay for the expansion of services and capital development to accommodate the proposed new development. The Department is committed to completing a study to evaluate impact fees based on the methodology established in the UDC in accordance with the recommendations made in the *2023 Development Impact Fee Study*.

Standards of Review

Pursuant to **Section 40.31.420 of the New Castle County Code**, in determining whether a text amendment shall be recommended or approved, all of the following factors shall be considered:

A. *Implementation of a new portion of the Comprehensive Development Plan.*

N/A

B. *Implementation and achievement of the Comprehensive Plan’s goals and objectives.*

Goal 17 of the Comprehensive Plan calls on the County to conduct a study of impact fees and other economic cost-benefit analysis to ensure sustainability of community infrastructure and services over time, with a commitment to commence the study by 2022. Furthermore, Strategy 17.4.2 calls for the County to ensure emergency and police services, capacity and funding are available as population grows by re-evaluating impact fees to ensure that monies levied from new development adequately address the impact of increased demand for fire, police and EMS expansion and service.

The *2023 Development Impact Fee Study* is the first step in meeting the goals and strategies of the Comprehensive Plan, not the end result. Additional research needs to be conducted, as recommended by the study, to responsibly and legally determine appropriate changes to the impact fees collected associated with new development.

C. *Consistency with the provisions of this Chapter and the standards for similar uses.*

N/A

D. *Necessity to respond to State and/or Federal legislation.*

N/A

E. *Flexibility in meeting the objectives of this Chapter.*

N/A

F. Changes to conditions, interpretations, and/or clarifications to existing language for new uses.

N/A

G. Consideration of specific problems found in this Chapter.

Ordinance 24-008 seeks to address the eighteen-year time lapse since the last update to the impact fees collected by the County. The Ordinance requires that fees be adjusted over regular, five-year periods, while further requiring that fees be adjusted by January 1, 2025. The Department agrees with setting a required interval for updating fees but disagrees with the requirement that fees be adjusted by January 1, 2025, as the recommended research has not been conducted that would assure that any increase would be “roughly proportionate” to impact from development.

DEPARTMENT OF LAND USE RECOMMENDATION

Based on the analysis above and the Standards included in **Section 40.31.420 of the New Castle County Code**, the Department of Land Use recommends **DENIAL** of Ordinance 24-008 (Application 2024-0062-T) as written to allow for further evaluation and implementation of an updated impact fee methodology and structure.

PLANNING BOARD RECOMMENDATION

At a business meeting held on May 21, 2024, the Planning Board considered the recommendation provided by the Department of Land use as well as comments from outside agencies and the public. The Planning Board voted on a motion by Mr. Snowden and seconded by Ms. Gray, to recommend **DENIAL** of Ordinance No. 24-008 (Application 2024-0062-T) based on the recommendation and rationale made by the Department of Land Use. The motion was adopted by a vote of 7-0-0-2 (In Favor: Peterson, Cahill-Krout, Cantrell, Drake, Gray, Snowden, Visvardis; In Opposition: None; Abstention: None; Absent: Cochran, Daigle).

Prior to the vote the following discussion occurred:

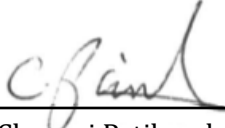
Elizabeth Hatch, Planner for the Department of Land Use read the Department of Land Use recommendation into the record. Charuni Patibanda, General Manager for the Department of Land Use, commented that the Department recognizes the need for an update to the impact fee provisions to the UDC, and that it doesn't oppose the intent of the ordinance, however the research necessary to ensure that the increase in impact fees meet legal requirements. She further committed to further work on updating impact fees, while acknowledging the importance of addressing affordable housing and other initiatives currently underway.

Robert Snowden remarked that the difficulty is the 2025 deadline to update the impact fees, and asked if putting it off a year make the ordinance work. Ms. Patibanda, stated that the additional year would help, but the that the scope of the ordinance was too limited to address other concerns identified by the Department. She further expressed the importance of an update to the impact fee provision appropriately taking into consideration the impacts to affordable housing. Karen Peterson remarked about the challenges in setting an implementation date within the first year of a new administration. Neil Cantrell, asked the Department to further explain the potential impacts of increasing impact fees on affordable housing. Ms. Patibanda explained that since impact fees are assessed per housing unit at a set rate, regardless of the sales price for the home (there is no sliding scale). She further stated that the cost gets passed on to the purchaser. Mr. Cantrell asked if the Department sees the increased cost being passed on to the purchaser dollar for dollar. Ms. Patibanda stated that depending on the market sometimes fees are passed on dollar for dollar, sometimes at a higher rate, and at other times the fee is just absorbed into the cost of the house. Mr. Cantrell, asked if updating fees would result in doubling the fees. Ms. Patibanda stated that in some instances, if the 18 year gap was immediately closed it would result in doubling the fees or more. Antoni Sekowski, Assistant Land Use Manager for the Department of Land Use, explained that the Rossi Group report estimated that t increase would be closer to 75%. Mr. Cantrell inquired about ways to mitigate the potential adverse impacts of the ordinance being adopted as written. Ms. Patibanda remarked that the ordinance does not provide for the ability, to address the Department's concerns, and that any effort should be more comprehensive in nature. Mr. Cantrell then asked about the time that it would take to complete a more comprehensive effort. Ms. Patibanda remarked about the complexity of the process and the difficulty in providing an accurate time frame. Matthew Rogers, Planner for the Department of Land Use explained the three different methods for evaluating impact fees within the UDC. He further explained the importance of having accurate and update inventory for Fire, EMS and other services, since impact fees can only legally be used on capital expansions to support new development, and that the funds cannot be allocated to the replacement of existing inventory. Mr. Rogers further explained that the TischlerBise studies that were the basis to establish the impact fee provisions in the UDC had substantially greater depth and detail to ensure that the fees met the legal standards than the Rossi Group report. He further expressed the importance providing the detail and research that TischlerBise conducted in previous studies. Mr. Cantrell asked when the Rossi Group study was submitted to the Department. Mr. Rogers stated the Department received the report in June of 2023. Mr. Cantrell remarked that it isn't possible to complete a holistic effort by January of 2025. Mr. Rogers agreed and expanded on some of the challenges to the recommendations in the reports, specifically using the construction index, where much of the funded capital improvements are not related to construction at all (fire hoses, computers and tablets). Ms. Patibanda, remarked that while completing a comprehensive study within 6 months is not possible that the Department will begin the effort. Leah Gray asked if there was a way to exempt to some extent affordable housing from impact fees. Ms. Patibanda stated that creating a balance between affordable housing and impact fees would be part of the needed research, noting that 55 and older communities have exemptions. She further remarked about the importance that changes to impacts stand up

to legal challenge. Ruth Visvardis asked if the intent is to exempt affordable housing from the increase in fees or impact fees as a whole. Ms. Patibanda stated that the level of exemption had not been determined. Ms. Patibanda then discussed the potential moral hazard abating fees, thereby potentially reducing services in areas where affordable housing is constructed. She further remarked about the fact that impact fees are refunded is not used within a specific time period. Mr. Rogers expanded on this by discussing the streamlined approach to administering fire impact fees that the Department developed. Mr. Rogers also discussed how some impact fees are permitted in the UDC to defrayed to fund the preservation of a historic resource on a site. Mary Jacobson, Attorney for the Planning Board, inquired if there was a budgetary need to conduct the impact fee study. Ms. Patibanda and Mr. Sekowski explained that the study was a recommendation made by an audit to the Finance Department, not from a specific budgetary need. Ms. Jacobson remarked that at times working on administering impact fees, that there is at times a surplus, making an automatic increase questionable. Ms. Jacobson also questioned if the increases in the report were based on a need analysis. Mr. Sekowski confirmed that there was no need based analysis performed, noting that the current fee structure is need based. Ms. Jacobson stressed the importance of a rational nexus for increasing fees. Mr. Cantrell inquired about the degree that services south of the C&D Canal would be impacted if fees are not increased. Ms. Patibanda stated that services will be provided and explained that impact fees are a small portion of the funding to bring services to an area. Mr. Snowden, remarked that there is a lot of work to evaluate and implement an increase in impact fees, while acknowledging that there is a desire for immediacy. He asked if it was possible to implement an arbitrary 35% increase in impact fees until an adequate study was complete was a possibility. Ms. Patibanda, stated that such an increase would conflict with the legal standards established in *Nollan v. California Coastal Commission* and *Dolan v. City of Tigard*. Ms. Gray inquired about funding sources outside of impact fees for fire services. Ms. Patibanda said she'd reach out to the Department of Finance for additional information. Ms. Jacobson discussed the fact that fire companies receive funding from the State, and that there is an ongoing study to reevaluate their funding levels. Ms. Peterson, further expanded on the level of funding that fire companies receive from the State. Mr. Snowden asked about the potential risk for legal challenge should the ordinance pass, and impact fees be increased uniformly. Ms. Patibanda stated that there is a potential risk that could come to fruition from a developer at the time of pulling a building permit.

STATUTORY GUIDELINES

In the phraseology of 9 Delaware Code, Section 2603(a), the Department finds that this text amendment **would not** promote the convenience, order, and welfare of the present and future inhabitants of this state.


06/11/24

Charuni Patibanda date
General Manager
Department of Land Use


06/11/24

Karen Peterson date
Chair
Planning Board



STATE OF DELAWARE
OFFICE OF MANAGEMENT AND BUDGET
OFFICE OF STATE PLANNING COORDINATION

March 27, 2024

Councilperson Dee Durham
c/o Elizabeth Hatch
Department of Land Use
New Castle County
Government Center
87 Reads Way
New Castle, DE 19720

RE: PLUS review – 2024-02-08; New Castle County Ordinance on Impact Fees

Dear Ms. Durham,

Thank you for meeting with State agency planners on February 28, 2024 to discuss the proposed ordinance to update the Unified Development Code. According to the application, the County is proposing to amend the New Castle County Code Section 40.14.230 to provide for review and necessary adjustments to impact fee at least every 5 years.

The Office of State Planning Coordination acknowledges the work that has been put into this ordinance. The comments below reflect only issues that are the responsibility of the agencies that were represented at the meeting.

Office of State Planning Coordination – Contact Samantha Bulkilvish 302-739-3090

- OSPC commends the County for proposing to review impact fees every 5 years to ensure the fees are in line with development costs. We have no objections to the ordinance as submitted.

Department of Transportation – Contact Stephen Bayer 302-760-4834

- DelDOT has no comments on the proposed ordinance.

Department of Natural Resources and Environmental Control – Contact Beth Krumrine
302-735-3480

Disclaimer Clause: Staff from the Delaware Department of Natural Resources and Environmental Control (DNREC) reviewed the project submitted for PLUS review. The absence of comments does not indicate that there are not additional constraints, nor does it indicate DNREC support of a project, code or ordinance.

- DNREC reviewers have no comments or concerns at this time.

Delaware Emergency Management Agency – Contact Phillip Cane 302-659-2325

- DEMA has no comments or objections on the proposed ordinance as this is not our area of expertise.

State Historic Preservation Office – Contact Carlton Hall 736-7400

- The Delaware SHPO has no objections.

Delaware State Fire Marshall's Office – Contact Duane Fox 302-739-4394

- The DE State Fire Marshal's Office has no objection to the impact fee ordinance changes.

Once the ordinance is voted on by Planning and Zoning and/or County Council, please forward a copy of the decision regarding the amendment to this office for our files. Thank you for the opportunity to review this amendment. If you have any questions, please contact me at 302-739-3090.

Sincerely,



David L. Edgell, AICP
Director, Office of State Planning Coordination



NEW CASTLE COUNTY, DE

DEVELOPMENT IMPACT FEE STUDY FINAL REPORT

June 13, 2023



I. Executive Summary

Delaware Code Title 29, Chapter 91, Section 9124 gives county governments the authority to charge impact fees for services for which the County will bear increased costs associated with development. The County must strike a balance between keeping the fees low while also providing a source of revenue for capital improvements.

New Castle County impact fees are addressed in Article 14 of the New Castle County Unified Development Code (UDC). In particular, § 40.14.010 outlines the services for which the County may require new development to provide impact fees, § 40.14.210 outlines the impact fee amounts by service and different development categories, and § 40.14.260 states how impact fee funds should be administered.

New Castle County UDC § 40.14 states “All costs in the impact fee calculations are given in current dollars with no assumed inflation rate over time. Necessary cost adjustments will be made as part of the periodic evaluation and update of impact fees. Impact fees will be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by County Council ...” However, New Castle County received an audit in May 2020 which found that the only impact fees adjusted since 1999 have been the fire & rescue impact fees. County Council adopted legislation in August 2006 raising these fees based upon another study performed by TischlerBise earlier in 2006. “Thus, the impact fees for Parks, Libraries, County Facilities, EMS, and Law Enforcement have not been adjusted for over 20 years – while, undoubtedly, there have been increases in the costs of construction over that timeframe.”

Rossi Group was contracted by New Castle County to assist in conducting a development impact fee study and updating current regulations. Over the course of several months, Rossi Group worked with the County and its residents to review the current fee schedule and determine the needs and opportunities to apply best/recommended practices to achieve sustainable, just, and fair public finance in line with the County’s long-range plans (e.g., Comprehensive Development Plan, Southern New Castle County Master Plan). This included obtaining feedback during a public workshop and an online survey.

A series of memos were developed to document the process. A summary of each memo is provided below, and memos are attached to this summary:

Memo #1: Summary of Current Practices

Memo #1 provides a summary of the May 2020 audit and presents recommendations to be included in the study of development impact fees as proposed in the County’s Draft Comprehensive Plan updates, currently underway. Recommendations include:

- Study and consider different funding strategies, such as impact fees, for the preservation and acquisition of county owned open space and easements. This was further reinforced by New Castle County Council passing Resolution No. 21-160 that “urges the Administration to include the creation of an impact fee to fund preservation in its 2021 Impact Fee Report and to otherwise pursue a permanent funding mechanism for preservation if the preservation impact fee is not legally or otherwise feasible.”
- Study/adjust impact fees and conduct economic cost-benefit analysis of other policies associated with financing infrastructure and service, to address issues such as ongoing parks and open space maintenance needs that cut across multiple departments.
- In alignment with recommendations from the Housing Advisory Board evaluate possible adjustments to Impact Fees, such as an exemption/waiver for developers of low to very low-income housing in exchange for covenants that run with the land to continue affordability for 30 years and accept all sources of income for rental unit developments. Importantly, the study will need to weigh the benefit of expected impacts from this type of policy change relative to the loss of fees.

- Consider establishing sliding scale for moderately priced dwelling unit (MPDU) requirements, which should factor access to transit and nonmotorized transportation modes.
- Ensure emergency and police services capacity and funding is available as population grows by re-evaluating impact fee to ensure the monies levied from new development adequately address the impact of increased demand for fire, EMS and police expansion and service.
- Consider adjustments to impact fees based on housing unit size as opposed to a flat per unit basis to incentivize smaller, more affordable units.

This memo further details New Castle County's current regulations (Castle County UDC Chapter 40, Article 14 (40.14)) and summarizes FY 2021 impact fee account balances with total revenues and expenditures.

Memo #2: Summary of Best Practices

Memo #2 presents best practices as recommended by the American Planning Association as well as case studies for current practices by regional communities in support for New Castle County's Impact Fee Study. The case studies include jurisdictions from Delaware, New Jersey, Pennsylvania, Maryland, and Florida. This memo also provided a summary impact fees or exemptions to be considered during the impact fee study: 1) green infrastructure; 2) land preservation/agriculture land preservation; 3) affordable housing; and 4) administration and reassessments.

Take aways from analysis of the best practices included:

- Local examples: New Castle County's impact fee program compares most favorably with the more comprehensive and modern impact fee programs found in Anne Arundel County, Maryland and Seminole County, Florida.
- Indexing benchmark: Construction Cost Index (CCI) from the Engineering News-Record (ENR) is the recommended benchmark comparison for impact fee increases with annual reviews.
- Annual increases: The easiest and most straightforward method to address fee increases is to adopt the annual increase in code using the CCI. Mandating annual increases by code eliminates political influences on the fees. A limit of 4 or 5% per year could be adopted so that in periods of high inflation, fee increases are somewhat mitigated.
- Needs based assessments: Periodic reviews should assess needs for each area of impact based on the County's capital improvement plan for each geographic area. As growth levels change for each area, the fees could be adjusted based on needs.
- Impact fee credits: Many jurisdictions allow for credits if the applicant builds facilities or donates real estate for the construction of facilities.
- Affordable housing provisions: Most jurisdictions provide for a reduction or elimination of impact fees for affordable housing initiatives. A wide of alternatives are possible but factors such as replacing the reduced revenue, income levels, number of units eligible, reducing/waiving only some portions of the impact fees should be considered.
- Fee rates are often tied to a proposed use.
- Sustainability of impact fees to keep taxes low: Impact fees will continue to provide the County with dedicated revenue below the canal for the foreseeable future to help fund projects. Revenue for the area above the canal for parks and libraries is fairly limited.
- Open space: An open space impact fee seems reasonable in the update of the code to help fund land acquisition and preservation.

Memo #3: Special Topics Reviewed

Memo #3 builds on the data collected in the prior memos to present recommendations for New Castle County to consider in their assessment of current regulations and the development of any subsequent updates. These initial recommendations include: 1) an assessment of the ability to apply a sliding scale to the impact fees based on the *Delaware Strategies for State Policies and Spending* (2020) and taking into account the five established investment levels; 2) expanding the list of uses in the Impact Fee Table; 3) developing strategies for incentivizing low-income housing; 4) implementing graduated impact fee increases; 5) creating an Open Space fee; and 6) revision of use/redevelopment charges.

Memo #4: Final Recommendations

A public workshop was held December 12, 2022 to present the findings of Memos 1 through 3 and solicit feedback from interested stakeholders. Attendees could view the presentation virtually or in-person. Approximately 25 individuals attended in person and 45 attendees signed in online.

Data from the workshop was used to finalize recommendations to prioritize proposed changes to the existing code. The following final recommendations will be presented to New Castle County Council's Finance Committee for further consideration:

1. **Utilizing Delaware's State Strategies:** New Castle County to implement a surcharge to cover the additional costs associated with development in Levels 3 and 4; New Castle County will work with OSPC and conduct additional research to determine the actual cost of providing services to these areas and will modify proposed percentages accordingly.
2. **Expanding the List of Uses in the Impact Fee Table:** New Castle County to add new categories to the impact fee table (Multi-use Residential, Institutional Uses, Commercial Lodging, Restaurants).
3. **Strategies for Incentivizing Low-Income Housing:** New Castle County should establish a sliding scale system based on the home price relative to the AMI.
 - >120% of AMI => 75%
 - 100 – 120% => 50%
 - 80 – 100% => 25%
 - <80% => No fee assessed
4. **Graduated Fee Increases/ENR Recommendations:** New Castle County should consider increasing their current Impact Fees in a phased approach of 10% per year for 3 years, then annually adjust the fee for ENR CCI.
5. **Open Space Fee Creation:** New Castle County should further explore the option of an additional impact fee category to fund Open Space. This would align with the County's goal for dedicated Open Space funding.
6. **Change of Use/Redevelopment Charges:** New Castle County will continue to work with developers to determine if the waiver on impact fees is a deciding factor in redevelopment and/or brownfield development. New Castle County should also consult with the Public Works Department and Emergency Services to determine actual costs of increased services from redevelopment cases.

MEMO #1: SUMMARY OF CURRENT PRACTICES

Date: August 2, 2022
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP Candidate; Associate Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #1 – Summary of Current Practices

New Castle County received an Audit Report dated May 20, 2020. The results informed the need for further study of New Castle County Unified Development Code (UDC) Chapter 40, Article 14 (40.14); which indicates, "All costs in the impact fee calculations are given in current dollars with no assumed inflation rate over time. Necessary cost adjustments will be made as part of the periodic evaluation and update of impact fees. Impact fees will be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by County Council ..." Since 1999, however, the only impact fees which have been adjusted have been the fire & rescue impact fees. County Council adopted legislation in August 2006 raising these fees based upon another study performed by TischlerBise earlier in 2006. Thus, the impact fees for Parks, Libraries, County Facilities, EMS, and Law Enforcement have not been adjusted for over 20 years – while, undoubtedly, there have been increases in the costs of construction over that timeframe."

Rossi Group is supporting New Castle County's study of its development impact fee to assess and update current regulations. In support for New Castle County's development impact fee study, the following memo presents New Castle County's current regulations, fee amounts and processes. Concurrently, the County is completing its 10-year comprehensive development plan updates. Based on review of the Draft Comprehensive Plan the following recommendations should be considered as part of this study:

- Study and consider different funding strategies, such as impact fees, for the preservation and acquisition of county owned open space and easements. This was further reinforced by New Castle County Council passing Resolution No. 21-160 that "urges the Administration to include the creation of an impact fee to fund preservation in its 2021 Impact Fee Report and to otherwise pursue a permanent funding mechanism for preservation if the preservation impact fee is not legally or otherwise feasible."
- Study/adjust impact fees and conduct economic cost-benefit analysis of other policies associated with financing infrastructure and service, to address issues such as ongoing parks and open space maintenance needs that cut across multiple departments.
- In alignment with recommendations from the Housing Advisory Board evaluate possible adjustments to Impact Fees, such as an exemption/waiver for developers of low to very low-income housing in exchange for covenants that run with the land to continue affordability for 30 years and accept all sources of income for rental unit developments. Importantly, the study will need to weigh the benefit of expected impacts from this type of policy change relative to the loss of fees.
 - Consider establishing sliding scale for moderately priced dwelling unit (MPDU) requirements, which should factor access to transit and nonmotorized transportation modes.
- Ensure emergency and police services capacity and funding is available as population grows by re-evaluating impact fee to ensure the monies levied from new development adequately address the impact of increased

demand for fire, EMS and police expansion and service.

- Consider adjustments to impact fees based on housing unit size as opposed to a flat per unit basis to incentivize smaller, more affordable units.

I. SUMMARY OF NEW CASTLE COUNTY UDC CHAPTER 40, ARTICLE 14 (40.14)

Delaware Code Title 29, Chapter 91, Section 9124 gives the County Government the authority to charge impact fees for services for which the County will bear increased costs of development. Pursuant to State Code, New Castle County adopted UDC 40.14 in 1997. The code defines impact fees as one (1) time payments on new use development to ensure that the development contributes adequate funds to enable the County to provide necessary services and facilities in a timely manner and at established levels of service. New Castle County currently requires that new residential use development provide impact fees for libraries, fire and rescue, emergency medical services, law enforcement, parks and special facilities, and county facilities. All other uses shall pay impact fees for fire and rescue, law enforcement, emergency medical services (EMS), and county facilities.

With the adoption of 40.14 the County determined impact fees that would be proportionate and reasonable related to the capital facility service demands of a new development. Impact fees for libraries were determined using a plan-based methodology, a method best suited for public facilities that have specific capital improvement plans. Impact fees for parks, public facilities and equipment, EMS, fire/rescue, and law enforcement are derived mainly from the incremental expansion method which would allow the use impact fee revenue to expand or provide additional facilities, as needed to accommodate new development. Parks impact fees also used the buy-in approach to calculate fees, where new development would pay for its share of the useful life and remaining capacity of existing facilities.

The impact fees also considered and established potential credits for new developments. The first, a future revenue credit avoids double payment for capital facilities through both one (1) time impact fees and ongoing revenues that may fund system improvements. The second type of credit is a site-specific credit for system improvements that have been included in the impact fee calculations. Project improvements normally required as part of the development approval process are not eligible for credits against impact fees. When building or expanding a nonresidential building, the first 1,000 square feet are exempt from the assessment of impact fees. For all impact fees, the Department shall waive the applicant's responsibility to pay said fees for redevelopment or Brownfields. As a condition of such waiver, the Department may require that an alternative funding source be identified to pay the applicable impact fee.

The Code defined impact fees in current (last amended, 2006) dollars with no assumed inflation rate over time. The Code indicated that cost adjustments would be made as part of a periodic evaluation. Impact fees would be adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by New Castle County Council. Any impact fee based in part upon land cost shall be reviewed periodically by the Departments of Land Use and Finance and adjusted to account for any significant change in the cost of land upon approval of County Council. Though the Code was amended several times following its initial adoption, New Castle County has not updated its code or related fees since 2006. Current impact fees, as detailed in Table 40.14.210 are presented in **Table 1**. For comparison, **Table 1** also presents impact fee amounts if they had been reviewed and adjusted in accordance with the ENR Index as recommended in the Code as well as impact fee amounts adjusted in accordance with the Consumer Price Index (CPI).

Table 1: Impact Fees (Dollars)

Service	Parks & Special Facilities			Libraries			County Facilities			EMS			Fire and Rescue			Law Enforcement			Total		
	Code ¹	ENR Index ²	CPI Index ³	Code ¹	ENR Index ²	CPI Index ³	Code ¹	ENR Index ²	CPI Index ³	Code ¹	ENR Index ²	CPI Index ³	Code ¹	ENR Index ²	CPI Index ³	Code ¹	ENR Index ²	CPI Index ³	Code ¹	ENR Index ²	CPI Index ³
RESIDENTIAL Per Housing Unit																					
Single-family detached	\$328	\$574	\$492	\$138	\$242	\$207	\$112	\$196	\$168	\$7	\$12.25	\$10.50	\$510	\$893	\$765	\$62	\$109	\$93	\$1157	\$2,025	\$1,736
Single-family attached	\$304	\$532	\$456	\$129	\$226	\$194	\$105	\$184	\$158	\$6	\$10.50	\$9.00	\$442	\$774	\$663	\$58	\$102	\$87	\$1044	\$1,827	\$1,566
All other housing ⁴	\$225	\$394	\$338	\$95	\$166	\$143	\$77	\$135	\$116	\$5	\$8.75	\$7.50	\$317	\$555	\$476	\$43	\$75	\$65	\$762	\$1,334	\$1,143
NONRESIDENTIAL Per 1,000 Square Feet of Floor Area⁵																					
Commercial/shopping center (less than 60,000 sf. GFA)	NA	NA	NA	NA	NA	NA	\$127	\$222	\$191	\$8	\$14.00	\$12.00	\$210	\$368	\$315	\$42	\$74	\$63	\$387	\$677	\$581
Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)	NA	NA	NA	NA	NA	NA	\$95	\$166	\$143	\$6	\$10.50	\$9.00	\$163	\$285	\$245	\$33	\$58	\$50	\$297	\$520	\$446
Commercial/shopping center (greater than 200,000 sf. GFA)	NA	NA	NA	NA	NA	NA	\$76	\$133	\$114	\$5	\$8.75	\$7.50	\$147	\$257	\$221	\$28	\$49	\$42	\$256	\$448	\$384
Office/institutional (less than 10,000 sf. GFA)	NA	NA	NA	NA	NA	NA	\$176	\$308	\$264	\$11	\$19.25	\$16.50	\$112	\$196	\$168	\$24	\$42	\$36	\$323	\$565	\$485
Office/institutional (10,000 sf. to 50,000 sf. GFA)	NA	NA	NA	NA	NA	NA	\$150	\$263	\$225	\$10	\$17.50	\$15.00	\$287	\$502	\$431	\$16	\$28	\$24	\$463	\$810	\$695
Office/institutional (greater than 50,000 sf. GFA)	NA	NA	NA	NA	NA	NA	\$142	\$249	\$213	\$9	\$15.75	\$13.50	\$272	\$476	\$408	\$14	\$25	\$21	\$437	\$765	\$656
Business Park	NA	NA	NA	NA	NA	NA	\$120	\$210	\$180	\$8	\$14.00	\$12.00	\$232	\$406	\$348	\$14	\$25	\$21	\$374	\$655	\$561
Light industrial	NA	NA	NA	NA	NA	NA	\$88	\$154	\$132	\$5	\$8.75	\$7.50	\$170	\$298	\$255	\$7	\$12.25	\$10.50	\$270	\$473	\$405
Warehousing	NA	NA	NA	NA	NA	NA	\$47	\$82	\$71	\$3	\$5.25	\$4.50	\$94	\$165	\$141	\$4	\$7.00	\$6.00	\$148	\$259	\$222
Manufacturing	NA	NA	NA	NA	NA	NA	\$70	\$123	\$105	\$4	\$7.00	\$6.00	\$131	\$229	\$197	\$3	\$5.25	\$4.50	\$208	\$312	\$364

1. Impact Fees according to current Code 40.14 (last amended 2006).
2. Impact Fee if adjusted in accordance with ENR Index.
3. Impact Fee if adjusted in accordance with CPI Index.
4. Due to similar square footage, small single-family units and single-wide mobile homes will be included under the "All other housing" designation.
5. When building or expanding a nonresidential building, the first 1,000 square feet are exempt from the assessment of impact fees. For all impact fees, the Department shall waive the applicant's responsibility to pay said fees for redevelopment or Brownfields. As a condition of such waiver, the Department may require that an alternative funding source be identified to pay the applicable impact fee.

Section 40.14.260 outlined the administration of impact fees. Each fee is deposited into separate interest-bearing trust funds for each impact fee types. With exceptions, outlined per the Code, impact fees collected from new development north of the C&D Canal shall only be used for services and facilities located or provided north of the canal. Impact fees collected from new development south of the C&D Canal shall only be used for services and facilities located and provided south of the C&D Canal. Within each area, the impact fees shall only be used to adequately benefit the development which is the source of the fee. Exceptions include impact fees assessed for fire/rescue and county facilities. Impact fees within a specific fire and rescue district shall only be used to adequately benefit the development which is the source of the fee regardless of whether the fee was collected north or south of the C&D Canal. Because County facilities benefit new development on a Countywide basis, County facility impact fees can be used anywhere in the County regardless of whether the fee was collected north or south of the C&D Canal.

Fees collected during any fiscal year must be expended or encumbered by contract within the ten (10) fiscal years

immediately following for parks and special facilities, libraries, county facilities, and fire/rescue or five (5) years for EMS or law enforcement impact fees. If fees are not expended or encumbered by contract, the owner of the address for which an impact fee had been paid is entitled to a refund and will be notified by the General Manager. Any person so entitled shall have six (6) months from the date of the notice within which to apply to the Department of Finance for a refund of the fees paid.

II. IMPACT FEES TO DATE

Impact Fee Account Balances for Fiscal Year 2021 are presented in **Table 2** along with total revenue and expenditures.

Table 2: Impact Fee Account Balances - FY 2021

Parks - North C & D		Parks - South C & D	
Balance 6/30/2021	\$ 35,418.26	Balance 6/30/2021	\$ 473,309.23
Revenue	\$ 123,782.16	Revenue	\$ 245,523.77
Expenditures	\$ (100,936.64)	Expenditures	\$ (328.00)
Balance 6/30/2022	\$ 58,263.78	Balance 6/30/2022	\$ 718,505.00
Libraries - North C & D		Libraries - South C & D	
Balance 6/30/2021	\$ 16,951.54	Balance 6/30/2021	\$ 204,778.06
Revenue	\$ 52,349.83	Revenue	\$ 103,334.27
Expenditures	\$ (40,267.00)	Expenditures	\$ (138.00)
Balance 6/30/2022	\$ 29,034.37	Balance 6/30/2022	\$ 307,974.33
EMS - North C & D		EMS - South C & D	
Balance 6/30/2021	\$ 1,798.36	Balance 6/30/2021	\$ 9,442.31
Revenue	\$ 16,550.54	Revenue	\$ 6,701.16
Expenditures	\$ (5,023.70)	Expenditures	\$ (7.00)
Balance 6/30/2022	\$ 13,325.20	Balance 6/30/2022	\$ 16,136.47
Law Enforcement - North C & D		Law Enforcement - South C & D	
Balance 6/30/2021	\$ 14,443.02	Balance 6/30/2021	\$ 128,293.26
Revenue	\$ 48,672.85	Revenue	\$ 48,998.98
Expenditures	\$ (30,176.20)	Expenditures	\$ (5,062.00)
Balance 6/30/2022	\$ 32,939.67	Balance 6/30/2022	\$ 172,230.24
Fire Service		County Facilities	
Balance 6/30/2021	\$ 360,298.10	Balance 6/30/2021	\$ 56,683.39
Revenue	\$ 1,048,360.68	Revenue	\$ 384,988.45
Expenditures	\$ (694,583.68)	Expenditures	\$ (220,498.93)
Balance 6/30/2022	\$ 714,075.10	Balance 6/30/2022	\$ 221,172.91

Note: Expenditures in accounts in blue were less than 50% of the total revenue.

Expenditures in accounts in blue were less than 50% of the total revenue. This may indicate that the County is saving funds towards a large capital improvement. Per code, impact fees must be expended within ten or five fiscal years from the year in which they are collected. It is unknown to Rossi Group if the County has a tracking system to confirm that

funds are being expended within the required timeframe. The balances in Law Enforcement - South C & D and EMS – South C & D have multiple years of revenue as an end of year balance, 3.5x and 2.4x respectively.

III. NEXT STEPS

In support of New Castle County's study of its development impact fees to assess and update current regulations Rossi Group will document in a second memo a summary of best practices and case studies. Thorough documentation of the current practices along with best practices and case studies will allow the County and its residents to determine needs and opportunities to refine impact fees to align with the County's long-range plans and achieve a sustainable source of revenue.

MEMO #2: SUMMARY OF BEST PRACTICES

Date: August 17, 2022
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP; Associate Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #2 – Summary of Best Practices

Rossi Group conducted a review of best practices in support of New Castle County's study of its development impact fees to assess and update current regulations. In support for New Castle County's Impact Fee Study, the following memo presents best practices as recommended by planning professionals as well as case studies for current practices by regional communities.

III. BEST PRACTICES AS RECOMMENDED BY THE AMERICAN PLANNING ASSOCIATION

The American Planning Association (APA) has developed several policy guides to help jurisdictions across America develop their own policies and regulations. In 1997, the APA updated its policy guide on Impact Fees after conducting a review of local practices. The following overarching standards are recommended to all jurisdictions when formulating or reassessing their own impact fee policies:

"The imposition of a fee must be rationally linked (the "rational nexus") to an impact created by a particular development and the demonstrated need for related capital improvements pursuant to a capital improvement plan and program.

Some benefit must accrue to the development as a result of the payment of a fee.

The amount of the fee must be a proportionate fair share of the costs of the improvements made necessary by the development and must not exceed the cost of the improvements.

A fee cannot be imposed to address existing deficiencies except where they are exacerbated by new development.

Funds received under such a program must be segregated from the general fund and used solely for the purposes for which the fee is established.

The fees collected must be encumbered or expended within a reasonable timeframe to ensure that needed improvements are implemented.

The fee assessed cannot exceed the cost of the improvements, and credits must be given for outside funding sources (such as federal and state grants, developer-initiated improvements for impacts related to new development, etc.) and local tax payments which fund capital improvements, for example.

The fee cannot be used to cover normal operation and maintenance or personnel costs, but must be used for capital improvements, or under some linkage programs, affordable housing, job training, childcare, etc.

The fee established for specific capital improvements should be reviewed at least every two years to

determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.

Provisions must be included in the ordinance to permit refunds for projects that are not constructed, since no impact will have manifested.

Impact fee payments are typically required to be made as a condition of approval of the development, either at the time the building or occupancy is issued.”

II. CASE STUDIES

A. Jurisdictions

1. Sussex County, Delaware

Sussex County, DE does not assess impact fees on properties. Funds for parks and special facilities, libraries, county facilities, EMS, Fire and Rescue, and Law Enforcement are collected via property taxes and allocated through the General Fund.

As required by § 115-25B(3) and F(3), the Council reviews fees for a density bonus (Cluster Fees) on an annual basis and revises such fees as it deems necessary. For the town centers and developing areas around Greenwood, Bridgeville, Seaford, Blades, Laurel, and Delmar, fees of \$15,000 per unit in excess of two dwelling units per acre are assessed. For the town centers and developing areas around Milford, Milton, Ellendale, Georgetown, Millsboro, Dagsboro, Frankford and Selbyville, fees of \$15,000 per unit in excess of two dwelling units per acre are assessed. For the Coastal Area, fees of \$20,000 per unit in excess of two dwelling units per acre are assessed.

Fees collected from these density bonuses are allocated to the Sussex County Land Trust (SCLT) in a pool with other funding mechanisms to preserve Open Space throughout the County. The Sussex County Land Trust (SCLT) was formed in December 2001 as a nonprofit conservation organization dedicated to protecting natural, cultural, agricultural and recreational resources through land preservation, stewardship and education for today and tomorrow. The Sussex County Council holds two seats on the SCLT Board, forming a unique public-private partnership between Sussex County Council and the SCLT. Over its 17-year history, SCLT has partnered with the Council, the state and non-profit conservation agencies on 18 different projects and has raised over \$4 million in private funds to leverage the protection of 5,784 acres of land.

2. Kent County, Delaware

Kent County, DE also does not assess impact fees on properties. Instead, Kent County passed an Adequate Public Facilities Ordinance (APFO). The provisions of the APFO are to ensure that essential public facilities (including roads, schools, emergency medical services, and water supply are distribution systems) needed to support new development meet or exceed the level of service standards established by the County at the time that a development is approved. This occurs in four ways:

- (1) The public facilities and/or related services needed to support, and off-set, the impacts of new development already exist; or
- (2) The public facilities and/or related services needed to support, and off-set, the impacts of new development are constructed in conjunction with new development; or
- (3) The new development is phased, so that the public facilities and related services deemed necessary by Kent County are available concurrently with the new development; or

- (4) The public facilities and/or services needed to support, and off-set, the impacts of new development are planned and funded for construction within two years of final plan approval.

EMS Impact Fee:

Kent County Code Article XVII 'Supplementary Regulations', §187-90 Adequate Public Facilities:

To offset the increased cost of providing emergency medical services (EMS) to an expanding County population, County Code states, an EMS impact fee shall be assessed. The level of service standard for emergency medical services is based upon aggregate average call volume to the Kent County Emergency Dispatch Center. On average, 0.07 dispatch calls per person are received by the Kent County Department of Public Safety each year. Based on the dispatch call factor of 0.07 calls per person per year, the number of calls generated by proposed residential development is determined by projecting the total population of the proposed residential development at build-out. The average number of persons per household is determined by the most recent population statistics published by the United States Census Bureau for Kent County.

The Kent County Department of Public Safety calculates the total impact fee per dwelling unit for each new residential development proposal based upon the projected number of annual dispatch calls for the proposed development multiplied by the per-capita EMS costs per the most recent reporting year. The impact fee for the proposed development is apportioned equally to each proposed dwelling unit and is paid to Kent County on a per-dwelling-unit basis prior to the issuance of a building permit.

The EMS impact fee, as stated in the code, is automatically adjusted on January 1 of each year based upon the average per-capita EMS costs derived from the most recent reporting year as determined by the Department of Public Safety. All EMS impact fee funds collected are deposited into a separate interest-earning reserve account for the purpose of funding upgrades and/or expansion of County EMS services and/or County EMS infrastructure within Kent County. Currently the Impact fee for EMS is \$66.77 payable at time of building permit that charge goes toward EMS infrastructure.

Kent County also implements an APFO School Fee based on construction cost, school district, and type of home (single family homes have a 0.6 multiplier, while Multi-Family and Manufactured Homes have a 0.2 multiplier.) Construction cost and Local Share are updated April/May timeframe each year.

The Emergency Services Assistance Fund is separate from the EMS impact fee that is collected to help support local volunteer fire companies.

Kent County Code Emergency Services Assistant Fund §37-1:

"All applications for building permits shall be subject to a surcharge of 1/4 of 1% of the proposed construction valuation as determined by the Department of Planning Services for the purpose of establishing a fund to provide financial assistance to Kent County Volunteer Fire Companies and Kent County Volunteer Ambulance and Emergency Medical Service providers that are members of the Kent County Volunteer Firemen's Association. Existing structures destroyed or demolished will not be assessed a surcharge for the reconstruction, provided that the replacement structure has the same or less square footage and occurs within 24 months of the demolition. If the square footage is greater than the original structure, the surcharge shall be assessed based upon the value of the additional square footage."

3. Salem County, New Jersey

Salem County, NJ assesses fees on new development permit approvals; however, these are administrative fees and not impact fees. As a result, a detailed summary was determined to be irrelevant to this memo.

4. Various Pennsylvania Counties

At the request of New Castle County, Rossi researched impact fees in various counties and municipalities in Pennsylvania. Impact fees are not assessed at the County level within the State. Various municipalities assess a tax for services such as streetlights, fire hydrants, transportation, etc.

5. Anne Arundel County, Maryland

Anne Arundel County, MD Code outlines impact fees (§ 17-11 Subtitle 2) for new development to accommodate service impacts on public schools, transportation, and public safety facilities. Impact fees are required to be paid for new developments and any improvements or changes of use to real property based on the net increase in service impacts. Exemptions from impact fees include facilities for assisted living programs, hospice facilities, hospitals, nursing homes, a fire station on property owned by a volunteer fire fighting company, facilities owned by or leased to Anne Arundel Community College, and residential dwelling units that the sale or rental of the units is restricted to persons with a household income not exceeding 120 percent of the area median income. The code states that each year the impact fees will be adjusted by the percent change rounded to the nearest dollar from the most recent 20-City Annual National Average Construction Cost Index from the Engineering News-Record (ENR).

Annually, the boundaries of the school impact fee districts and transportation impact districts are reviewed and amendments to the boundaries may be proposed. Every three years, the development impact fee schedule is reviewed to consider new data and changes in costs, revenues, student generation rates, trip generation rates, trip lengths and other factors. The County Executive may propose amendments to the schedule which are submitted to the Planning Advisory Board for review and public hearing.

Credits for impact fees can be provided to developers from the County or County Board of Education. Transportation impact fee credits are allowed for transportation improvements that provide transportation capacity above the requirements for road facilities. Credit for construction and conveyance of land will be deemed paid when construction is finished. School impact fee credits are provided for capital improvements to increase school capacity.

Mixed use unit fees are computed by calculating the space committed to the various land use types on the schedule. If the development includes fractional units, the fee shall be computed to the appropriate fraction. If the Planning and Zoning Officer determines there is not a comparable land use type for the development in the impact fee schedule, or that the development may have higher impacts than assumed for its land use, an independent impact analysis will be done. This will assess a school fee, transportation fee, and public safety fee separately. As used in the fee schedules in **Table 1**, "square feet" refers to the finished area for residential development, and to floor area for non-residential development.

Table 1: Anne Arundel County Impact Fees

Development Type	Roads	Schools	Public Safety	Total
Residential (By Square Foot)				
Under 500 Feet	\$1,954	\$2,954	\$132	\$5,040
500 - 999 Feet	\$3,205	\$5,435	\$214	\$8,854
1,000 - 1,499 Feet	\$4,161	\$7,453	\$279	\$11,893
1,500- 1,999 Feet	\$4,828	\$8,780	\$323	\$13,931
2,000 - 2,499 Feet	\$5,328	\$9,772	\$355	\$15,455
2,500 - 2,999 Feet	\$5,715	\$10,565	\$382	\$16,662
3,000 - 3,499 Feet	\$6,009	\$11,224	\$402	\$17,635
3,500 - 3,999 Feet	\$6,286	\$11,789	\$421	\$18,496
4,000 - 4,499 Feet	\$6,536	\$12,284	\$438	\$19,258

4,500 - 4,999 Feet	\$6,759	\$12,722	\$452	\$19,933
5,000 - 5,499 Feet	\$6,952	\$13,118	\$464	\$20,534
5,500 - 5,999 Feet	\$7,113	\$13,476	\$476	\$21,065
6,000 Feet and Over	\$7,197	\$13,644	\$481	\$21,322
Non-residential				
Amusement, recreation, and place of assembly per required parking space	\$1,375	\$0	\$54	\$1,429
Hotel/Motel room	\$6,621	\$0	\$169	\$6,790
Industrial per 1,000 Sq Ft	\$5,712	\$0	\$211	\$5,923
Mini-warehouse per 1000 Sq Ft	\$941	\$0	\$47	\$988
For profit hospital per bed	\$7,451	\$0	\$223	\$7,674
For profit nursing home per bed	\$1,658	\$0	\$182	\$1,840
Marinas per berth	\$1,739	\$0	\$62	\$1,801
Office per 1,000 sq. ft.				
Under 100,000 sq. ft.	\$9,236	\$0	\$504	\$9,740
100,000 - 199,999 sq. ft.	\$7,999	\$0	\$450	\$8,449
200,000 sq. ft. and over	\$7,122	\$0	\$413	\$7,535
Mercantile per 1,000 sq. ft.	\$9,623	\$0	\$1,284	\$10,907

Source: <https://www.aacounty.org/departments/inspections-and-permits/fees/utility-and-impact-fees/>

6. Seminole County, FL

Seminole County, Florida is located in central Florida, as of the 2020 Census it has a population of 470,856. Seminole County collects impact fees for mobility, education, fire and rescue, libraries, and water and wastewater connection.

Seminole County recently evaluated its Impact Fee Rate Schedules for Water and Wastewater connection fees, Library impact fees, and Fire impact fees. This update included coordination between County staff including Environmental Services, Leisure Services and Public Safety/Fire. The library, fire and rescue, and mobility impact fees are reviewed every four years or as directed by the Board since the update.

In June 2021, Seminole County commissioners unanimously agreed to new impact fees — in some cases increases to fees were more than seven times the existing rate.— The increases were needed to help pay for new roads, trails, library materials and fire stations as the county expects more than 100,000 new residents over the next two decades. Seminole's impact fees for roads, libraries and fire and rescue services had not been raised since the mid-1990s. School impact fees were not under review after being raised by Seminole commissioners in January 2018 **Table 2**. Commissioners also agreed to lower impact fees for residential developments that include affordable and workforce housing. The following impact fees were updated in June 2021, shown in **Table 3**. Note, a mobility fee is another name for a road impact fee. Mobility/road impact fee programs set a one-time charge assessed only against those projects creating additional impacts to the transportation system by way of new development or expanding existing development.

Table 2: Seminole County Education Impact Fees

Education System Impact Fees	Fee Rate per Dwelling Unit
Residential:	
Single Family	\$9,000
Condominium, Townhomes & Duplex	\$5,000
Apartments (Multi-Family) < 850 sq. ft.	\$4,900
Apartments (Multi-Family) 851 to 1,000 sq. ft.	\$7,100

Apartments (Multi-Family) > 1,000 sq. ft.	\$8,700
Mobile Home	\$4,700

Source: <https://www.seminolecountyfl.gov/departments-services/development-services/fees-calculators/building-permit-impact-fees/county-impact-fees.stml>

Table 3: Seminole County Impact Fees

Development Type	Impact Unit	Library	Fire Rescue	Mobility		
				Rural	Suburb	Core
Residential:						
Single Family - Affordable Housing	DU	\$198	\$249	\$3,656	\$1,357	\$906
Single Family (<1,500 sq. ft.)	DU	\$351	\$440	\$5,923	\$2,198	\$1,467
Single Family (1,500 to 2,499 sq. ft.)	DU	\$395	\$497	\$7,312	\$2,714	\$1,811
Single Family (>=2,500 sq. ft.)	DU	\$443	\$557	\$9,798	\$3,636	\$2,427
Multi-Family - Affordable Housing	DU	\$148	\$183	n/a	\$916	\$576
Multi-Family (1-2 Floor)	DU	\$269	\$332	n/a	\$1,665	\$1,048
Multi-Family (3+ Floor)	DU	\$269	\$332	n/a	\$1,237	\$779
Transient, Assisted, Group:						
Mobile Home	DU	\$280	\$318	\$2,456	\$875	\$537
Congregate Care Facility	DU		\$436	\$2,518	\$906	\$570
Hotel	Room		\$397	\$4,446	\$1,644	\$1,086
Motel	Room		\$342	\$1,699	\$618	\$399
Nursing Home	1,000 sf		\$836			
Nursing Home	bed			\$593	\$299	\$210
Recreational:						
Marina	Boat berth		\$42	\$1,180	\$617	\$480
Golf Course	Hole		\$273	\$10,557	\$5,491	\$4,019
Movie Theater	Screen		\$1,688			
Racquet/Tennis Club	Court		\$416			
Health/Fitness Club	1,000 sf		\$784	\$8,100	\$4,180	\$2,975
Institutional:						
Elementary School (private)	Student		\$26	\$451	\$229	\$165
Middle/Junior High School (private)	Student		\$29	\$451	\$229	\$165
High School (private)	Student		\$29	\$451	\$229	\$165
University/Jr College (7,500 or fewer students)(private)	Student		\$33	\$451	\$229	\$165
University/Jr College (more than 7,500 students)(private)	Student		\$26	\$451	\$229	\$165
Church (non-sanctuary space for mobility fee)	1,000 sf		\$120	\$1,757	\$893	\$652
Day Care Center	1,000 sf		\$264			
Day Care Center (Child or Adult)	Student			\$405	\$209	\$131
Medical:						
Hospital	1,000 sf		\$420	\$4,048	\$2,082	\$1,713
Office:						
Office	1,000 sf		\$290	\$3,614	\$1,840	\$1,470
Medical Office (10,000 sq ft or less)	1,000 sf		\$390	\$13,431	\$6,859	\$5,614
Medical Office (greater than 10,000 sf)	1,000 sf		\$560	\$13,431	\$6,859	\$5,614
Retail:						

Retail (less than 20,000 sq ft)	1,000 sf			\$5,417	\$2,777	\$1,737
Retail (greater than or equal to 20,000 sq ft)	1,000 sf			\$7,369	\$3,819	\$2,523
Convenience Retail	1,000 sf			\$24,008	\$12,297	\$7,686
Discount Superstore, Free-Standing	1,000 sf		\$534	Calculated based on size (see above)		
Retail/Shopping Center	1,000 sf		\$491	Calculated based on size (see above)		
New/Used Auto Sales	1,000 sf		\$511	Calculated based on size (see above)		
Supermarket	1,000 sf		\$784	\$9,168	\$4,707	\$3,023
Pharmacy/Drug Store with & without Drive-Thru	1,000 sf		\$602	Calculated based on size (see above)		
Furniture Store	1,000 sf		\$104	Calculated based on size (see above)		
Services:						
Bank with Walk-In	1,000 sf		\$335	\$7,226	\$3,655	\$2,483
Bank with Drive-Thru	1,000 sf		\$485	\$7,226	\$3,655	\$2,483
Quality Restaurant	1,000 sf		\$1,874	\$19,548	\$10,079	\$6,817
High-Turnover (Sit-Down) Restaurant	1,000 sf		\$1,812	\$19,548	\$10,079	\$6,817
Fast Food Restaurant with Drive-Thru	1,000 sf		\$3,156	\$17,783	\$9,031	\$5,261
Coffee/Donut Shop	1,000 sf			\$9,142	\$4,643	\$2,705
Automobile Care Center	1,000 sf		\$543	\$4,415	\$2,227	\$1,603
Gas Station with Convenience Market (less than 2,000 sq ft)	Fuel pos.		\$475	\$12,605	\$6,326	\$4,223
Gas Station with Convenience Market (2,000-2,999 sq ft)	Fuel pos.		\$579	\$12,605	\$6,326	\$4,223
Gas Station with Convenience Market (3,000+ sq ft)	Fuel pos.		\$657	\$12,605	\$6,326	\$4,223
Industrial:						
General Light Industrial	1,000 sf		\$163	\$2,027	\$1,024	\$761
Manufacturing	1,000 sf		\$150	\$2,027	\$1,024	\$761
Passive Warehouse (storage)	1,000 sf		\$36	\$793	\$401	\$298
Active Warehouse (parcel hub/fulfillment center)	1,000 sf		\$36	\$3,634	\$1,837	\$1,365
Mini-Warehouse	1,000 sf		\$13	\$451	\$233	\$166
Utility	1,000 sf		\$342			

Additional details on these impact fees can be found at <https://www.seminolecountyfl.gov/departments-services/development-services/fees-calculators/building-permit-impact-fees/county-impact-fees.stml>

B. Special Topics for Consideration

1. Green Infrastructure

A report from the EPA suggests that impact fees can be an advantageous mechanism for funding green infrastructure projects because the fees collected are linked directly to the services provided, which avoids competing with other programs and needs that might be covered by general funds. However, they also point out that impact fees can be an unreliable source when development slows down. (EPA, 2014, Getting to Green: Paying for Green Infrastructure) https://www.epa.gov/sites/default/files/2015-02/documents/gi_financing_options_12-2014_4.pdf

City of Newark

The City of Newark has established a Stormwater Utility Fee that is based on impervious area on a property (**Table 4**). This captures the impact of each individual property on the stormwater system. This also provides a dedicated funding source for stormwater management that is fair in cost recovery. The City offers fee reduction opportunities to users that implement stormwater management practices that go above and beyond local ordinance requirements. They also offer stormwater grants to residential customers for rain barrels, design service support, and stormwater project cost sharing. The Stormwater User fee for each individual property will be based on the Equivalent Stormwater Unit (ESU). One ESU is equivalent to 1,620 sq. ft. of impervious area. This represents the median impervious area of all single-family residential parcels in the city. Unlike a single time impact fee, the City of Newark assesses their Stormwater Utility Fee on a monthly basis, included as a line item in City water and sewer bills.

Table 4: City of Newark Stormwater Utility Charge Estimator

Tier	Impervious Area (sq ft)	ESU* Factor	Monthly Fee**
1	0 to 1,289	0.60	\$2.12
2	1,290 to 1,950	1.00	\$3.54
3	1,951 to 2,610	1.30	\$4.61
4	2,611 or more	1.80	\$6.37

Source: <https://newarkde.gov/877/Stormwater-Utility#:~:text=The%20current%20rate%2C%20based%20on,the%20City%20is%20%243.54%2FESU.>

*Equivalent Stormwater Unit

** Monthly fee as of January 1, 2019

Non-Residential parcels are assigned stormwater run-off factor based on use as shown in **Table 5**. Then their fee is calculated by multiplying the stormwater runoff factor by the parcel's total area.

Table 5: City of Newark Non-Residential Stormwater Runoff Factors

Stormwater Class	Description	Runoff Factor
COM	Commercial	0.95
GOV	Government	0.95
IND	Industrial	0.90
INS	Institutional	0.90
MFA	Multi-family Apartments	0.75
PAR	Parks and Cemeteries	0.25
PAV	Paved Surfaces	0.95
PKG	Parking	0.95
REC	Recreational Areas/Playgrounds	0.35
UTI	Utilities	0.90
VAC	Vacant	0.30

Source: <https://newarkde.gov/DocumentCenter/View/9452/SW-Utility-First-Reading---Non-Residential-FAQ?bidId=>

Non-residential users have an opportunity to reduce their monthly stormwater fee by up to 25% through two types of credits. Quality credit is based on the capture and infiltration of runoff. If the technical criteria is met, a maximum 15% reduction in the stormwater fee is possible. The Quantity Credit is for reductions in peak stormwater discharge rates. If the technical criteria is met, a maximum 10% reduction in the stormwater fee is possible. Credit applications can be submitted through an online application that calls for as-built drawings by a certified engineer, site map or plan, drainage area information, pre-development and post-development calculations, routing calculations, a maintenance

plan and schedule, and \$150 application fee.

2. Land Preservation/Agricultural Land Preservation

Preserving open space is important for a variety of reasons and collecting impact fees allows a community to mitigate the effects of development on open space by investing in acquiring or improving existing open space.

City of Chicago

The City of Chicago, IL operates an Open Space Impact Fee program that allocates fees applied to new residential developments to pay for land acquisition and park improvements in each of Chicago's 77 community areas. Fees range from \$313 to \$1,253 depending on the size of the dwelling units (**Table 6**). These fees were determined by a formula that factors in the open space need due to the size of the new development, the open space cost of \$12 per square foot, and the thirty percent developers share of the cost. Units that count as affordable housing are charged a flat nominal fee. Credits are provided for certain projects that include open space on site. Expenditures require City Council approval and are allocated within the community where the funds were generated. The funds are not used for ongoing maintenance or for playground replacement. Fees are processed through an Open Space Impact Fee worksheet that requires approval from the Department of Buildings or DPD staff.

Table 6: City of Chicago Open Space Impact Fee

Dwelling Unit Size	Fee per Unit
Up to 799 sf	\$313.00
800 to 1,599 sf	\$626.00
1,600 sf to 2,999 sf	\$940.00
3,000 sf and up	\$1,253.00
Affordable Housing	\$100.00

Source: https://www.chicago.gov/city/en/depts/dcd/supp_info/open

Martin County, FL

In 2016, Martin County, FL established a Conservation/Open Space impact fee that is assessed on residential properties, hotels/motels and RV parks. The total amount of fees for those properties are included in **Table 7**.

Table 7: Martin County Conservation Impact Fees

Development Type	Conservation/Open Space
Residential:	
800 SF & under	\$540
801 to 1,100	\$579
1,101 to 2,300	\$661
2,301 & over	\$755
Non-Residential	
Hotel/ Motel Room	\$654
RV Park per Lot	\$491

Source: <https://www.martin.fl.us/resources/impact-fee-schedule-pdf>

American Farmland Trust

"Spurred by post-war sprawl that consumed farmland at an alarming rate, and recognizing that farmers and environmentalists seldom recognized their overlapping interests, American Farmland Trust (AFT) was founded to put agriculture on a different track. AFT pioneered use of various land conservation tools, previously used to preserve wilderness or create parks, to now protect working farmland; and AFT brought together two divergent communities—farmers and environmentalists—to catalyze transformational public policy that has dramatically reduced soil erosion

and improved water quality and soil health. This in turn has laid the groundwork for farming to play its most important environmental role yet, helping combat climate change” (<https://farmland.org/>).

Agricultural easements are a well-established tool that enable landowners to protect their property in perpetuity. Easements are flexible instruments that are designed to align with the landowner’s individual conservation goals. Agricultural easements limit non-agricultural development on valuable farmland while allowing the continued productive agricultural use of the land. Impact fees, grants, and donations, like in the case of the Sussex County Land Trust, can be used to pool funds together to outright purchase property or establish easements on agricultural land.

The Delaware Nature Conservancy

The Nature Conservancy has worked with the University of Delaware’s Water Resources Center and other partners to develop the Brandywine-Christina Revolving Water Fund (the “Water Fund”). This work is part of the Delaware River Watershed initiative. A water fund is a finance and governance mechanism to invest in conservation practices designed to secure freshwater resources, both in terms of water quality and quantity. The Brandywine-Christina watershed is comprised of the Brandywine, Red Clay and White Clay Creeks, and the Christina River. Collectively the watershed provides over 100 million gallons of drinking water per day to over half a million people in Delaware and Pennsylvania. However, the majority of the creeks and streams are now unsafe for drinking due to legacy pollutants, nutrient and sediment overloads, and urban runoff. The Water Fund increases the pace, scale and efficiency of water-quality conservation in the Brandywine-Christina watershed (<https://www.nature.org/en-us/about-us/where-we-work/united-states/delaware/stories-in-delaware/brandywine-christina-revolving-water-fund/>).

This conservation financing mechanism is the first of its kind in the Country. Unlike a typical impact fee that would need to expend funds on an annual basis, a program structure like this would allow the County flexibility. This would allow for conservation planning, or the acquisition of Open Space, tied directly to County-wide benefits as they arise.

The Delaware Nature Conservancy should be consulted as a partner when implementing any open-space master plan, to help identify the most ecologically beneficial properties. (<https://www.nature.org/en-us/about-us/where-we-work/united-states/delaware/>).

3. Affordable Housing

In areas with high fees and/or a large number of special assessment districts, the cumulative cost can erode the financial viability of affordable housing projects. Local jurisdictions can encourage the development of new affordable housing by reducing or waiving these fees for qualifying projects. Although fees are waived, developers still receive the services supported by the fee and/or must secure the associated permits or approvals. This incentive is likely to have the greatest impact in jurisdictions with a robust level of construction activity, or where new development is anticipated) and where impact and permitting fees are relatively high.

There are a variety of ways that cities can make fee waivers and reductions available to developers of qualifying projects. Typically, developers need to submit an application for the waiver or reduction to the planning or housing and community development department, along with documentation proving their intention to comply with eligibility requirements. Once the application has been approved for a qualifying project, the benefit is provided.

In some cities, such as Portland, OR, a specified set of fees may be waived by city staff, while waivers of larger fees must be approved by the City Council. Instead of providing as-of-right waivers, it is also possible for local jurisdictions to consider waivers on a case-by-case basis. However, this approach may be administratively burdensome for the jurisdiction, and makes the development process and associated costs less transparent and predictable for

developers, who need a clear picture of development costs to develop an accurate project budget.

Rather than reducing or waiving fees, some local jurisdictions allow payment on a deferred basis. The short-term construction loans available at the start of the development process carry relatively high interest rates compared with longer-term permanent financing. Deferred fee payments allow developers to make payments after securing long-term, lower-cost financing, while the jurisdiction still collects the expected revenue and avoids budget shortfalls in other areas. Regulations will need to specify when payment of deferred fees is required (e.g., when permanent financing is secured, when a certificate of occupancy is issued, etc.), as well as any penalties associated with failure to deliver the affordable units within the promised timeframe.

Cities, towns and counties should establish clear criteria for eligibility for fee reductions or waivers. Program guidelines should specify the income level(s) that must be served to qualify for this incentive, as well as any minimum threshold(s) for the share of units in the development that must meet affordability requirements. Guidelines should also specify whether there are any requirements for how long the units must remain affordable.

Cities, towns and counties will also need to specify whether fee waivers or reductions are available in all geographic areas within the jurisdiction or only in specified zones.

Revenue from impact fees and other fees assessed during the permitting process is used to address community needs—including infrastructure expansion, administrative functions associated with the fee, or other projects that are planned or underway. Waivers or reductions in fee revenue could undermine the ability to cover these costs if other revenue sources are not readily available. Cities, towns and counties that wish to offer fee waivers or reductions should consider careful monitoring of the program, especially in early years of operation, to ensure there are no unintended negative effects on other programs or the city's ability to meet growing demand on public services.

The SMART housing program in Austin, TX provides a variety of incentives for private developers who create and preserve housing for low- and moderate households and for persons with disabilities. Projects that set aside units as affordable to homeowners and renters earning no more than 80 percent of the median family income (120 percent for owner-occupied units located in certain areas) are eligible for full or partial waivers of 29 separate fees. Fee reductions range from 25 percent for developments where 10 percent of units meet affordability requirements to 100 percent for developments where 40 percent of units meet affordability requirements.

In Anne Arundel County affordable housing is exempt from impact fees. Residential dwelling units, provided that the sale or rental of the units is restricted to persons with a household income not exceeding 120 percent of the area median income, adjusted by household size, or units that were constructed under a program that requires homebuyers to participate in the initial construction or rehabilitation of the units they are also exempt from impact fees. The residential dwelling unit must be constructed by or under a program sponsored by an entity exempt from taxation at least three years prior.

4. Administration and Reassessments

Federal Highway Administration suggests that impact fees be reviewed and updated at least every three to five years, as most jurisdictions require with some updating every year.

As detailed in APA's summary of Best Practices, it is recommended that fees should be reviewed at least every two years to determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.

IV. TAKE AWAYS

1. Local examples – a review of nearby local jurisdictions did not yield a useful comparison to New Castle County's Impact Fees Schedule. More comprehensive and modern impact fee programs were found in Anne Arundel County, Maryland and Seminole County, Florida. These two counties outlined the impact fees in a clear straightforward process. In many jurisdictions, funds for parks and special facilities, libraries, county facilities, EMS, fire and rescue, and law enforcement are collected via property taxes. New Castle County's impact fee compares favorably with other jurisdictions in terms of comprehensiveness and best practices
2. Indexing Benchmark – it is recommended that Construction Cost Index(CCI) from the Engineering News-Record (ENR), as outlined in current code, continue to be the benchmark comparison for impact fee increases with annual reviews.
3. Annual increases – in APA's summary of Best Practices, it is recommended that fees should be reviewed at least every two years to determine whether an adjustment is required. It is recommended that a more formal review of increases occur in a timely manner. The easiest and most straightforward method to address fee increases is to adopt the annual increase in code using the CCI. Increases in fees are always a sensitive subject politically and no one wants to vote in favor of increasing fees every year at a County Council meeting. Mandating the annual increases by code eliminates political influences on the fees. Transportation Improvement District fees are reviewed and new rates are set every February 1st. A cap could also be instituted as part of the code so that fees do not increase by more than X% per year based on what Council approves in the code. A limit of 4 or 5% per year could be adopted so that in periods of high inflation, fee increases are somewhat mitigated.
4. Needs Based Assessments – in addition to the fees being reviewed annually, periodic reviews should include needs for each area of impact based on the County's capital improvement plan for each geographic area. As the level of growth changes for each area, the fees could change based on the needs as planned by the County for each area to provide services in each area of impact.
5. Impact Fee Credits – many jurisdictions allow for credits if the applicant builds facilities or donates real estate for the construction of facilities. Providing credits allows for greater flexibility in working with larger developments. Providing a parcel for a new library would be a credit to offset the library portion of the impact fee.
6. Affordable housing provisions – most jurisdictions provide for a reduction or elimination of impact fees for affordable housing initiatives. A wide range of alternatives are possible but factors such as replacing the reduced revenue, income levels, number of units eligible, reducing/waiving only some portions of the impact fees will have to be thoroughly discussed. Other incentives such as density bonuses help provide incentives for developers to provide affordability but further stress the areas of impact.
7. Fee rate is tied to the proposed use – jurisdictions have different rates based on the type of residential and non-residential uses. Seminole County has the most comprehensive list of uses to determine different rates.

8. Sustainability of impact fees carrying the load to keep taxes low – growth is projected to be much higher in the area below the canal. Impact fees will continue to provide the County with dedicated revenue below the canal for the foreseeable future to help fund projects. Revenue for the area above the canal for parks and libraries is fairly limited.
9. Open Space – many jurisdictions have provisions for requiring open space and also have impact fees related to open space that are fairly significant in relation to the total fee. An open space impact fee seems reasonable in the update of the code to help fund land acquisition and preservation.

MEMO #3: SPECIAL TOPICS REVIEWED

Date: November 2, 2022
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP; Associate Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group

Re: New Castle County Impact Fee Study
Memo #3 – Special Topics Reviewed

After presenting Memos #1 and #2 regarding current practices and best practices in support of New Castle County (NCC)'s study of development impact fees. Rossi Group prepared the following memo presenting recommendations for NCC to consider in their assessment of current regulations and the development of any updates to those.

I. UTILIZING DELAWARE'S STATE STRATEGIES

A. Background

The project team was asked to assess the ability to apply a sliding scale to the impact fees based on the *Delaware Strategies for State Spending and Policy* (2020). In 1999, the State of Delaware created a framework that guides decision makers on the most desirable pattern of land use within the state, the major circulation patterns, and the general locations of major public and private works and facilities. These Strategies identify the State's goals and policies for land use, infrastructure investment, and other priorities as developed by the Cabinet Committee on State Planning Issues. Associated with these Strategies is a map depicting the Investment Levels described in the document. The maps are based on data collected from a variety of state and local agencies. Both the document and associated maps are a culmination of extensive coordination with local governments, citizens, and state agencies to determine what areas are most prepared for growth and where the state can make the most cost-effective investments in roads, schools, and other public facilities and services.

These Strategies acknowledge the fact that it is more expensive to provide necessary services the further you get away from the core developed areas. The goals of the program are:

- Goal 1: Direct investment and future development to existing communities, urban concentrations, and growth areas.
- Goal 2: Protect farmlands and critical natural resource areas.
- Goal 3: Improve housing quality, variety, and affordability for all income levels.
- Goal 4: Ensure objective measurement of long-term community effects of land-use policies and infrastructure investments.
- Goal 5: Streamline regulatory processes and provide flexible incentives and disincentives to encourage development in desired areas.
- Goal 6: Encourage redevelopment and improve the livability of existing communities and urban areas and guide new employment into underused commercial and industrial sites.
- Goal 7: Provide high-quality employment opportunities for citizens with various skill levels to retain and attract a diverse economic base.
- Goal 8: Protect the state's water supplies, open spaces, farmlands, and communities by encouraging revitalization of existing water and wastewater systems and the construction of new systems.
- Goal 9: Promote mobility for people and goods through a balanced system of transportation options.
- Goal 10: Improve access to educational opportunities, health care, and human services for all Delawareans.

- Goal 11: Coordinate public policy planning and decisions among the state, counties, and municipalities.

There are five investment levels including levels 1, 2, 3, 4, and Out-of-Play areas, as described below and mapped in **Figure 22**.

Investment Level 1 Areas are often municipalities, towns, or urban/urbanizing places in counties. Density is generally higher than in the surrounding areas. There are a variety of transportation opportunities available. Buildings may have mixed uses, such as a business on the first floor and apartments above. As the State Strategies describes, “these areas would be a prime location for designating “pre-permitted areas” to help steer development where the local government and citizens are most prepared to accept it.”

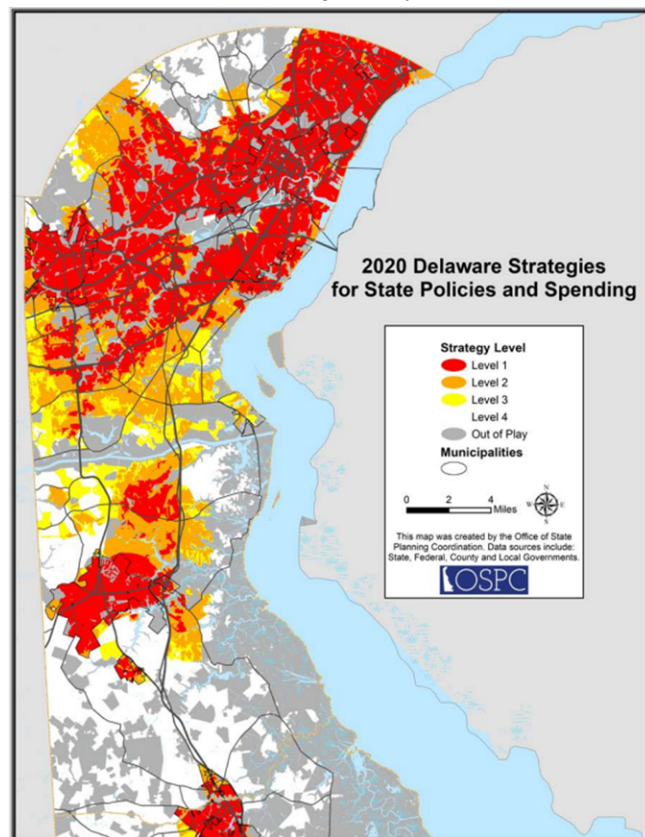
Investment Level 2 areas can be composed of less developed areas within municipalities, rapidly growing areas in the counties that have or will have public water and wastewater services and utilities, areas that are generally adjacent to or near Investment Level 1 Areas. “Like the Level 1 Areas, Level 2 Areas would be a prime location for designating “pre-permitted areas”” ([2020 Delaware Strategies for State Policies and Spending](#).)

Investment Level 3 Areas generally fall into two categories. The first category covers lands that are in the long-term growth plans of counties or municipalities where development is not necessary to accommodate expected population growth during this five-year planning period (or longer). In these instances, development in Investment Level 3 may be least appropriate for new growth and development in the near term. The second category includes lands that are adjacent to or intermingled with fast-growing areas within counties or municipalities that are otherwise categorized as Investment Levels 1 or 2. “Due to the limits of finite financial resources, state infrastructure spending on “hard” or “grey” infrastructure such as roads, sewer, water, and public facilities will generally be directed to Investment Level 1 and 2 Areas during this planning period. The State will consider investing in these types of infrastructure in Investment Level 3 Areas once the Investment Level 1 and 2 Areas are substantially built out, or when the infrastructure or facilities are logical extensions of existing systems and deemed appropriate to serve a particular area” ([2020 Delaware Strategies for State Policies and Spending](#).)

Investment Level 4 Areas are rural in nature and are where the bulk of the state’s open space/natural areas and agricultural industry is located. These areas contain agribusiness activities, farm complexes, and small settlements.

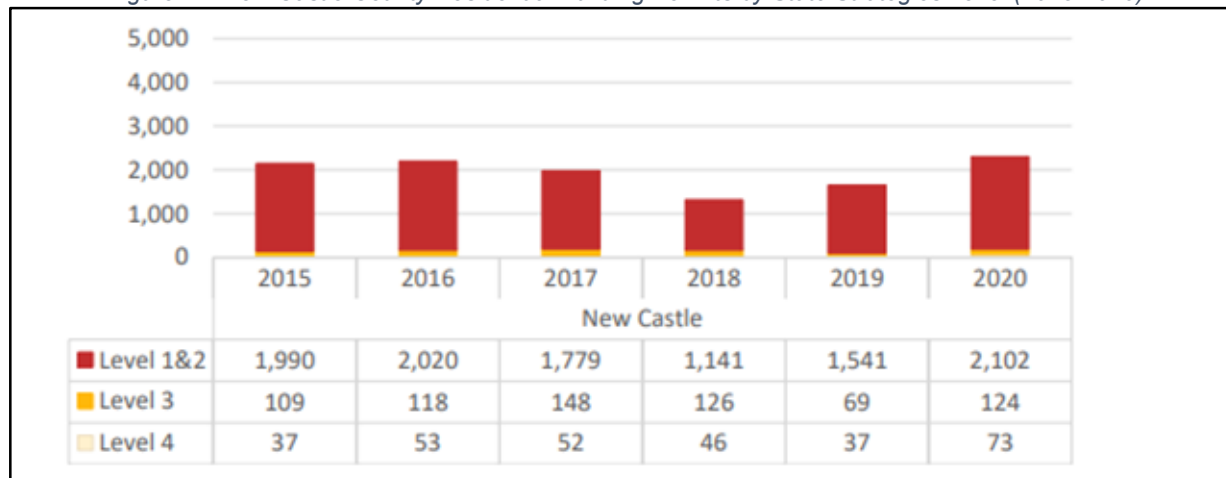
Out of Play Areas are lands which are not available for private development, include publicly owned lands, private conservation lands, lands for which serious legal and/or environmental constraints on development are identified, and lands in some form of permanent open-space protection (such agricultural preservation easements and conservation easements).

Figure 1: 2020 Delaware Strategy Level Areas



The 2021 annual report to the governor from the Office of State Planning Coordination included the number of building permits issues in each investment level (**Figure 22**).

Figure 22: New Castle County Residential Building Permits by State Strategies Level (2015-2020)



Source: Cabinet Committee on State Planning Issues, 2021 Report on State Planning Issues

B. Analysis

The building permit data trends show that the majority of building permits are issued in Levels 1 and 2. In 2020, only 8.5% of the building permits were issued in Levels 3 and 4. This trend has been consistent over the last six years. Based on the work of the Office of State Planning Coordination a nexus could be drawn between the cost of providing services in levels 3 and 4 and the cost of providing those same services in levels 1 and 2 and therefore it would be reasonable to assess a surcharged impact fee to cover those additional costs. Based on the current mapping any surcharge on impact fees within Levels 3 and 4 would mostly affect properties south of the canal.

If NCC were to utilize the State Strategies maps to assess impact fees that would be commensurate with the cost of capital investments needed to supply the services funded through those impact fees, they could either provide discounts or surcharges on impact fees. It should be noted that this is not intended to infer any incentive/disincentive for development in any specific area but to establish a nexus to the additional costs of services provided in Levels 3 and 4.

There are several ways to incorporate either discounts or surcharges based on what level the project is in according to the State Strategies mapping. Consideration needs to be given to the overall level of funding needed to support the capital investments associated with each impact fee. If discounts are provided for development in Levels 1 and 2, which is over 90% of the development, the overall revenue collected from those developments would be reduced. Any reduction in revenue would need to be assessed to ensure that the services associated with the impact fees would not be impacted.

Another way to create discounts or surcharges associated with what level a project is in according to the State Strategies mapping is to establish a baseline Level and create discounts for development above that level and surcharges for development in the lower investment levels. If there is a concern with the loss of revenue associated with discounts, then this option could just assess the surcharge above the base impact fee rates for development in areas where it is more costly to provide the services. This would account for the additional costs needed to supply services to areas outside of Levels 1 and 2.

C. Recommendations

The overall study effort is to reassess the impact fees to better correlate the fees collected with the capital costs needed to supply the services. Based on this goal the team is recommending to assess a surcharge to cover the additional costs associated with development in Levels 3 and 4. Should NCC want to cover the additional costs of providing services outside of the growth area a surcharge could be placed on any development within Level 3 and 4 areas. The initial recommendation for consideration will be a 20% surcharge for level 3 and a 40% surcharge for level 4. More research will be needed to assess the actual increase in costs for providing the service to better justify the surcharge percentage.

II. EXPANDING THE LIST OF USES IN THE IMPACT FEE TABLE

A. Background

New Castle County asked the project team to consider possible updates to the uses listed within the impact fee table. We compared NCC's permitted uses and considered the case studies included in Memo #2. The following categories are currently captured:

- Residential (per housing unit)
 - Single-family detached
 - Single-family attached
 - All other housing (small single-family units and single-wide mobile homes will be included under the "All other housing" designation)
- Nonresidential (per 1,000 SF of floor area)
 - Commercial/shopping center (less than 60,000 SF)
 - Commercial/shopping center (60,000 – 200,000SF)
 - Commercial/shopping center (greater than 200,000 SF)
 - Office/Institutional (less than 10,000 SF)
 - Office/Institutional (less than 10,000 SF)
 - Office/Institutional (less than 10,000 SF)
 - Business Park
 - Light Industrial
 - Warehousing
 - Manufacturing

Rossi Group compared NCC's current permitted uses (UDC §40.03.110) and impact fees (UDC §40.14.210) to see how closely the categories in each aligned (**Table 1**). Uses highlighted in yellow should be considered for amendments or additions. to the current Impact Fee Table and Schedule. Explanations for each of the categories are listed below.

Table 1: Permitted Use Table and Impact Fee Table Compared

Land Use	Impact Fee Category
Agricultural	
Agriculture (includes uses pursuant to Delaware Law)	N/A
Clearing	
Farmstead	

Land Use	Impact Fee Category	
Farm market		
Commercial stables		
Residential		
Single-family, detached	Single-family detached	
Open space subdivision, option 1		
Open space subdivision, option 2		
Single-family, attached	Single-family attached	
Open space planned		
Apartments		
Apartment conversions		
Commercial apartments		
Hamlet		
Village		
Group home		
Manufactured home park		All other housing*
Small single-family		All other housing*
Home Uses		
Day care, family/large family		
Home occupation		
Home business		
Cottage industry		
Institutional		
Assembly and worship	Office/institutional (less than 10,000 sf. GFA) Office/institutional (10,000 sf. to 50,000 sf. GFA) Office/institutional (greater than 50,000 sf. GFA)	
Schools		
Colleges		
Institutional, regional		
Institutional, neighborhood		
Institutional, residential (Type I)		
Institutional, residential (Type II)		
Protective care		
Public service		

Land Use	Impact Fee Category
Hospitals	
Commercial	
Adaptive reuse, historic building	
Adult uses	
Agricultural support and other rural services	
Bed and breakfast	
Commercial lodging	
Commercial retail and service	
Corporate guest house	
Craft alcohol production establishment	
Drive-in facility	
Heavy retail and service	
Light automobile service	
Mixed use	
Restaurants	
Office	
Shopping center	
Vehicular sales, rental and service	
Recreation and Amusement	
Campground	
Recreation, high intensity	
Recreation, low intensity	
Resort	
Industrial Uses	
Compost operations	
Extraction	

Land Use	Impact Fee Category
Heavy industry	Manufacturing Light industrial
Light industry	
Recycling or storage	
Utilities, maintenance facilities	
Utility, minor	
Utility, major	
Solar energy system, large-scale	
Other Uses	
Airports	N/A
Commercial communications towers	
Community recycling bins	
Exterior lighting for outdoor recreational uses	
Park and ride facility	
Parking structures	
Note: Uses highlighted in yellow should be considered for amendments or additions.	Warehousing Business park

B. Case Studies and Recommendations

After conducting a comparison of the two tables (permitted uses UDC §40.03.110 and impact fee UDC §40.14.210) there are several uses not explicitly being charged an impact fee. Within the residential impact fee category: apartments may currently be included with “all other housing” however the definition is unclear. Group homes and congregate care facilities are also not listed under the residential impact fee category. These should be charged separately on a dwelling unit basis.

Currently institutional uses are being grouped together with offices to assess impact fees. Some jurisdictions charge impact fees to schools and places of assembly as institutional uses. UDC §40.05.050 enumerates that public facilities needed to support development (including hospitals) shall be exempt from Article 14 (impact fees.) However, NCC may want to reconsider capturing impact fees from private hospitals or facilities, such as assisted care facilities. Seminole County, Florida charges impact fees on private institutional uses, New Castle County could consider a similar tactic. Moreover, a nexus can be drawn between extra need for services for some institutional uses like hospital and assisted care facilities.

Within the commercial land use category, many individual uses are assessed impact fees as office/institutional and commercial/shopping center uses. However, bed and breakfasts/commercial lodging are not assessed impacts fees and should be charged on a room basis. Transient occupancy taxes are collected on visitors to these establishments; however, these dollars do not go towards capital improvement in NCC. Restaurants are also assessed impacts fees

as retail use; however, their high-turnover rate may warrant a separate category from retail uses. Some jurisdictions break down restaurants further based on whether it is drive-thru establishment or sit-down restaurant. For example, Seminole County, Florida (referenced in Memo #2) charges \$1,874 for Fire & Rescue fees to 'Quality Restaurants', \$1,812 to 'High-Turnover (Sit-Down) Restaurants', and \$3,156 to 'Fast Food Restaurants with Drive-Thru.'

Within the recreation and amusement land use category, no uses are charged impact fees. NCC should consider assessing campgrounds and resorts impact fees. Campgrounds have evolved over recent years to include extra uses such as restaurants, bath houses, stores, and recreational facilities that have a larger impact on land and draw more users. Some individuals also stay long-term at campgrounds and/or resorts, again drawing on NCC's services.

Most industrial uses are adequately being captured by the current categories. The impact fee categories of 'warehousing' and 'business park' did not align directly with any uses listed on the permitted use table. The business park district allows office, manufacturing, light industrial, warehousing, and uses that support them. Each of these individual uses (office, manufacturing, light industrial, and warehousing) are assessed impact fee separately; therefore, New Castle County may consider omitting 'business park' from the impact fee table and charging based on the mix of individual uses instead.

III. STRATEGIES FOR INCENTIVIZING LOW-INCOME HOUSING

A. Background

<https://www.newcastlede.gov/1505/Moderately-Priced-Dwelling-Units>

Moderately Price Dwelling Units (MPDUs) are required for all residential rezonings or variance applications with density increases proposing twenty-five (25) or more dwelling units except for mixed-use developments. The program also offers a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are designated as moderately priced. Currently there are no Impact Fee reductions or exemptions for development of MPDUs. A control period is the timeframe during with a MPDU is subject to resale price controls and owner occupancy requirements. The control period for NCC's MPDUs program is 10 years and begins on the date of sale for new or resale MPHUs. NCC is interested in methods to further incentivize providing MPDUs (<https://www.newcastlede.gov/1505/Moderately-Priced-Dwelling-Units>).

B. Case Studies and Recommendations

As detailed in Memo 2, B.3. Affordable Housing, in areas with high fees and/or a large number of special assessment districts, the cumulative cost can erode the financial viability of affordable housing projects. Local jurisdictions can encourage the development of new affordable housing through methods including:

- Flat fee
- Fee reductions
- Fee waivers based on number of units
- Complete fee exemption

Although fees are waived or reduced, developers still receive the services supported by the fee and must secure the associated permits or approvals. This incentive is likely to have the greatest impact in jurisdictions with a robust level of construction activity, or where new development is anticipated) and where impact and permitting fees are relatively high.

Memo 2 presents case studies where fee waivers and reductions are available to developers of qualifying projects. For example, Anne Arundel County, Maryland exempts Affordable Housing Units from all impact fees; however, the

residential dwelling unit must be constructed by or under a program sponsored by an entity exempt from taxation at least three years prior. Seminole County, Florida (see Memo 2, Table 3) specifies a discounted fee across the board for Affordable Housing Units. Affordable Single-family dwellings are discounted at a rate of approximately 44% to 73%, while Affordable Multi-Family Units are discounted between 24% to 45%, depending on fee type.

NCC currently provides a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are designated as moderately priced. However, providing an impact fee reduction or exemption would further reduce the cumulative cost for providing affordable housing within NCC. This could be full exemption to all impact fees applied to MPDUs. It may also be reasonable to view each impact fees assessed and determine on a fee-by-fee basis if MPDUs should be exempt from a specific fee. All fees may also be reduced by a specified percentage or amount or each impact fee may be evaluated to determine if the specified fee should be reduced by a specified percentage or amount.

IV. GRADUATED FEE INCREASES/ENR RECOMMENDATIONS

A. Background

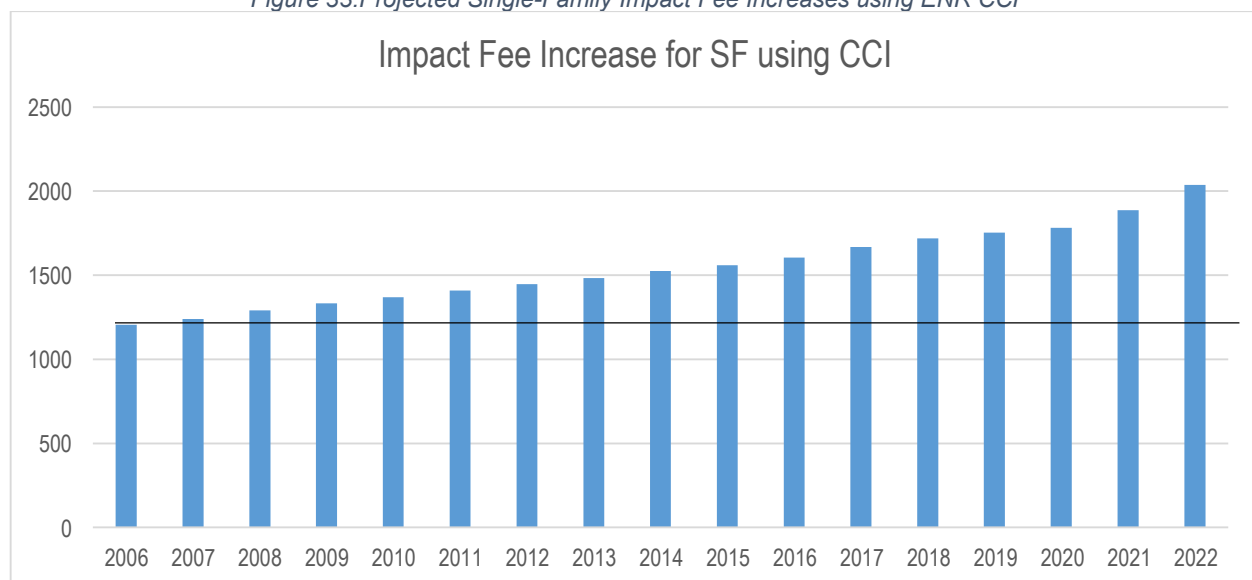
Since 1999, the only impact fees which have been adjusted have been the fire & rescue impact fees. County Council adopted legislation in August 2006 raising these fees based upon a 2006 study performed by TischlerBise. The impact fees for parks, libraries, county facilities, EMS, and law enforcement have not been adjusted for 23 years.

The UDC allows for impact fee cost adjustments as part of a periodic evaluation and update to adjust for inflation in construction costs as reflected in the Engineering News Record (ENR) Construction Cost Index (CCI). Adjustments would be subject to approval by NCC Council.

The cumulative increase for fees using the ENR CCI from 2006 to 2022 is 75%. As another base of comparison, the cumulative Consumer Price Index (CPI) increase from 2006 -2022 is 50%.

Figure 33 illustrates the increase to the impact fee for a single-family detached unit from the 2006 fee of \$1,157 to \$2,036 in 2022, if adjusted according to ENR CCI calculations. See chart below.

Figure 33: Projected Single-Family Impact Fee Increases using ENR CCI



B. Recommendations

Recommendations for adjusting the fee to make up the difference in holding the impact fees unadjusted for the last 16-23 years can be accomplished in many different scenarios based on NCC's goals and policies that are being considered. Currently the general budget is carrying the load to make up for inflation and the erosion of purchasing power of the impact fees as established in 2006. That means that existing residents of NCC are paying for and subsidizing the costs of the new infrastructure intended to be paid for with impact fees. If NCC's goal is to restore the impact fee revenues to the originally intended levels of providing revenue for infrastructure projects, gradual increases in fees while providing a provision for annual indexing would allow NCC to slowly increase fees.

Scenarios could range from:

- No increases in fees
- No increases in fees, annual indexing adjustments
- Phased in approach of 5% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- Phased in approach of 10% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- 50% increase to match the CPI cumulative total, then annual indexing adjustments
- 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments

Regardless of the decision to raise fees to account for the last 16 years of no increases, it is recommended that yearly adjustments to the fees be done, as periodic evaluations are required by code, so that the fees are adjusted annually based on the ENR CCI. Most jurisdictions that have indexing do so annually to avoid having to revisit the fees every few years and keep increases in fees in small increments. This sets up an expectation that the impact fee will increase yearly to keep pace with inflation and provide for more infrastructure to be funded and constructed using the impact fees collected by new development. It is a straightforward method that is easy to communicate to the public and easier to implement. If NCC wants to establish an increase every two years, that can be accomplished by Council approving the changes every two years instead of annually. It is recommended that the adjustment be done using the cumulative CCI for the two years. The data to calculate the ENR CCI comes out in January and the new fee can be adopted by Council in the spring with an effective date of July 1 each year.

V. Open Space Fee Creation

NCC Council adopted a resolution to spend \$7.5 million dollars over 3 years, which is \$2.5 million/year to ensure consistent funding for the preservation of Open Space and Agricultural land. In our research of best practices, the City of Chicago used a formula of new development carrying 30% of the cost for open space preservation.

The City of Chicago Open Space fees range from \$313-1,253/unit based on the type of development. Affordable housing units are only charged \$100/unit.

Marin County in Florida Open Space fees range from \$540-755 based on size of the unit. A land value of \$12/sf is used for the cost of Open Space land acquisition.

Using the same formula to help provide a dedicated source of funding to provide 30% of the \$2.5 million Open Space preservation goal requires revenue from impact fees to be \$750k/year.

One policy decision that will need to be more broadly discussed is redevelopment. Redevelopment could be exempt

from the Open Space impact fee.

In New Castle County, there is an average of 2000 residential building permits/year and 4 million sf/year of non-residential development, as demonstrated in **Figure 22**.

A. Implementation

The NCC Council can then determine whether to create an open space fee, and what level of funding support for the Open Space Preservation Fund, any potential UDC changes that would be required, and an implementation schedule.

VI. CHANGE OF USE/REDEVELOPMENT CHARGES

A. Background

As part of our review on impact fees the team was asked to assess the redevelopment and brownfield development waiver that currently exists in the UDC.

As an incentive for redevelopment and brownfield development the current code provides a waiver provision for all impact fees. The current definition of redevelopment contained in the UDC is:

A process used to identify previously developed land that is now vacant, abandoned, or underutilized real property where older structures if they exist are rehabilitated or replaced.

The waiver for impact fees for redevelopment and brownfield development is one of several incentives that NCC uses to promote the reuse of existing properties that are currently underutilized. This waiver seems appropriate for redevelopment or brownfield development where the previous use and the proposed use are similar and there would be no necessary increase in the capital costs needed to supply the services funded under the impact fee, however based on the broad definition of redevelopment, there are redevelopment projects that will increase the overall need for capital investments for those services that are funded through impact fees.

The team looked at several other justifications to determine how they applied impact fees to redevelopment or repurposing of land and the common theme for redevelopment was to try to capture the difference between the current use the proposed use and apply a prorated portion of the impact fee. The following case studies outline how each jurisdiction applies impact fees.

B. Case Studies

1. Palm Beach County (PBC, http://www.pbcgov.com/uldc/Article13.htm#_Toc24701204)
 - With PBC's intent that new development bear a proportionate share of the cost of capital expenditures necessary to provide park, fire-rescue, library, law enforcement, public building, schools, and road capital facilities in PBC, impact fees were established representative of a fair and equitable allocation of costs, past and future payments from new development. This included credits for in-kind contributions, and municipal provision of like facilities under certain circumstances. Funds collected from impact fees shall not be used to replace existing capital facilities or to fund existing deficiencies, but only to provide for new capital facilities which are necessitated by new development.
 - Any existing land use that is expanded, replaced, or changed shall be required to pay impact fees based on the new or additional impact as a result of the expansion, replacement, or change of use. The fee payer may be eligible for credit for the existing land use pursuant to [Art. 13.A.11.A.1](#).

2. Johnstown, CO (-

https://library.municode.com/co/johnstown/codes/municipal_code?nodeId=CH17SU_ARTXIIIMFE_S17-228POFADEFE)

- Johnstown defines land development as issuance of a building permit or a connection permit for the construction, reconstruction, redevelopment or conversion of a use of land or any structural alteration, relocation or enlargement which results in an increase in the number of "service units" required, or, the extension of a use or a new use of land which results in an increase in the number of service units.
- No impact fee shall be imposed on land development for which a building permit has been issued prior to the effective date of the impact fee, except in the event of a change of use.
- Waivers are granted for the following conditions. There is a nexus between the proposed redevelopment and the increase in the need for capital improvements associated with the impact fees.
 - No impact fee shall be imposed on any new residential development which does not add a new dwelling unit (service unit).
 - No impact fee shall be imposed on any new nonresidential development which does not add square footage, unless the new nonresidential development increases the demand for capital improvements (service units) for which impact fees are being imposed.
 - Other uses. No impact fee shall be imposed on a use, development, project, structure, building, fence, sign or other activity, whether or not a building permit is required, which does not result in an increase in the demand for capital improvements (service units).

3. City of Federal Way (traffic impact fee program) -

https://www.cityoffederalway.com/sites/default/files/Documents/Department/PW/Traffic/Resources/FW%20GUIDE%20TO%20TRAFFIC%20IMPACT%20FEES_Jan2018.pdf City of Federal Way, WA (traffic impact fee program) -
(https://www.cityoffederalway.com/sites/default/files/Documents/Department/PW/Traffic/Resources/FW%20GUIDE%20TO%20TRAFFIC%20IMPACT%20FEES_Jan2018.pdf)

- For a change in use of an existing building or dwelling unit, including any alteration, expansion, replacement, or new accessory building that generates new trips, the impact fee will be assessed based on the difference between the new uses and the prior use. If no impact fee was required for the prior use, the impact fee for the new use shall be reduced by an amount equal to the current impact fee rate for the prior use.

4. Alachua County - [https://growth-](https://growth-management.alachuacounty.us/formsdocs/impactfees/if_admin_manual.pdf)

[management.alachuacounty.us/formsdocs/impactfees/if_admin_manual.pdf](https://growth-management.alachuacounty.us/formsdocs/impactfees/if_admin_manual.pdf) Alachua County, FL (-
https://growth-management.alachuacounty.us/formsdocs/impactfees/if_admin_manual.pdf)

- For change of use projects the impact fee is prorated based on the change of use
- Should the change of use, redevelopment, or modification result in a net decrease in the impact, no refunds or credits for impact fees previously paid shall be made.
- If the change of land use does not require the issuance of a building permit, zoning or development order approval, then there shall be no requirement to pay an impact fee.

5. Mount Vernon, WA - [https://mountvernonwa.gov/DocumentCenter/View/9624/Impact-](https://mountvernonwa.gov/DocumentCenter/View/9624/Impact-Fees--2022?bidId=)

[Fees--2022?bidId=](https://mountvernonwa.gov/DocumentCenter/View/9624/Impact-Fees--2022?bidId=) Mount Vernon, WA -
(<https://mountvernonwa.gov/DocumentCenter/View/9624/Impact-Fees--2022?bidId=>)

- Not all impact fees are assessed on redevelopment. Only those that have a nexus to the capital cost associated with the service provided

- Transportation & Fire Impact Fees apply to all new non-residential buildings, and additions to existing buildings. Transportation impact fees are also calculated for a change of use on an existing non-residential building. The number of average trips per peak p.m. hours are calculated by a traffic engineer which the city has contracted with to review all commercial projects for trip generation.

The case study jurisdictions all assess some type of impact fee for additions and redevelopment of existing buildings and structures. The jurisdiction makes the connection between assessing the impact fee and the need for the capital improvements funded by that impact fee. How this is applied varies across jurisdictions, however there is a theme of comparing the original use to the new use being considered for the project.

NCC's existing code provides many incentives for redevelopment and brownfields on non-residential uses and sites. This includes processing the plan as a minor subdivision and allowing for additional gross floor area. In some cases, this redevelopment or brownfield development may repurpose a use that was exempt from or had a minimal impact fees to a use that would have a much higher demand on the services funded under the impact fees. It would be appropriate that this type of redevelopment or brownfield development pay additional impact fees.

C. Recommendations

Should NCC determine that the current impact fee waiver for redevelopment and brownfield development is a critical decision factor for developers considering the reuse and repurpose of existing properties then it would be logical to maintain the existing waiver structure. The additional burden of increased capital costs associated with the redevelopment and brownfield development would continue to be borne by the general fund.

Should NCC determine that eliminating the waiver on impact fees for redevelopment and brownfield development would not discourage developers considering the reuse and repurpose of existing properties then it would be appropriate to assess the nexus between the impact fee and the need for that service based on the proposed development. The following is a recommended framework for how NCC might assess impact fees for redevelopment and brownfield development

- Assess a prorated impact fee for the actual change of use of the property based on the difference between the historical use and the proposed use.
- The new open space impact fee would be waived since this type of development supports infill and reuse of existing properties therefore maintaining existing open space.
- Brownfields would still be exempted

VII. NEXT STEPS

The project team will continue to work with NCC to better document the past and current relationship between impact fees and NCC capital costs.

NCC is planning a public workshop for December 2022 to present the findings of memos 1 through 3 and solicit feedback from interested stakeholders. Stakeholder and NCC feedback will be considered as the project team finalizes recommendations to prioritize proposed changes to the existing code in Memo 4. The final report (including memos 1 through 4) will be presented to NCC Council's Finance Committee for further consideration.

MEMO #4: FINAL RECOMMENDATIONS

Date: June 13, 2023
To: Antoni Sekowski, Acting Assistant Land Use Manager, New Castle County
From: Savannah Edwards, AICP; Associate Planner; Rossi Group
Heather Coons, Senior Planner; Rossi Group
CC: Marc Coté, PE, AICP; Director of Planning and Engineering; Rossi Group
Re: New Castle County Impact Fee Study
Memo #4 – Recommendations

Memos #1 and #2 summarized the current and best practices in support of New Castle County's (NCC) study of development impact fees. Memo #3 provided a series of initial recommendations, including 1) an assessment of the ability to apply a sliding scale to the impact fees based on the *Delaware Strategies for State Policies and Spending* (2020) and taking into account the five established investment levels; 2) expanding the list of uses in the Impact Fee Table; 3) developing strategies for incentivizing low-income housing; 4) implementing graduated impact fee increases; 5) creating an Open Space fee; and 6) revision of use/redevelopment charges. The analysis process resulted in the presentation of recommendations for NCC to consider in their assessment of current regulations and the development of associated updates to those regulations. A public workshop was held December 12, 2022 to present the findings of Memos 1 through 3 and solicit feedback from interested stakeholders. The following information details feedback received from the public workshop and uses this data to finalize recommendations to prioritize proposed changes to the existing code.

I. NEW CASTLE COUNTY PUBLIC WORKSHOP SUMMARY

The project team held a hybrid public workshop with New Castle County on December 12, 2022. Attendees could view the presentation virtually or in-person. Approximately 25 individuals attended in person and 45 attendees signed in online. Comments and questions brought up at the workshop include:

- Why do the fire companies have to submit inventory every year and show need in excess of 1988 inventory?
- Are businesses that have an addition installed currently not charged an impact fee? For example, the Tri-State Mall?
- Lower income housing traditionally has a great need for the types of services funded by impact fees.
- A representative from the Middletown Fire & Rescue company expressed a need for less administrative burden to secure funds.
- Redevelopment for conversion of houses to more units should be charged an impact fee.
- Where do transient occupancy fees go?
- What is the criteria for the Office of State Planning Coordination's Strategy Level classifications?

A. Interactive Workshop Feedback

The in-person session was followed with an hour-long interactive workshop where the project team fielded questions and answers and solicited feedback on proposed recommendations. The following feedback was received via the interactive activities (clarification on handwritten comments made on the display boards is provided in the bullets below each photo):




Utilizing Delaware's State Strategies

Should NCC consider assessing an impact fee surcharge to cover the additional costs associated with development in Levels 3 and 4?

Yes, assess a surcharge for development in Level 3 and 4 Areas.	No, assess the same impact fees regardless of where development occurs.	Other
<i>- West wing in SNCC needs most new services + infrastructure in SNCC!</i> <i>100% Agree!</i> <i>Agree</i>	<i>For open space & parks the same</i>	

Handwritten comments:

Yes, assess a surcharge for development in Level 3 and 4 Areas.

- West wing in SNCC needs most new services & infrastructure in SNCC.
- 100% agree.
- Agree.

No, assess the same impact fee regardless of where development occurs.

- For open space & park the same.



Residential & Institutional Uses of Impact Fees

Residential Uses

Impact fees are assessed under the use category of all other housing.

- Group homes and congregate care facilities are not listed under the residential impact fee category.

Should NCC consider charging a separate **Multi-resident Facility Use** Impact Fee based on number of dwelling unit?

Yes	No	Other
		

Institutional Uses

Impact fees are assessed under the use category of office/institutional.

- UDC §40.05.050 enumerates that public facilities needed to support development (including hospitals) shall be exempt from Article 14 (impact fees.)
- Some institutional uses may require additional services.
- Some jurisdictions charge impact fees on **private** institutional uses.

Should NCC consider charging a separate **Institutional Use** Impact Fee?

Yes	No	Other
		

No handwritten comments received.

Commercial Uses of Impact Fees

Lodging

Impact fees are assessed as commercial/shopping center uses.

Bed and breakfasts/commercial lodging are not assessed impacts fees separately. Transient occupancy taxes are collected on visitors to these establishments; however, these dollars do not go towards capital improvement in NCC.

Restaurants

Impact fees are assessed as commercial/shopping center uses.

- High-turnover rate may warrant a separate category.
- Some jurisdictions break down restaurants based on whether it is drive-thru establishment or sit-down restaurant.

Should NCC consider charging a separate Lodging Use Impact Fee on a room basis?

Yes	No	Other
2023 - they require services - logistic centers - require new higher ladder trucks for fire company - Etc.		2023 - they require services - logistic centers - require new higher ladder trucks for fire company - Etc.

Should NCC consider charging a separate Restaurant Impact Fee based on anticipated turnover?

Yes	No	Other
2023 - they require services - logistic centers - require new higher ladder trucks for fire company - Etc.		

Handwritten comments:

Should NCC consider charging a separate Lodging Use Impact Fee on a room basis?

- Yes
 - o They require services.
 - o Logistic centers.
 - Require new higher ladder trucks for fire company.
 - o Etc.
- Other
 - o Should consider # of visitors.
 - Diff assessment for major hotels.

Should NCC consider charging a separate Restaurant Impact Fee based on anticipated turnover?

- Yes
 - o Drive through restaurants at peak meal hours place a large burden on traffic infrastructure.

Strategies for Incentivizing Low-Income Housing

Should NCC consider providing an affordable housing impact fee reduction or exemption on a per unit basis? This could be a full exemption to all impact fees applied to MPDUs or NCC may determine on a fee-by-fee basis if MPDUs should be exempt from a specific fee. All fees may also be reduced by a specified percentage or amount, or each impact fee may be evaluated to determine if the specified fee should be reduced by a specified percentage or amount.

Should NCC consider applying a full exemption to all impact fees to MPDUs?	Should NCC determine on a fee-by-fee basis if MPDUs should be exempt from a specific fee?	Should all impact fees to MPDUs be reduced by a specified percentage or amount?	Other
<i>Scale</i> <120% AMI => 75% 100-120% => 50% 80-100% => 25% <80% => No fee			

Handwritten comments:

Should NCC consider applying a full exemption to all impact fees to MPDUs?

- Scale
 - o <120% AMI => 75%
 - o 100-120% => 50%
 - o 80-100% => 25%
 - o <80% => No fee

Graduated Fee Increases

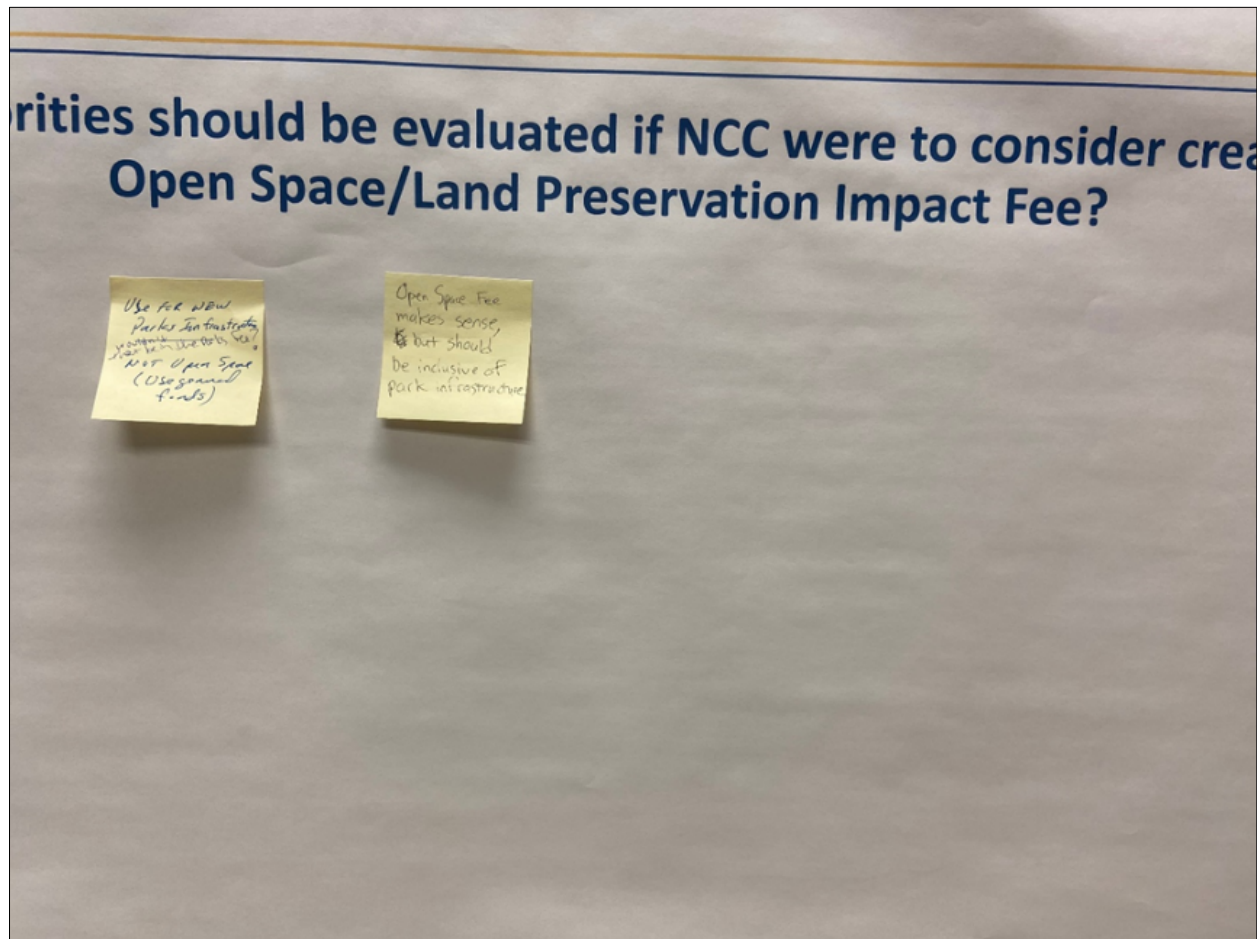
Place three stickers on your most preferred scenarios to increase Impact Fees.

- = Favorite scenario/first choice
- = Second favorite scenario/second choice
- = Third favorite scenario/third choice

No increases in fees	
No increases in fees, then annual indexing adjustments	
Phased in approach of 5% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments	
Phased in approach of 10% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments	
75% increase to match the ENR CCI cumulative total, then annual indexing adjustments	Yes, with scaled levels for MPDU. SNCC Development has gotten away with paying less of their fair share for ~25 years. We need infrastructure and services.

Handwritten comments:

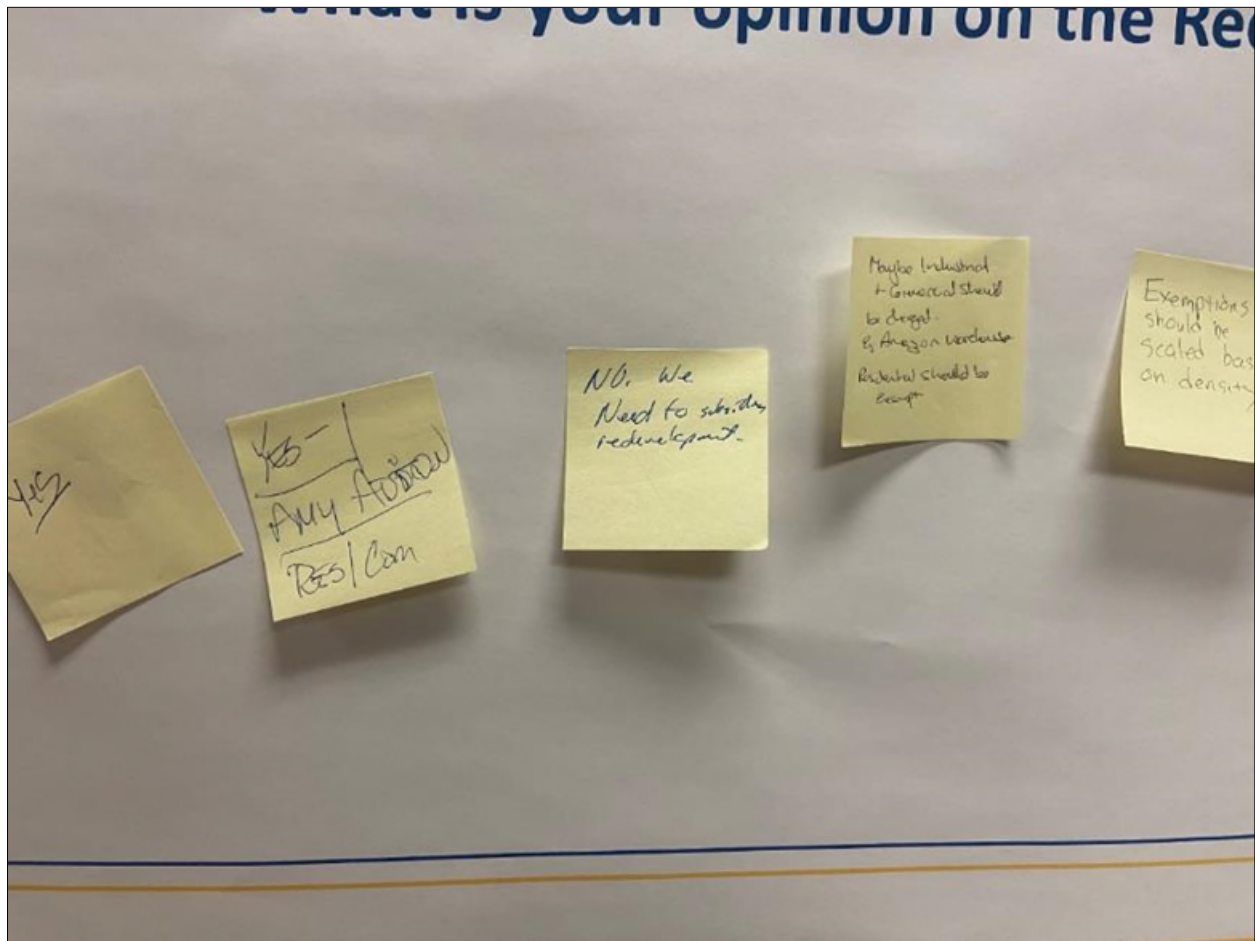
- Yes, with scaled levels for MPDU.
- SNCC Development has gotten away with paying less of their fair share for ~25 years. We need infrastructure and services.



Handwritten comments:

What priorities should be evaluated if NCC were to consider creating an Open Space/Land Preservation Impact Fee?

- Use for new Parks Infrastructure.
 - o Not open space (use general funds).
- Open Space Fee makes sense, but should be inclusive of park infrastructure.



Handwritten comments:

What is your opinion on the Redevelopment Impact Fee?

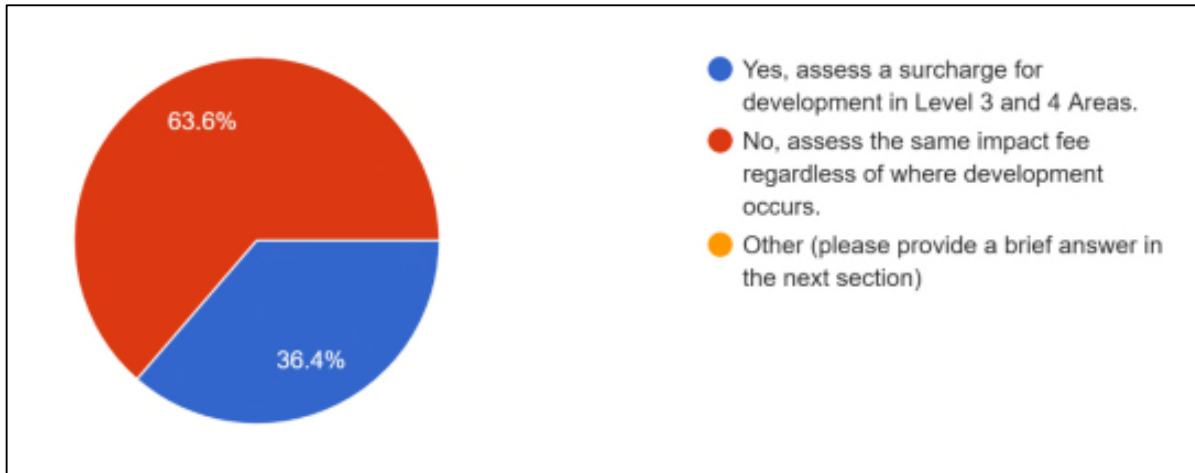
- Yes.
- Yes – any addition Res/Com.
- No, we need to subsidize redevelopment.
- Maybe Industrial and Commercial should be merged.
 - o E.g., Amazon warehouse.
- Residential should be exempt.
- Exemptions should be scaled based on density.

B. Online Survey Feedback

Online attendees were invited to share their feedback via a Google Form survey that was emailed out the morning of December 13, 2022, to anyone who had registered for the public workshop. Participants were asked to complete the survey by December 30, 2022. Participants were also prompted to review the December 12 presentation before responding, if they had not attended the live event. Eleven (11) individuals completed the survey.

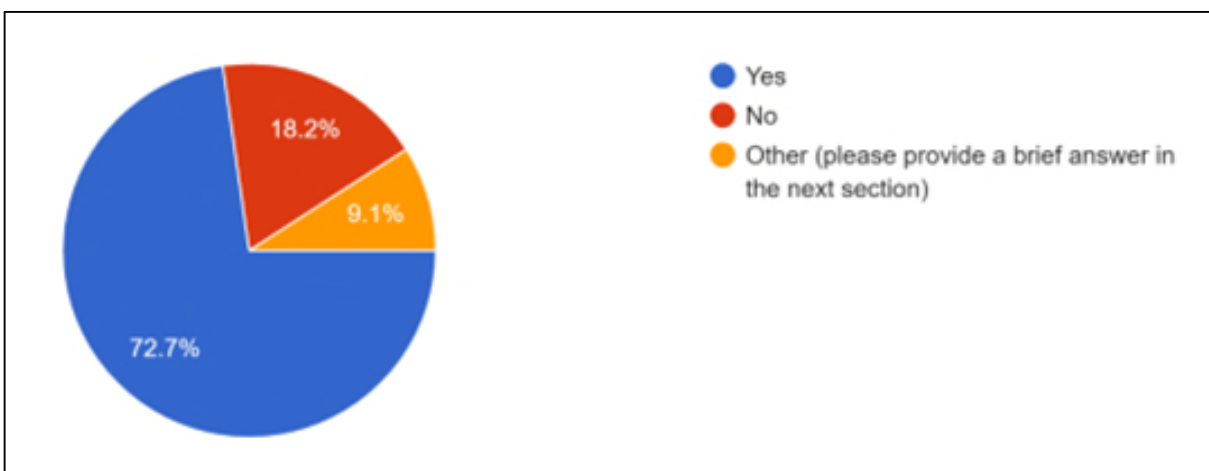
The online survey posed eleven (11) questions for respondents to consider. The first eight (8) questions allowed for a 'Yes,' 'No,' or 'Other' response. If 'Other' was chosen, respondents were provided the option to provide a short answer. The remaining three (3) questions had a more open-ended format. The following is a summary of the responses:

1. Should NCC consider assessing an impact fee surcharge to cover the additional costs associated with development in Levels 3 and 4?



"Other" responses: N/A

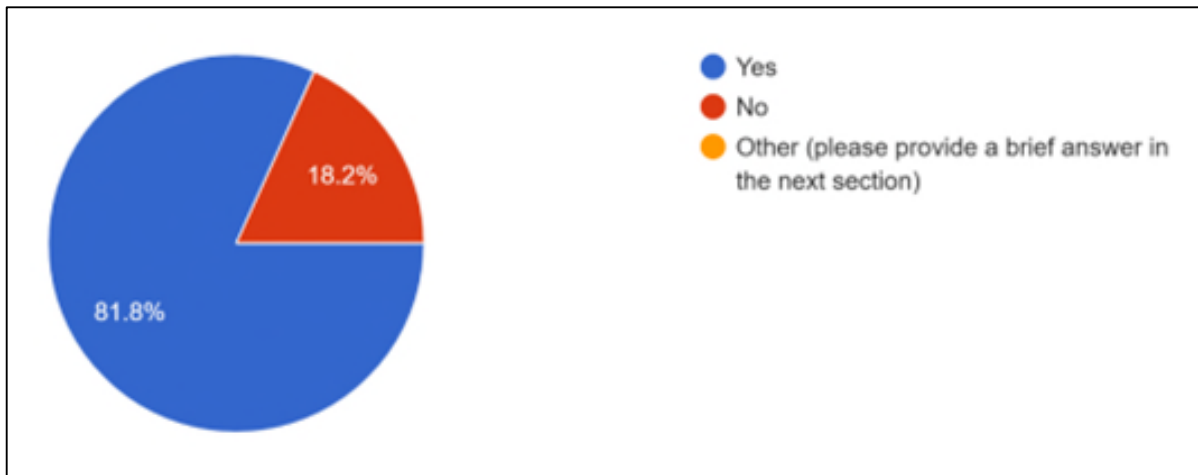
2. Should NCC consider charging a separate Multi-family Resident Facility Use Impact Fee based on number of dwelling units?



"Other" responses:

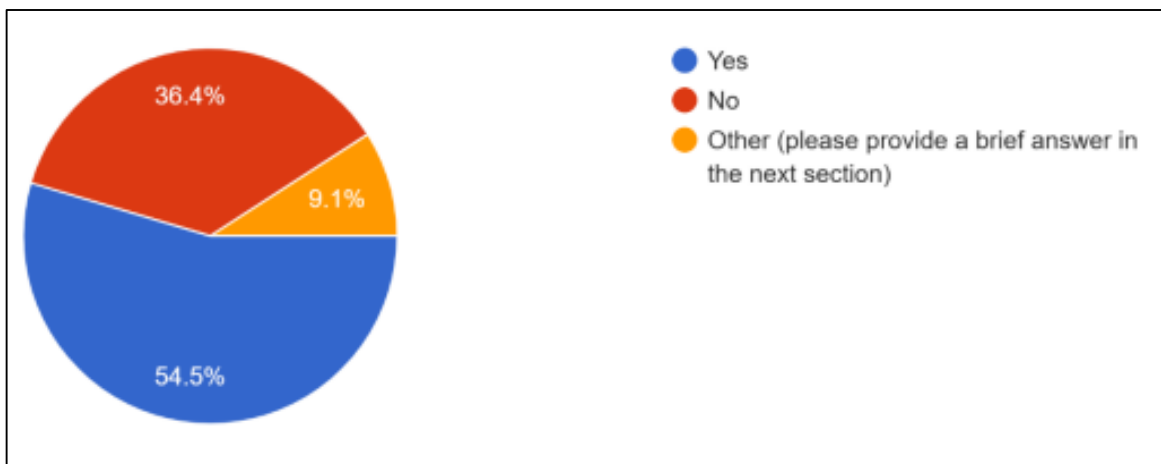
- Thought that is what is.

3. Should NCC consider charging a separate Institutional Use Impact Fee?



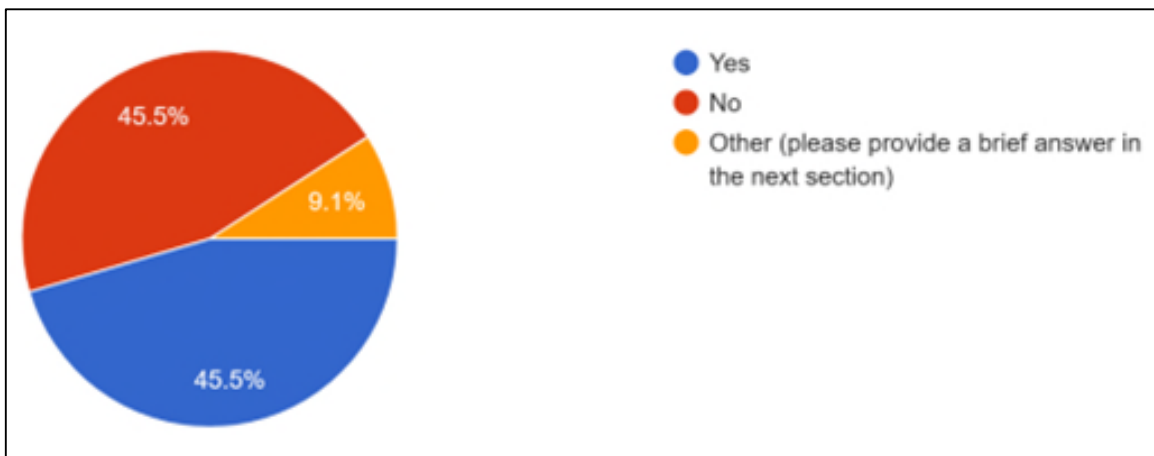
"Other" responses: N/A

4. Should NCC consider charging a separate Lodging Use Impact Fee?



"Other" responses: N/A

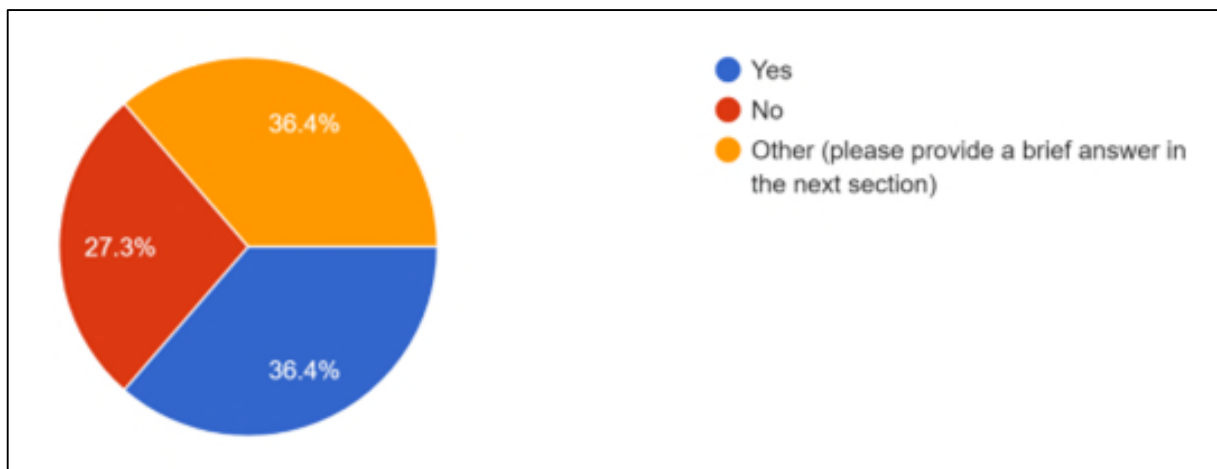
5. Should NCC consider charging a separate Restaurant Impact Fee based on anticipated customer turnover?



"Other" responses:

- No, one of the items in the presentation was the impact of trips from a restaurant, this is already handled with the DelDOT requirements.

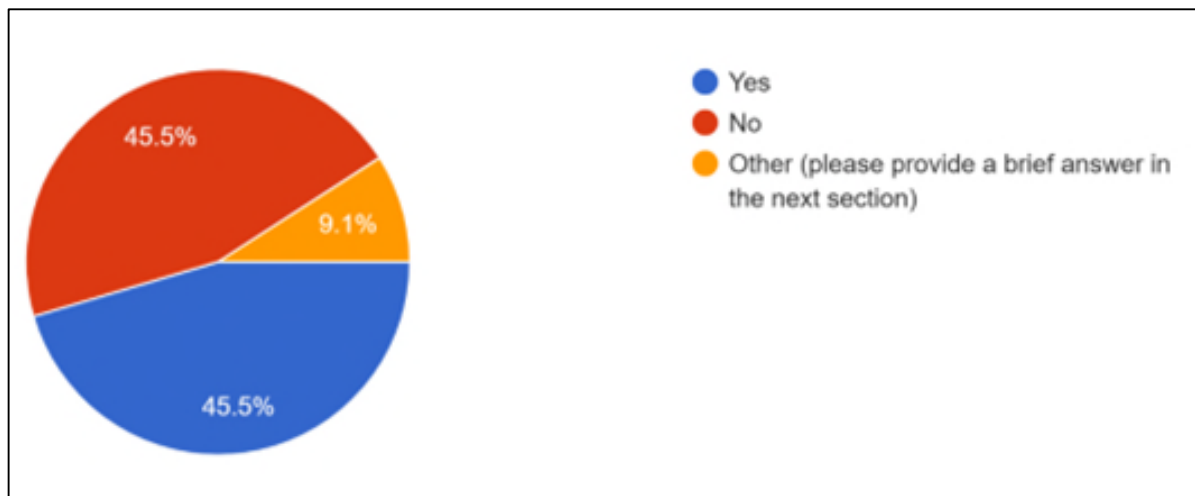
6. Should NCC consider applying a full exemption to all impact fees to Moderately Priced Dwelling Units (MPDUs)?



"Other" responses:

- Potential for a reduced amount, but not a full reduction.
- Only for truly affordable housing.
- We need to implement a scaled system of discounting based on affordability. Something like 100-120 percent of AMI at 80% fee, 80-100 percent AMI at 50 percent, and below 80 percent AMI pays no impact fee.
- Only if MPDUs have residential fire sprinklers installed.

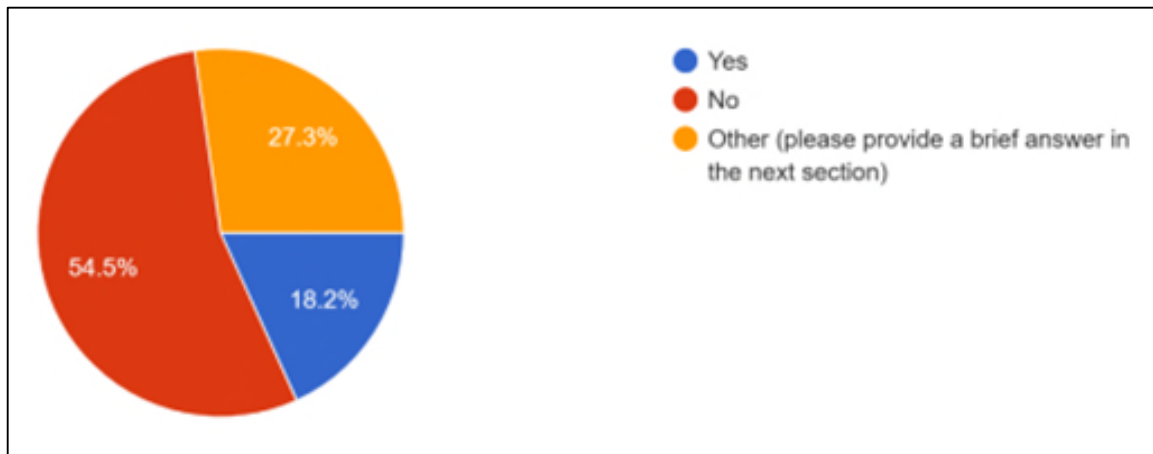
7. Should NCC determine on a fee-by-fee basis if MPDUs should be exempt from a specific fee?



"Other" responses:

- Potential for a reduced amount, but not a full reduction.

8. Should all impact fees to MPDUs be reduced by a specified percentage or amount?



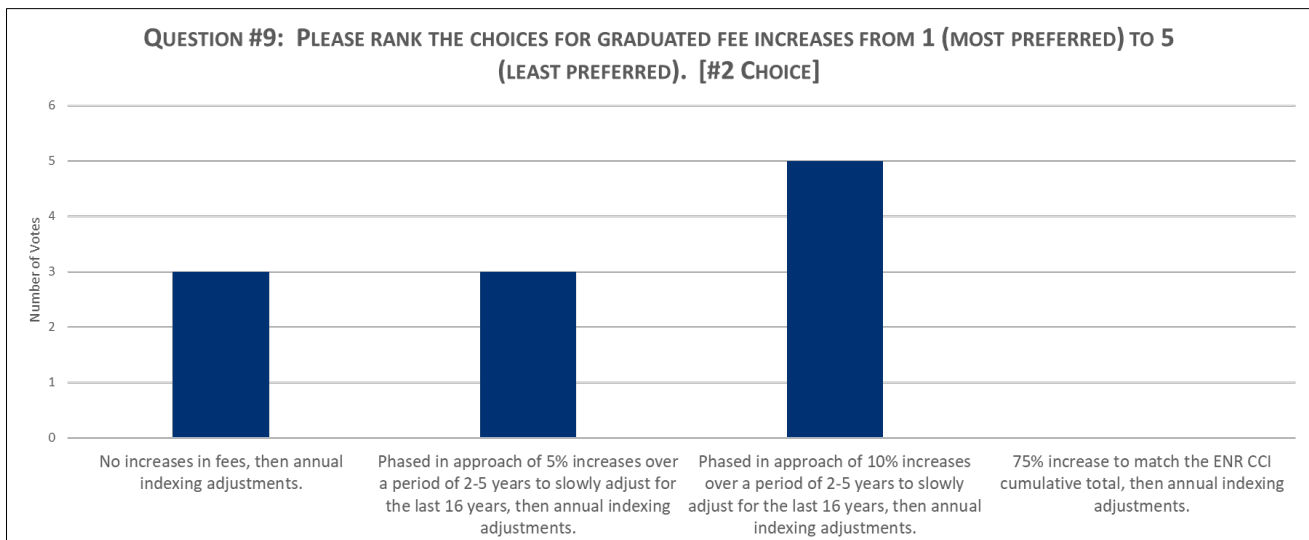
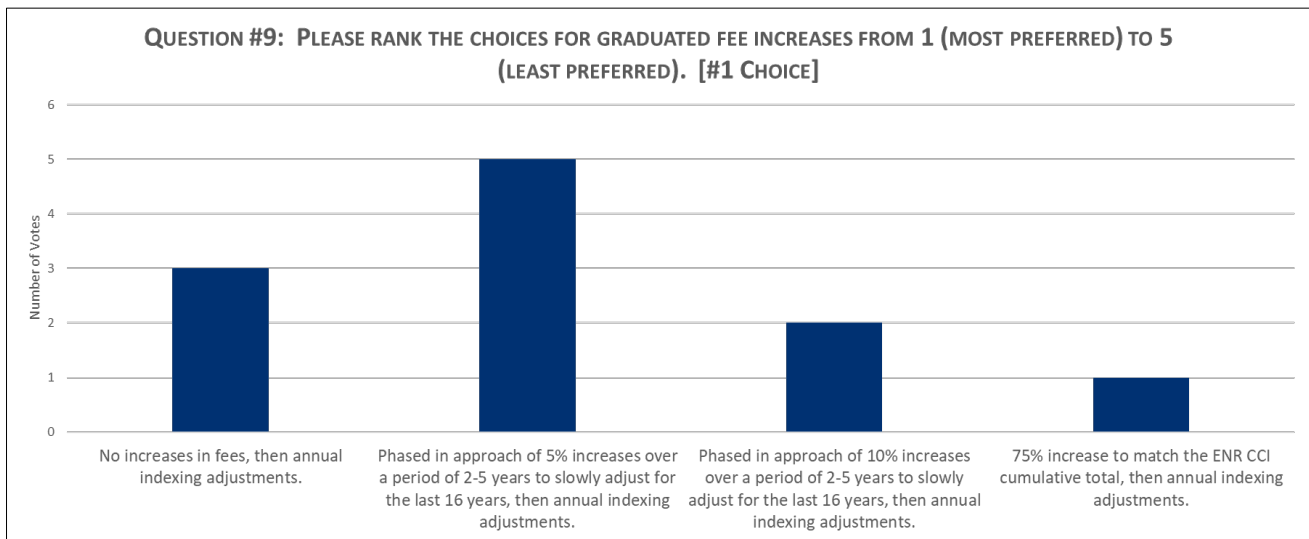
"Other" responses:

- Potential for a reduced amount, but not a full reduction.
- Impact fees to MPDUs should not apply, or should be exempt.
- If you truly want to make progress waiver the fees entirely.

9. Please rank the choices for graduated fee increases from 1 (most preferred) to 5 (least preferred.)

- No increases in fees.
- No increases in fees, then annual indexing adjustments.
- Phased in approach of 5% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments.
- Phased in approach of 10% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments.
- 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments.

The top ranked option was “C - phased in approach of 5% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments” with five individuals choosing this as their top option. “D - Phased in approach of 10% increases over a period of 2-5 years to slowly adjust for the last 16 years, then annual indexing adjustments” was the second most popular option, with five individuals ranking this as their second choice.



10. Considering a proposed new fee, what priorities should be evaluated if NCC were to consider creating an Open Space/Land Preservation Impact Fee?

Long answer responses to this question varied, there did not seem to be a clear consensus via the online survey. Some selected verbatim responses included:

- Provide land banking opportunities on projects that provide more than 50% open space and increase the base density permitted within each residential zone.
- This should not be done. These funds should be put toward park improvement and enhancement. Anyone who has a house put pressure on open space, so all should pay for open space through general property tax funds.
- no new fee for open land / preservation
- As development costs continue to surge, this is yet another example of death by a thousand cuts. The priority should be placed on maintaining and improving affordability with housing throughout New Castle County. This fee will be passed down to the consumer.

11. What is your opinion on the Redevelopment Impact Fee?

Long answer responses to this question were also mixed with some respondents in favor and others opposed. Verbatim responses included (spelling has been corrected):

- No, we should be encouraging redevelopment as infrastructure is already in place.
- There should be an exemption for all fees, other than sewer and traffic.
- Uncertain at this point.
- I do not think this should be implemented, a NCC should be incentivizing redevelopment. We need to revitalize existing developed areas that have declined as a much higher priority than continuing the development of green fields.
- If impact fees were collected initially, the redevelopment impact fee should be waived.
- all additional redevelopments should be assessed an impact fee if any structure is added to
- Due to the increased number of new developments, To avoid increasing property taxes to maintain and improve Delaware's infrastructure the impact fee is necessary.
- Counter productive.
- If the redevelopment causes a change to commercial/Office/Business park/ all residential, a fee should be charged for Law Enforcement, Fire & Rescue, and EMS due to eventual increased demand for these services.
- In favor. If a brownfield is being redeveloped, then reduce the impact fee. If developing farmland, then apply the full fee.
- Go for it!

II. RECOMMENDATION DISCUSSION

As previously mentioned, Memo #3 presented draft recommendations for NCC to consider in their assessment of current regulations and the development of associated updates to those regulations. The following reiterates those suggestions and takes into consideration feedback received from the public workshop to provide final recommendations.

A. Utilizing Delaware's State Strategies

The overall study effort is to reassess the impact fees to better correlate the fees collected with the capital costs needed to supply the services. Based on this goal the team is recommending assessing a surcharge to cover the additional costs associated with development in Levels 3 and 4. The initial recommendation for consideration would be a 20% surcharge for Level 3 and a 40% surcharge for Level 4. As previously noted, prior to adoption, additional research would be needed to assess the actual increase in costs for providing the service to better justify the surcharge percentage.

The feedback received regarding the assessment of a surcharge for development in Levels 3 and 4 was generally positive; however, there were still responses to assess the same impact fee regardless of where development occurs. This feedback indicates the importance of clearly showing the nexus between increased service delivery costs in Levels 3 and 4 and any possible surcharge.

The Cabinet Committee on State Planning Issues (CCSPI), as part of the 2022 Annual Report on State Planning Issues has established a recommendation to develop new methods for calculating the long-term costs of providing state services for land-use actions that are inconsistent with State Strategies. The CCSPI agreed that this is a priority for 2023 but the effort has not begun to date. The County should coordinate with OSPC and the assigned agencies to utilize their findings in determining an appropriate surcharge in levels 3 and 4.

Final recommendation: NCC to implement a surcharge to cover the additional costs associated with development in Levels 3 and 4; NCC will work with OSPC and conduct additional research to determine the actual cost of providing services to these areas and will modify proposed percentages accordingly.

B. Expanding the List of Uses in the Impact Fee Table

As identified in Memo #3, analysis of the permitted uses (UDC §40.03.110) and impact fee (UDC §40.14.210) tables identified several uses not explicitly being charged an impact fee. The team recommended adding impact fees to multi-unit residential facilities (including group homes and congregate care facilities); private hospitals or facilities (e.g., assisted care facilities); commercial lodging/bed and breakfast establishments, restaurants (based on turnover); and campgrounds/resorts. A recommendation to further breakout "business park" use to better assess the various uses (light/heavy manufacturing, office space, etc.) separately. After discussion with the County about possible confusion, the project team chose not to pursue feedback on any business park changes.

The feedback received from the public workshop and online survey revealed generally positive responses to expanding the list of uses in the impact fee table. Respondents were more favorable towards NCC charging separate Multi-family Resident Facility and Institutional Use Impact fees compared to assessing separate fees for Lodging or Restaurant Uses; however, the overall outcome was positive.

Final Recommendation: NCC to add the following new categories to the impact fee table:

- Multi-use Residential (Apartments, Commercial Apartments, Apartment Conversions) (per unit)
- Institutional Uses (private)
- Commercial Lodging (per room)
- Restaurants
 - The County should consider whether multiple restaurant categories should be broken out to differentiate between fast-food restaurants and sit-down restaurants. Then analysis should be conducted to determine the appropriate fee level that should not be based on the number of cars

visiting the facility since this is not a transportation/mobility impact fee, but instead the number of EMS visits and impact on capital infrastructure.

C. Strategies for Incentivizing Low-Income Housing

As detailed in Memo 2, B.3. Affordable Housing, in areas with high fees and/or a large number of special assessment districts, the cumulative cost can erode the financial viability of affordable housing projects. Local jurisdictions can encourage the development of new affordable housing through methods including:

- Flat fee
- Fee reductions
- Fee waivers based on number of units
- Complete fee exemption

NCC currently provides a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are designated as moderately priced. However, providing an impact fee reduction or exemption would further reduce the cumulative cost for providing affordable housing within NCC. This could be full exemption to all impact fees applied to Moderately Price Dwelling Units (MPDUs). It may also be reasonable to view each impact fee assessed and determine on a fee-by-fee basis if MPDUs should be reduced or exempt from a specific fee. All fees may also be reduced by a specified percentage or amount, or each impact fee may be evaluated to determine if the specified fee should be reduced by a specified percentage or amount. Although fees are reduced or exempt for developers, future homeowners still receive the services supported by the fee and must secure the associated permits or approvals.

Public workshop participants and survey respondents had a general consensus of not reducing impact fees by a specific percentage or amount. Responses regarding a full exemption and reducing on a fee-by-fee basis were mixed; some were in favor of reducing the amount, but not a full exemption where others supported a complete exemption. There were two suggestions of using a sliding scale system based on affordability. This concept would use the Area Median Income (AMI) to determine the impact fee imposed on MPDUs. Comments across the board indicated that affordable housing is a concern for NCC residents.

Final recommendation: NCC should establish a sliding scale system based on the home price relative to the AMI.

- >120% of AMI => 75%
- 100 – 120% => 50%
- 80 – 100% => 25%
- <80% => No fee assessed

D. Graduated Fee Increases/ENR Recommendations

Recommendations for adjusting the fee to make up for lost buying power due to no fee adjustments for the last 16-23 years can be accomplished in many different scenarios based on NCC's goals and policies that are being considered. Currently the general budget is carrying the load to make up for inflation and the erosion of purchasing power of the impact fees as established in 2006. That means that existing residents of NCC are paying for and subsidizing the costs of the new infrastructure intended to be paid for with impact fees. If NCC's goal is to restore the impact fee revenues to the originally intended levels of providing revenue for infrastructure projects, gradual increases in fees while providing a provision for annual indexing would allow NCC to slowly increase fees.

Scenarios could range from:

- No increases in fees
- No increases in fees, annual indexing adjustments
- Phased in approach of 5% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- Phased in approach of 10% increases over a period of 2-5 years to slowly make up for the last 16 years, then annual indexing adjustments
- 50% increase to match the CPI cumulative total, then annual indexing adjustments
- 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments

Regardless of the decision to raise fees to account for the last 16 years of no increases, it is recommended that yearly adjustments to the fees be done, as periodic evaluations are required by code, so that the fees are adjusted annually based on the ENR CCI. Most jurisdictions that have indexing do so annually to avoid having to revisit the fees every few years and keep increases in fees in small increments. This sets up an expectation that the impact fee will increase yearly to keep pace with inflation and provide for infrastructure to be consistently funded and constructed using the impact fees collected by new development. It is a straightforward method that is easy to communicate to the public and easier to implement. If NCC wants to establish an increase every two years, that can be accomplished by Council approving the changes every two years instead of annually. It is recommended that the adjustment be done using the cumulative CCI for the two years. The data to calculate the ENR CCI comes out in January and the new fee can be adopted by Council in the spring with an effective date of July 1 each year.

Feedback from the public workshop resulted in the majority of participants in favor of increasing fees with annual indexing adjustments; however, responses on how to approach the fee increases were evenly distributed between the phased approach of 5% over 2-5 years, phased approach of 10% over 2-5 years, and a 75% increase to match the ENR CCI cumulative.

Final recommendation: NCC should consider increasing their current Impact Fees in a phased approach of 10% per year for 3 years, then annually adjust the fee for ENR CCI.

E. Open Space Fee Creation

NCC Council adopted a resolution to spend \$7.5 million dollars over 3 years, which is \$2.5 million/year to ensure consistent funding for the preservation of Open Space and Agricultural land. In our research of best practices, the City of Chicago used a formula of new development carrying 30% of the cost for open space preservation.

The City of Chicago Open Space fees range from \$313-1,253/unit based on the type of development. Affordable housing units are only charged \$100/unit.

Marin County in Florida Open Space fees range from \$540-755 based on size of the unit. A land value of \$12/sf is used for the cost of Open Space land acquisition.

Using the same formula to help provide a dedicated source of funding to provide 30% of the \$2.5 million Open Space preservation goal requires revenue from impact fees to be \$750k/year.

The NCC Council can then determine whether to create an open space fee, and what level of funding support for the Open Space Preservation Fund, any potential UDC changes that would be required, and an implementation schedule.

Comments received on the evaluation of priorities regarding an Open Space Fee did not provide a clear consensus. Some workshop participants and survey respondents stated the Open Space Fee should be included in the Parks Fee or included in parks infrastructure for improvements. Others were against the concept all together.

Final recommendation: NCC should further explore the option of an additional impact fee category to fund Open Space. This would align with the County's goal for dedicated Open Space funding.

F. Change of Use/Redevelopment Charges

Should NCC determine that the current impact fee waiver for redevelopment and brownfield development is a critical decision factor for developers considering the reuse and repurpose of existing properties, then it would be logical to maintain the existing waiver structure. The additional burden of increased capital costs associated with the redevelopment and brownfield development would continue to be borne by the general fund.

Should NCC determine that eliminating the waiver on impact fees for redevelopment and brownfield development would not discourage developers considering the reuse and repurpose of existing properties, then it would be appropriate to assess the nexus between the impact fee and the need for that service based on the proposed development. The following is a recommended framework for how NCC might assess impact fees for redevelopment and brownfield development:

- o Assess a prorated impact fee for the actual change of use of the property based on the difference between the historical use and the proposed use.
- o Brownfields would still be exempted.

Feedback received from the public workshop on the implementation of a Redevelopment Fee were also mixed with some respondents in favor and others opposed.

Final recommendation: NCC will continue to work with developers to determine if the waiver on impact fees is a deciding factor in redevelopment and/or brownfield development. NCC should also consult with the Public Works Department and Emergency Services to determine actual costs of increased services from redevelopment cases.

III. NEXT STEPS

The final report (including memos 1 through 4) will be presented to NCC Council's Finance Committee for further consideration.

DEVELOPMENT IMPACT FEE STUDY

FINAL RECOMMENDATIONS

June 13, 2023



New Castle County Government



Presenters



Marc Coté, PE, AICP 



Drew Boyce, PE 

Agenda

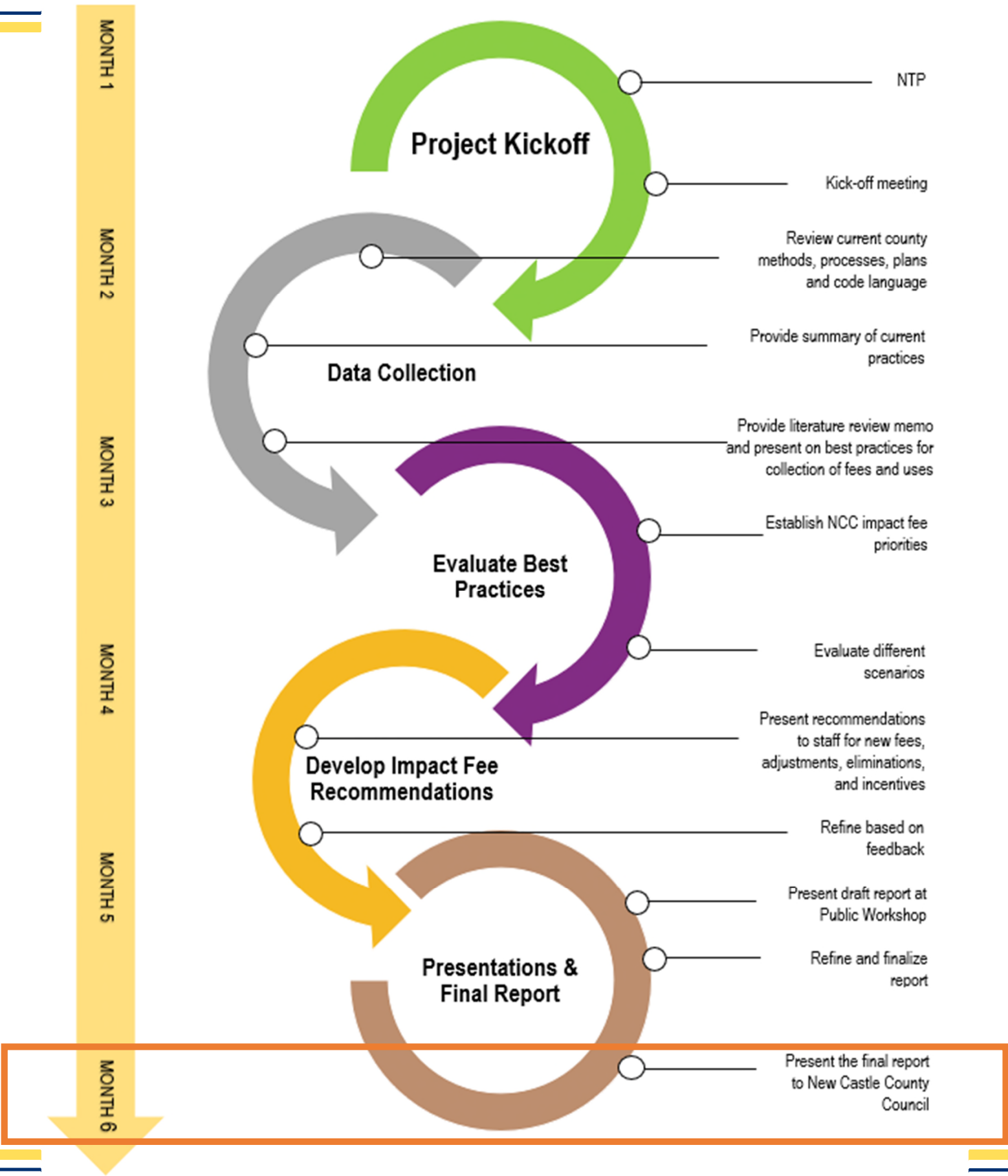
- Project Overview
 - Scope
 - Timeline
- Methodology
 - Existing Practices
 - Best Practices
- Public Feedback
- Final Recommendations

Project Overview >>>

Project Scope

- NCC Audit Report from May 2020 recommended reviewing current fee amounts.
- Review includes recommendations that will:
 - Balance keeping the fees low while also providing a source of revenue for capital improvements.
 - Identify fee updates to ensure they are proportionate and related to the County's infrastructure and service needs.
 - Include practices to achieve sustainable, just, and fair public finance in line with the County's long-range plans.
 - Assess the need for additional impact fees and/or an updated methodology.

Project Timeline



Existing Practices >>>>>>>>>>

New Castle County Impact Fees

- Impact Fees were adopted by New Castle County in 1999.
- Finance new or expanded infrastructure and service needs for development.
- Unified Development Code (UDC) Chapter 40, Article 14 (40.14)
“Cost adjustments will be made as part of the periodic evaluation and update of impact fees. Impact fees will be **adjusted for inflation in construction costs as reflected in the Engineering News Record (ENR) index and upon approval by County Council ...**”
- The only impact fees adjusted since 1999 have been Fire & Rescue.

NCC Impact Fee Table

Service	Parks & Special Facilities	Libraries	County Facilities	EMS	Fire and Rescue	Law Enforcement	Total
Residential Per Housing Unit							
Single-family detached	\$328	\$138	\$112	\$7	\$510	\$62	\$1,157
Single-family attached	\$304	\$129	\$105	\$6	\$442	\$58	\$1,044
All other housing†	\$225	\$95	\$77	\$5	\$317	\$43	\$762
Nonresidential Per 1,000 Square Feet‡							
Commercial/shopping center (less than 60,000 sf. GFA)	na.	na.	\$127	\$8	\$210	\$42	\$387
Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)	na.	na.	\$95	\$6	\$163	\$33	\$297
Commercial/shopping center (greater than 200,000 sf. GFA)	na.	na.	\$76	\$5	\$147	\$28	\$256
Office/institutional (less than 10,000 sf. GFA)	na.	na.	\$176	\$11	\$112	\$24	\$323
Office/institutional (10,000 sf. to 50,000 sf. GFA)	na.	na.	\$150	\$10	\$287	\$16	\$463
Office/institutional (greater than 50,000 sf. GFA)	na.	na.	\$142	\$9	\$272	\$14	\$437
Business park	na.	na.	\$120	\$8	\$232	\$14	\$374
Light industrial	na.	na.	\$88	\$5	\$170	\$7	\$270
Warehousing	na.	na.	\$47	\$3	\$94.	\$4	\$148
Manufacturing	na.	na.	\$70	\$4	\$131	\$3	\$208
† Due to similar square footage, small single-family units and single-wide mobile homes will be included under the "All other housing" designation.							
‡ When building or expanding a nonresidential building, the first 1,000 square feet are exempt from the assessment of impact fees. For all impact fees except sewer impact fees required by this Article, the Department shall waive the applicant's responsibility to pay said fees for redevelopment or Brownfields. As a condition of such waiver, the Department may require that an alternative funding source be identified to pay the applicable impact fee.							

Best Practices

APA Recommendations

- An Impact Fee must be rationally linked to the impact created.
- Some benefit must accrue to the development as a result of the payment of a fee.
- The amount of the fee must be a proportionate fair share of the costs of the improvements made necessary.
- A fee cannot be imposed to address existing deficiencies except where they are exacerbated by new development.
- Funds received under such a program must be segregated from the general fund and used solely for the purposes for which the fee is established.
- The fees collected must be encumbered or expended within a reasonable timeframe to ensure that needed improvements are implemented.

APA Recommendations (continued)

- The fee assessed cannot exceed the cost of the improvements, and credits must be given for outside funding sources.
- The fee cannot be used to cover normal operation and maintenance or personnel costs, but must be used for capital improvements, or under some linkage programs, affordable housing, job training, childcare, etc.
- The **fee established for specific capital improvements should be reviewed at least every two years** to determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.
- Provisions must be included in the ordinance to permit refunds for projects that are not constructed, since no impact will have manifested.
- Impact fee payments are typically required to be made as a condition of approval of the development, either at the time the building or occupancy is issued.

Neighboring Jurisdictions

- Sussex County, Delaware
 - Funds for parks and special facilities, libraries, county facilities, EMS, Fire and Rescue, and Law Enforcement are collected via property taxes.
 - Impact Fees are assessed to fund the preservation of Open Space.
- Kent County, Delaware
 - Uses an Adequate Public Facilities Ordinance (APFO) to fund public facility improvements (roads, schools, EMS, water supply and distribution).
- Salem County, New Jersey
 - No impact fees.
- Various Pennsylvania Counties
 - No impact fees.
 - Improvements funded through special taxes.
- Anne Arundel County, Maryland
 - Impact fees assessed to fund public schools, transportation, and public safety facilities.

Nation-wide Scan and Special Topics

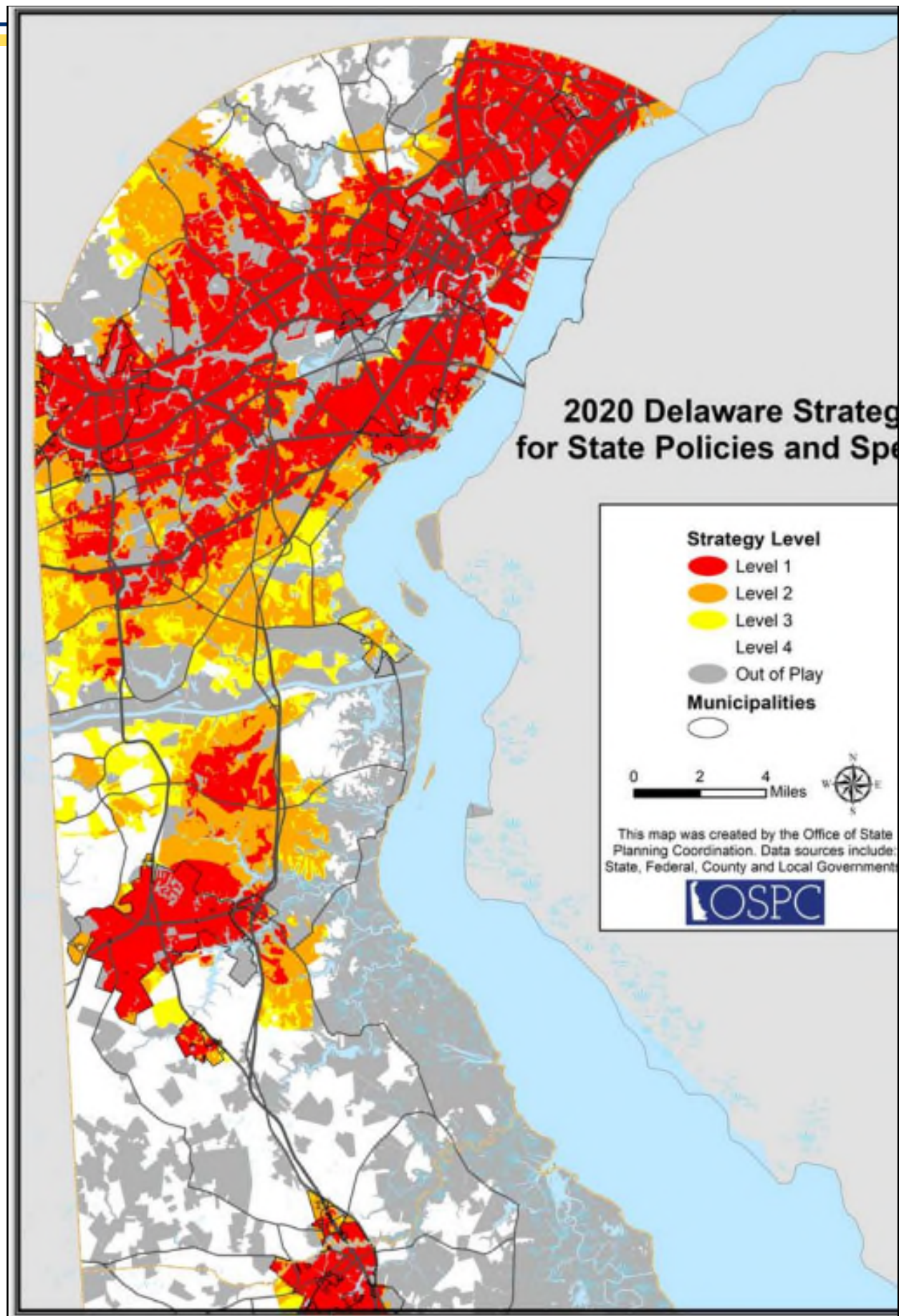
- Seminole County, Florida
- Green Infrastructure
 - City of Newark, DE
- Open Space Preservation Impact Fee
 - City of Chicago, Illinois
 - Martin County, Florida
 - Delaware Nature Conservancy
- Affordable Housing Considerations
 - Portland, Oregon
 - Austin, Texas

Recommendations

Recommendations for Consideration

1. Utilizing Delaware's State Strategies
2. Expanding the List of Uses in the Impact Fee Table
3. Strategies for Incentivizing Low-Income Housing
4. Graduated Fee Increases/ENR Recommendations
5. Open Space Impact Fee Creation
6. Redevelopment Charges

Utilizing Delaware's State Strategies



- State Strategies is a framework that guides decision makers on the most desirable pattern of land use within the state
- It is more expensive to provide necessary services the further you get from core developed areas
- Five investment levels:
 - Levels 1-4 and 'Out of Play'
- **Should NCC consider assessing a surcharge impact fee to cover the additional costs associated with development in Levels 3 and 4?**

Recommendation 1 - Feedback

- The feedback received regarding the assessment of a surcharge for development in Levels 3 and 4 was generally positive; however, there were still responses to assess the same impact fee regardless of where development occurs. This feedback indicates the importance of clearly showing the nexus between increased service delivery costs in Levels 3 and 4 and any possible surcharge.

Expanding the list of Uses in the Impact Fee Table

2

Current uses being assessed:

Residential (per housing unit)	Nonresidential (per 1,000 SF of floor area)
• Single-family detached • Single-family attached • All other housing (small single-family units and single-wide mobile homes will be included under the "All other housing" designation)	• Commercial/shopping center (less than 60,000 SF) • Commercial/shopping center (60,000 – 200,000SF) • Commercial/shopping center (greater than 200,000 SF) • Office/Institutional (less than 10,000 SF) • Office/Institutional (less than 10,000 SF) • Office/Institutional (less than 10,000 SF) • Business Park • Light Industrial • Warehousing • Manufacturing

Recommendations for Consideration

- **Should NCC consider charging a separate:**
 - **Multi-resident Facility Use Impact Fee based on number of dwelling units?**
 - **Institutional Use Impact Fee?**
 - **Lodging Use Impact Fee on a room basis?**
 - **Restaurant Impact Fee based on anticipated turnover?**

Recommendation 2 - Feedback

- The feedback received from the public workshop and online survey revealed generally positive responses to expanding the list of uses in the impact fee table. Respondents were more favorable towards NCC charging separate Multi-family Resident Facility and Institutional Use Impact fees compared to assessing separate fees for Lodging or Restaurant Uses; however, the overall outcome was positive.

Strategies for Incentivizing Low-Income Housing

3

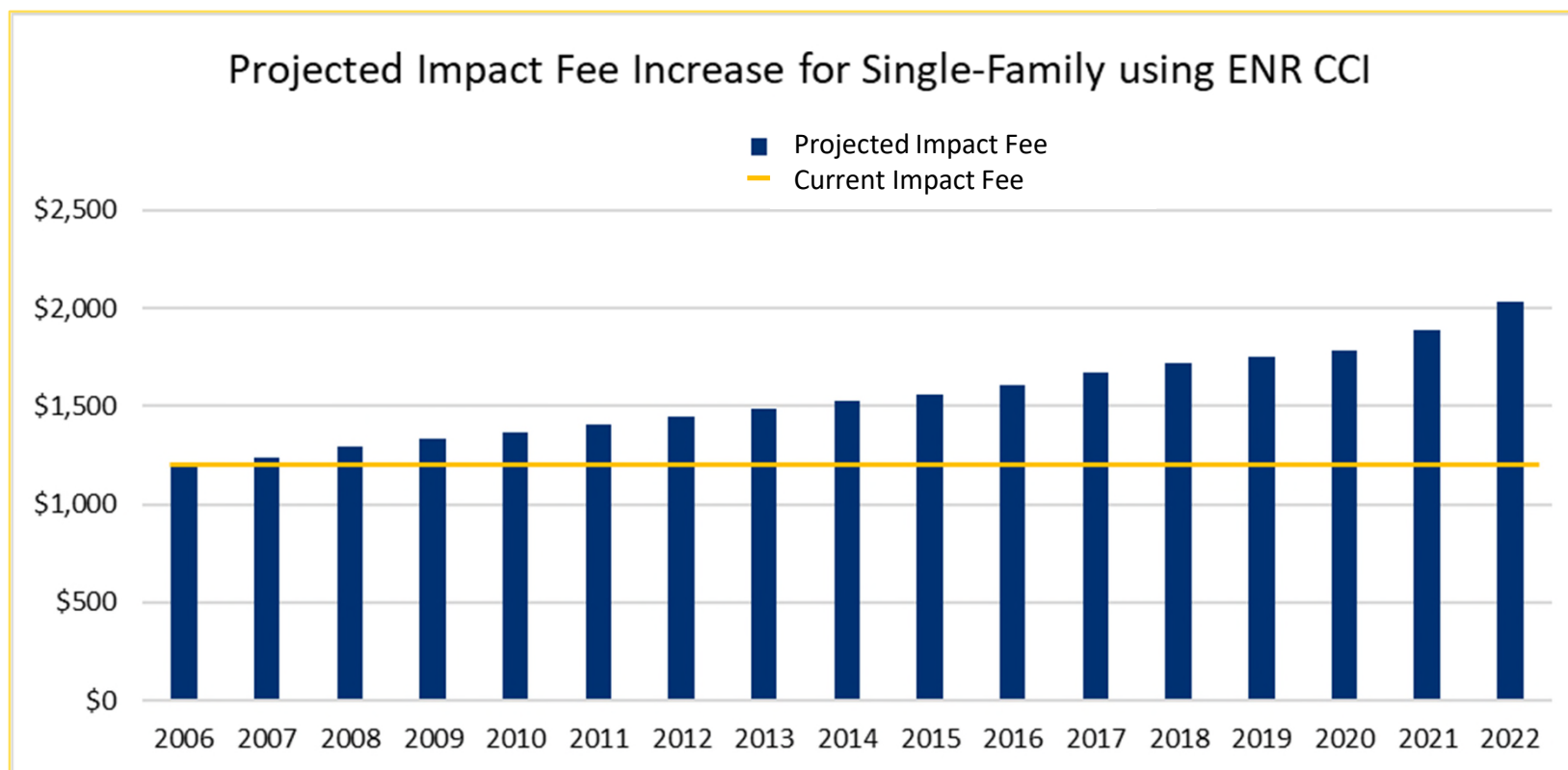
- Moderately Price Dwelling Units (MPDUs) are required for all residential rezonings or variance applications with density increases except for mixed-use developments.
- Currently there are no Impact Fee reductions or exemptions for development of MPDUs.
- NCC provides a density bonus for major residential subdivisions not requiring a rezoning if a portion of the dwelling units are MPDUs.
- Local jurisdictions can prioritize the development of new affordable housing by offering to reduce or waive impact fees for MPDUs.
- Developers still receive the services supported by the fee and must secure the associated permits or approvals.
- Providing an impact fee reduction or exemption would reduce the cumulative cost for providing affordable housing within NCC.
- **Should NCC consider applying a full exemption to all impact fees to MPDUs?**
- **Should NCC review each impact fee to determine in a fee-by-fee basis if MPDUs should be exempt from a specific fee?**
- **Should all impact fees to MPDUs be reduced by a specified percentage amount?**

Recommendation 3 - Feedback

- Public workshop participants and survey respondents had a general consensus of not reducing impact fees by a specific percentage or amount. Responses regarding a full exemption and reducing on a fee-by-fee basis were mixed; some were in favor of reducing the amount, but not a full exemption where others supported a complete exemption. There were two suggestions of using a scale-based system based on affordability. This concept would use the Area Median Income (AMI) to determine the impact fee posed on MPDUs. Comments across the board indicated that affordable housing is a concern for NCC residents, though.

Graduated Fee Increases/ENR Recommendations

- If fees increased using the ENR CCI from 2006 to 2022, increase would be 75%.
- The chart (below) illustrates the increase to the impact fee for a single-family detached unit from the 2006 cost of \$1,157 to \$2,036 in 2022, if adjusted according to ENR CCI calculations.

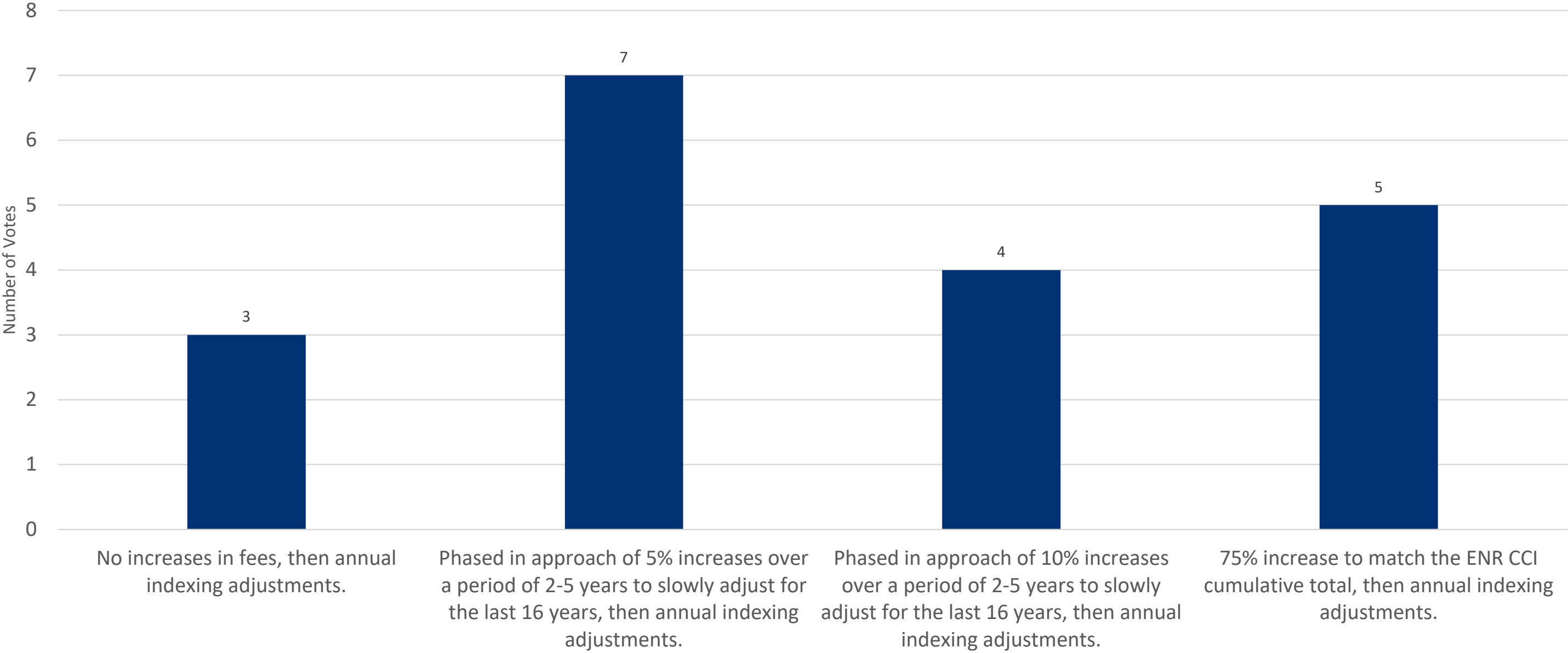


- Should NCC consider:
 - No increases in fees
 - No increases in fees, then annual indexing adjustments
 - Phased in approach of 5% increases over a period of 2-5 years, then annual indexing adjustments
 - Phased in approach of 10% increases over a period of 2-5 years, then annual indexing adjustments
 - 75% increase to match the ENR CCI cumulative total, then annual indexing adjustments

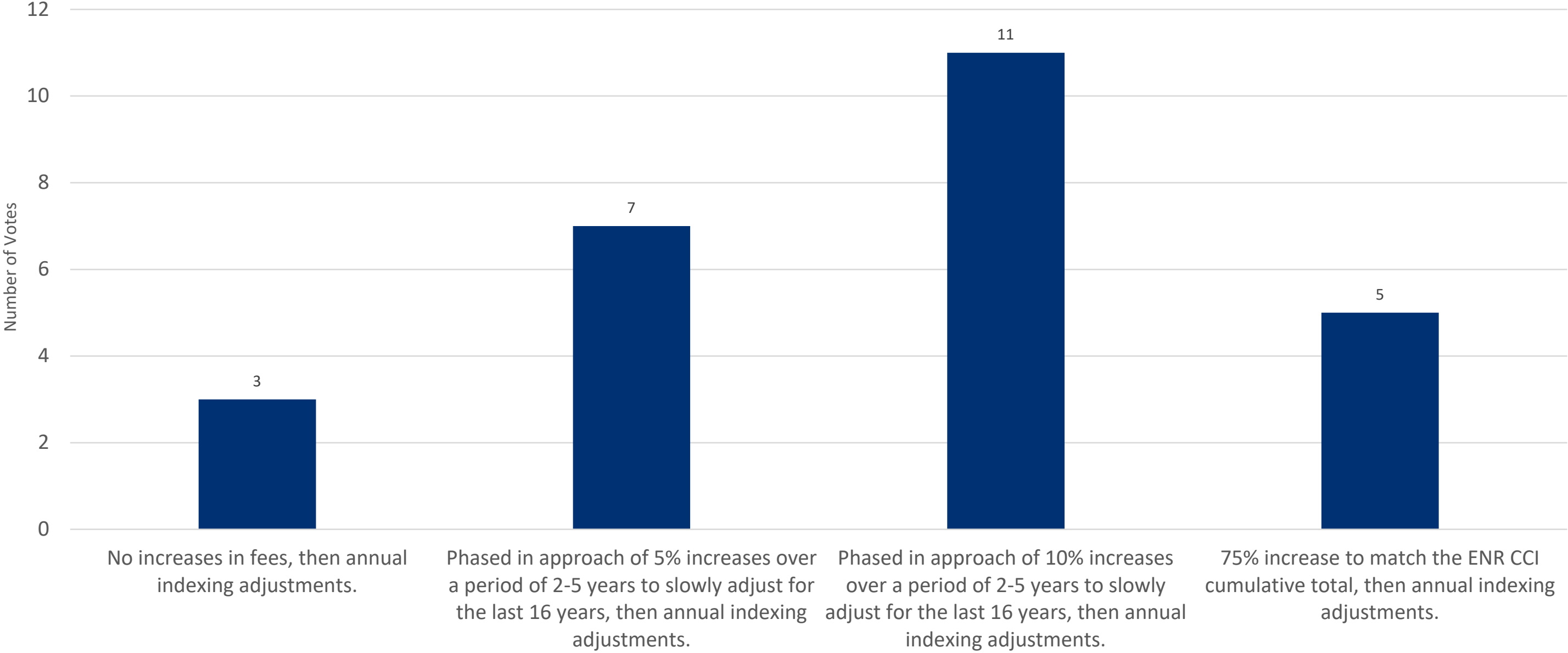
Recommendation 4 - Feedback

- Feedback from the public workshop resulted in the majority of participants in favor of increasing fees with annual indexing adjustments; however, responses on how to approach the fee increases were evenly distributed between the phased approach of 5% over 2-5 years, phased approach of 10% over 2-5 years, and a 75% increase to match the ENR CCI cumulative.

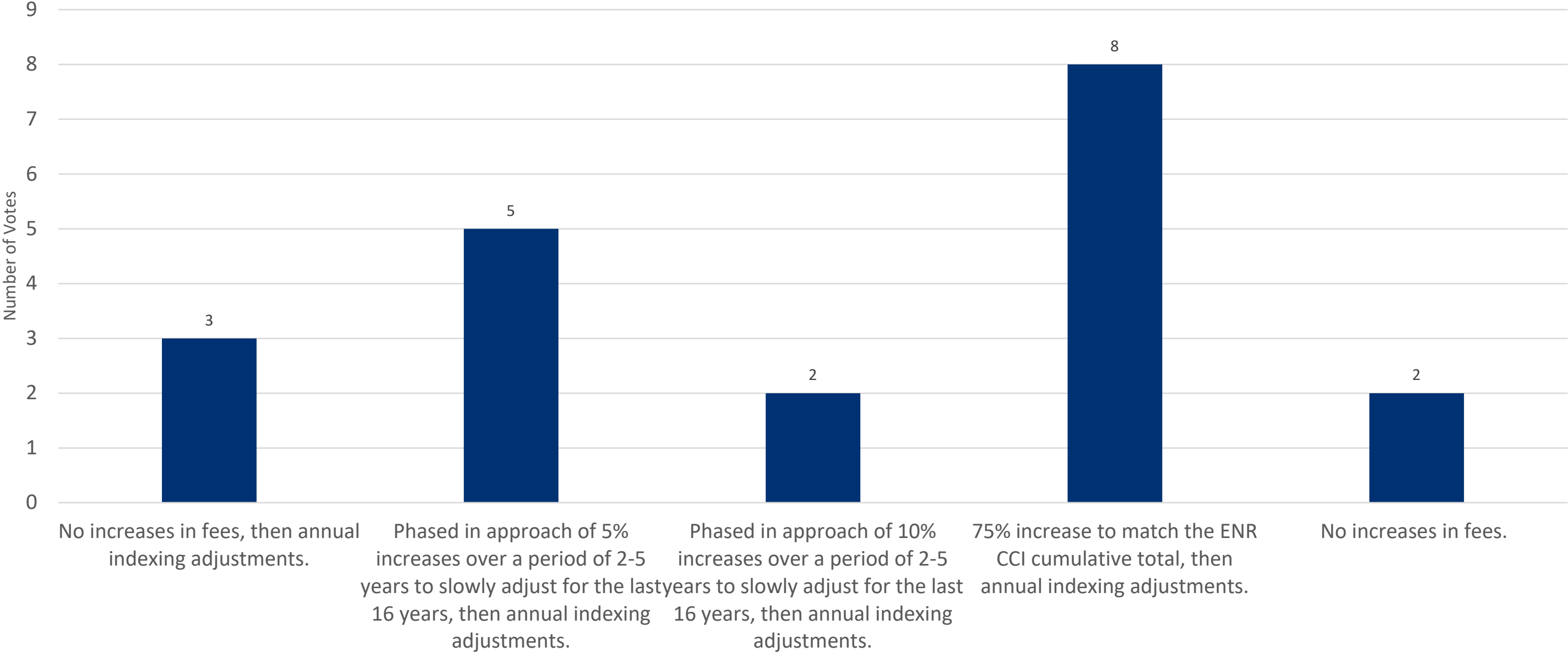
QUESTION #9: PLEASE RANK THE CHOICES FOR GRADUATED FEE INCREASES FROM 1 (MOST PREFERRED) TO 5 (LEAST PREFERRED). [#1 CHOICE]



QUESTION #9: PLEASE RANK THE CHOICES FOR GRADUATED FEE INCREASES FROM 1 (MOST PREFERRED) TO 5 (LEAST PREFERRED). [#2 CHOICE]



QUESTION #9: PLEASE RANK THE CHOICES FOR GRADUATED FEE INCREASES FROM 1 (MOST PREFERRED) TO 5 (LEAST PREFERRED). [#3 CHOICE]



Open Space Fee Creation

- In Fall 2022, NCC Council adopted a resolution to spend \$7.5 million over 3 years
 - FY 22 budget has \$1.5 million for Agriculture Land Preservation and \$1 million for Open Space Preservation
- In NCC, there is an average of 2,000 residential building permits/year and 4 million sf/year of non-residential development
- Assessing Open Space/Land Preservation Impact Fees could provide \$750,000 per year
 - 30% of each fiscal year's funding goal

Proposed Open Space Impact Fee

- **What priorities should be evaluated if NCC were to consider creating an Open Space/Land Preservation Impact Fee?**

RESIDENTIAL Per Housing Unit	Enact
Single-family detached	\$ 377
Single-family attached	\$ 350
All other housing*	\$ 255
NONRESIDENTIAL Per 1,000 Square Feet of Floor Area**	
Commercial/shopping center (less than 60,000 sf. GFA)	\$ 62
Commercial/shopping center (60,000 sf. to 200,000 sf. GFA)	\$ 48
Commercial/shopping center (greater than 200,000 sf. GFA)	\$ 41
Office/institutional (less than 10,000 sf. GFA)	\$ 52
Office/institutional (10,000 sf. to 50,000 sf. GFA)	\$ 74
Office/institutional (greater than 50,000 sf. GFA)	\$ 70
Business park	\$ 60
Light industrial	\$ 43
Warehousing	\$ 24
Manufacturing	\$ 33

Recommendation 5 - Feedback

- Comments received on the evaluation of priorities regarding an Open Space Fee did not provide a clear consensus Some workshop participants and survey respondents stated the Open Space Fee should be included in the Parks Fee or included in parks infrastructure for improvements. Others were against the concept all together.

Redevelopment

- NCC's existing code provides many incentives for redevelopment and brownfields on non-residential uses and sites.
- Including processing plans as minor subdivisions and allowing for additional gross floor area.
 - Redevelopment or brownfield development may repurpose a use that was exempt from or assessed minimal impact fees to a use that would have a much higher demand on services
- A waiver would be appropriate for redevelopment or brownfield development there would be no necessary increase in the capital costs needed to supply services
- Some redevelopment projects will increase the need for capital investments and services that are funded through impact fees.

Redevelopment (continued)

- Should NCC considering a Redevelopment Impact Fee where:
 - Assess a prorated impact fee based on the difference between the historical use and the proposed use.
 - If adopted, the new open space impact fee would be waived since this type of development supports infill and reuse of existing properties
 - Brownfields would be exempted
- **What is your opinion on the Redevelopment Impact Fee, as proposed?**

Recommendation 6 - Feedback

- Feedback received from the public workshop on the implementation of a Redevelopment Fee were also mixed with some respondents in favor and others opposed.

Final Recommendations

For Consideration by NCC Council

1. Implement a surcharge to cover the additional costs associated with development in Levels 3 and 4; NCC will conduct additional research to determine the actual cost of providing services to these areas and will modify proposed percentages accordingly.
2. Add the following new categories to the impact fee table:
 - Multi-use Residential (Apartments, Commercial Apartments, Apartment Conversions)
 - Institutional Uses (private)
 - Commercial Lodging
 - Restaurants
 - The County should consider whether multiple restaurant categories should be broken out to differentiate between fast-food restaurants and sit-down restaurants. Then analysis should be conducted to determine the appropriate fee level that should not be based on the number of cars visiting the facility since this is not a transportation/mobility impact fee, but instead the number of EMS visits and impact on capital infrastructure.

For Consideration by NCC Council

3. Establish a scale-based system based on the home price relative to the AMI.
 - >120% of AMI => 75%
 - 100 – 120% => 50%
 - 80 – 100% => 25%
 - <80% => No fee assessed
4. Consider increasing current Impact Fees in a phased approach of 10% per year for 3 years, then annually adjust the fee for ENR CCI.
5. Further explore the option of an additional impact fee category to fund Open Space as this would align with the County's goal for dedicated Open Space funding.
6. Continue to work with developers to determine if the waiver on impact fees is a deciding factor in redevelopment and/or brownfield development. NCC should also consult with the Public Works Department and Emergency Services to determine actual losses to do upzoning redevelopment cases.

RESOLUTION NO. 24-177

COMMEMORATING THE LAFAYETTE BICENTENNIAL TOUR

1 **WHEREAS**, Marie-Joseph Paul Yves Roch Gilbert du Motier de La Fayette,
2 Marquis de La Fayette, known in the United States as Lafayette, was a French
3 nobleman and military officer who volunteered to join the Continental Army, led by
4 General George Washington, in the American Revolutionary War. Both Masons,
5 Lafayette and Washington became friends; and
6

7 **WHEREAS**, Lafayette fought in the Battle of the Brandywine, in which he was
8 wounded, and was ultimately permitted to command Continental Army troops in the
9 decisive Siege of Yorktown in 1781, the Revolutionary War's final major battle that
10 secured American independence. After returning to France, Lafayette became a key
11 figure in the French Revolution of 1789 and the July Revolution of 1830 and continues
12 to be celebrated as a hero in both France and the United States; and
13

14 **WHEREAS**, In 1824, the United States was in the throes of a very contentious
15 national presidential election. Our country was divided and in turmoil. President James
16 Monroe invited the last living American General from the Revolutionary War for a short
17 tour of popular cities as a means to unite the country and as a way to celebrate the
18 nation's 50th anniversary and reignite its patriotism as the "Nation's Guest"; and
19

20 **WHEREAS**, The American Friends of Lafayette's Bicentennial Committee has
21 organized celebratory events in the 24 states that the Marquis visited when he returned
22 to America between 1824-1825 to bring attention to this remarkable man and his 13-
23 month, 6,000-mile journey to visit the country he helped found; and
24

25 **WHEREAS**, Lafayette's Bicentennial Tour of America includes four iconic
26 Delaware locations which the Marquis visited. The Robinson House in Claymont is one
27 of the participating locations where the Claymont Historical Society is hosting tours,
28 children's activities, wool spinning demonstrations, and a colonial war encampment,
29 including a visit from the Marquis, from 11:30 AM - 4:00 PM on October 6, 2024.
30

31 **NOW, THEREFORE, BE IT RESOLVED** by and for the County Council of New
32 Castle County that County Council hereby commemorates the Lafayette Bicentennial
33 Tour.

Adopted by County Council
of New Castle County on:

Karen Hartley-Nagle
President of County Council
of New Castle County

SYNOPSIS: Same as title

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