



NEW CASTLE COUNTY COUNCIL ADMINISTRATIVE-FINANCE COMMITTEE MEETING

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

**September 27, 2022
5:00 PM**

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

AGENDA

A. Call To Order/Roll Call

B. Approval of Minutes - 9/13/22

C. Review/Discussion of Resolution(s)

R22-186: AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH SUPPORTING KIDDS, INC., FOR THE AMOUNT OF \$175,500.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-187: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH DUFFY'S HOPE INC. TO SUPPORT CLIENT SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$10,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-188: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH YWCA DELAWARE INC. TO SUPPORT CLIENT SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$9,500.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-189: AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH YWCA DELAWARE INC. TO SUPPORT CLIENT SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF \$15,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-190: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER WITH THE NEW CASTLE CONSERVATION DISTRICT FOR THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF SEWER OPERATIONS ADMINISTRATION IN THE AMOUNT OF \$75,000.00 Introduced by: Mr. Smiley, Mr. Cartier

R22-191: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A FINANCING AGREEMENT WITH THE DELAWARE CLEAN WATER STATE REVOLVING LOAN FUND, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES

AND ENVIRONMENTAL CONTROL, IN AN AMOUNT NOT TO EXCEED \$7,750,000, TO FUND INCREASED CAPACITY FOR THE AIRPORT ROAD SANITARY SYSTEM ORIGINAL INTERCEPTOR REVITALIZATION, AS PART OF THE AIRPORT ROAD SYSTEM REHABILITATION CAPITAL PROJECT; PROVIDING FOR THE PURCHASE OF THE BOND; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH Introduced by: Mr. Sheldon, Mr. Woods

D. Review/Discussion of Ordinance(s)

°22-113: AMEND THE FY2023 APPROVED OPERATING BUDGET: APPROPRIATE \$60,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE ACCOUNT TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND STRATEGIC ADVISORY SERVICES Introduced by: Mr. Smiley, Mr. Cartier

E. New Castle County Grant Requests/Community Events

F. Expense and Revenue Round Table

G. Other

- ARPA Update - Aundrea Almond, Chief of Staff
- Travel Request for Councilman Carter

H. Public Comment


I. Adjournment

AGENDA POSTED: Tuesday, September 20, 2022

AGENDA UPDATED - The agenda was updated 7 days in advance of the meeting to include a travel request approval.

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

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

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

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

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

RESOLUTION NO. 22-186

**AUTHORIZING THE EXECUTION OF A SUBAWARD AGREEMENT WITH
SUPPORTING KIDDS, INC., FOR THE AMOUNT OF \$175,500.00**

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

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

WHEREAS, the Ordinances appropriated funding for Building Better Communities, which contemplated providing funds for Supporting Kidds, Inc., (“Supporting Kidds”) to provide grief support groups in New Castle County schools and supplemental therapy services for grieving children, many of whom have lost a parent or sibling; and

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

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

WHEREAS, the subaward agreement with Supporting Kidds contemplates transfers of up to \$175,500.00 for Supporting Kidds to implement the School Grief Groups and Individual Therapy Project, a wraparound service that provides group and individual therapy to help grieving children, and allows children to get help while at schools and applies no financial, transportation, or other barrier to receiving group or individual therapy services, addressing the increased need for bereavement services due to the COVID-19 pandemic and the loss many children and families are experiencing.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Administration, Office of Finance

Supporting Kidds, Inc. \$175,500.00

FISCAL IMPACT: This Resolution authorizes the execution of one subaward agreement totaling \$175,500.00. Funding is included in the FY2023 Approved Grant Budget in the American Rescue Plan Act Grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION					
NAME	Ben Morris-Levenson			FISCAL YR	2023	NAME	Supporting Kids, Inc.		
DEPARTMENT	ADMINISTRATION_12			FUND	110 GRANTS	ADDRESS	1213 Old Lancaster Pike		
ORGANIZATION	11122013 ADMIN - FIN - GRANTS						Hockessin, DE 19707		
PHONE	302-395-5126			REQ#	TBD				
DELIVERY LOCATION	N/A								
SEND VENDOR PO	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			CONTACT NAME	Louise Cummings		
CURRENT VENDOR	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			PHONE	202-424-3050	EXT	
VENDOR #	107230					EMAIL	louise.cummings@supportingkids.org	FAX #	

ADDITIONAL NOTES	

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

For Supporting Kidds, Inc., ("Supporting Kidds") to provide grief support groups in New Castle County schools and supplemental therapy services for grieving children, many of whom have lost a parent or sibling.

For Supporting Kidds to implement the School Grief Groups and Individual Therapy Project, to provide group and individual therapy to help grieving children, and allows children to get help while at schools and applies no financial, transportation, or other barrier to receiving group or individual therapy services, addressing the increased need for bereavement services due to the COVID-19 pandemic.

Supporting Kidds will not have the funds to implement the School Grief Groups and Individual Therapy Project, and grieving children in New Castle County schools will not benefit from the planned group and individual therapy services that would address the increased need for bereavement services due to the COVID-19 pandemic.

[illegible]

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 27, 2022

RESOLUTION NO. 22-187

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH DUFFY’S HOPE INC. TO
SUPPORT CLIENT SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF
\$10,000.00**

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

WHEREAS, this contract is an agreement between New Castle County and Duffy’s Hope, Inc. in an amount not to exceed \$10,000.00 in Community Development Block Grant (CDBG) funds; and

WHEREAS, CDBG funds are allocated to New Castle County on a formula basis with a portion made available to agencies/programs on a competitive basis and fifteen percent of the allocation dedicated to funding public service activities; and

WHEREAS, these funds will be used to support client services; and

WHEREAS, there have already been contracts involving the expenditure of funds to this vendor exceeding the threshold of \$50,000.00 in aggregate to one vendor in a fiscal year.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

Duffy’s Hope, Inc. \$10,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$10,000.00. Funding is included in the FY2023 Approved Grant Budget in the FY2023 CDBG grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION						
NAME	Nicole Waters			FISCAL YR	2023	NAME	Duffys Hope Inc.			
DEPARTMENT	COMMUNITY_SERVICES_40			FUND	110 GRANTS	ADDRESS	100 W 10th Street			
ORGANIZATION	11400601 CS - GRANTS						Wilmington, DE 19801			
PHONE	302-395-5644			REQ#	2301420					
DELIVERY LOCATION										
SEND VENDOR PO	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			CONTACT NAME				
CURRENT VENDOR	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			PHONE	302-652-3532		EXT	
VENDOR #	101169					EMAIL			FAX #	

						GRANT or PROJECT #/
ITEM#	QTY	DESCRIPTION	UNIT PRICE	TOTAL	OBJ LEVEL	DETAIL / LOCATION
	1	FY23 CDBG 48th Program Year Pass Thru Grant. Duffy's Hope	10,000.00	\$10,000.00	57210	G40400030
				\$0.00		1000000308
				\$0.00		0000000000
				\$0.00		57210
				\$0.00		G4019
				\$0.00		
				\$0.00		
				\$0.00		
			TOTAL	\$10,000.00		

ADDITIONAL NOTES	

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

An agreement between New Castle County and Duffy's Hope in a grant not to exceed \$10,000.00 in Community Development Block Grant (CDBG). These funds will support client services.

CDBG funds are allocated to New Castle County on a formula basis. A portion of the CDBG funding is made available to agencies/programs on a competitive basis; fifteen percent of the

EBDS funds are allocated to New Castle County on a formula basis. A portion of the EBDs funding is made available to agencies/programs on a competitive basis, fifteen percent of the allocation is dedicated to funding public service activities.

Unallocated federal funds could revert to the federal government.

V. IS THIS A PASS THROUGH GRANT?		<input checked="checked" type="checkbox"/> YES <input type="checkbox"/> NO	IF YES, AGENCY
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IF YES, AGENCY	
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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 27, 2022

RESOLUTION NO. 22-188

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH YWCA DELAWARE INC.
TO SUPPORT CLIENT SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF
\$9,500.00**

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

WHEREAS, this contract is an agreement between New Castle County and YWCA Delaware Inc. in an amount not to exceed \$9,500.00 in Community Development Block Grant (CDBG) funds; and

WHEREAS, CDBG funds are allocated to New Castle County on a formula basis with a portion made available to agencies/programs on a competitive basis and fifteen percent of the allocation dedicated to funding public service activities; and

WHEREAS, these funds will be used to support client services; and

WHEREAS, there have already been contracts involving the expenditure of funds to this vendor exceeding the threshold of \$50,000.00 in aggregate to one vendor in a fiscal year.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

YWCA Delaware Inc. \$9,500.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$9,500.00. Funding is included in the FY2023 Approved Grant Budget in the FY2023 CDBG grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION						
NAME	Nicole Waters			FISCAL YR	2023	NAME	YWCA Delaware Inc.			
DEPARTMENT	COMMUNITY_SERVICES_40				FUND	110 GRANTS	ADDRESS	100 W 10th St Suite 515		
ORGANIZATION	11400601 CS - GRANTS							Wilmington, DE 19801		
PHONE	302-395-5644				REQ#	2301482				
DELIVERY LOCATION										
SEND VENDOR PO	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			CONTACT NAME				
CURRENT VENDOR	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO		PHONE	302-655-0039		EXT		
VENDOR #	100393				EMAIL			FAX #		

ADDITIONAL NOTES	

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

An agreement between New Castle County and YWCA Delaware Inc. in a grant not to exceed \$9,500.00 in Community Development Block Grant (CDBG). These funds will support client services.

CDBG funds are allocated to New Castle County on a formula basis. A portion of the CDBG funding is made available to agencies/programs on a competitive basis; fifteen percent of the allocation is dedicated to funding public service activities.

Unallocated federal funds could revert to the federal government.

VI. OTHER, PLEASE EXPLAIN

9/2/2022

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 27, 2022

RESOLUTION NO. 22-189

**AUTHORIZING THE EXECUTION OF ONE CONTRACT WITH YWCA DELAWARE INC.
TO SUPPORT CLIENT SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES,
DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING IN THE AMOUNT OF
\$15,000.00**

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

WHEREAS, this contract is an agreement between New Castle County and YWCA Delaware Inc. in an amount not to exceed \$15,000.00 in Emergency Solutions Grant (ESG) funds; and

WHEREAS, ESG funds are allocated to New Castle County on a formula basis with a portion made available to agencies/programs on a competitive basis and fifteen percent of the allocation dedicated to funding public service activities; and

WHEREAS, these funds will be used to support client services; and

WHEREAS, there have already been contracts involving the expenditure of funds to this vendor exceeding the threshold of \$50,000.00 in aggregate to one vendor in a fiscal year.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Community Services, Division of Community Development and Housing

YWCA Delaware Inc. \$15,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one contract totaling \$15,000.00. Funding is included in the FY2023 Approved Grant Budget in the FY2023 ESG grant.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION				
NAME	Nicole Waters			FISCAL YR	2023	NAME	YWCA Delaware Inc.	
DEPARTMENT	COMMUNITY_SERVICES_40			FUND	110 GRANTS	ADDRESS	100 W 10th St Suite 515	
ORGANIZATION	11400601 CS - GRANTS						Wilmington, DE 19801	
PHONE	302-395-5644			REQ#	2301507			
DELIVERY LOCATION								
SEND VENDOR PO	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			CONTACT NAME		
CURRENT VENDOR	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			PHONE	302-655-0039	EXT
VENDOR #	100393					EMAIL		FAX #

ADDITIONAL NOTES	

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

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

IV. IS THIS A SOLE SOURCE CONTRACT?			
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO		

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Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 27, 2022

RESOLUTION NO. 22-190

**AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER WITH
THE NEW CASTLE CONSERVATION DISTRICT FOR THE DEPARTMENT OF
PUBLIC WORKS, DIVISION OF SEWER OPERATIONS ADMINISTRATION IN THE
AMOUNT OF \$75,000.00**

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

WHEREAS, this purchase order for \$75,000.00 is to comply with 7 *Del. C.* § 3922 in providing local funding match to the New Castle Conservation District; and

WHEREAS, the funds provide for drainage and water quality improvement projects to be planned, designed and constructed by the New Castle Conservation District in New Castle County.

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

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

Department of Public Works, Division of Sewer Operations Administration

New Castle Conservation District \$75,000.00

FISCAL IMPACT: This Resolution authorizes the execution of one purchase order totaling \$75,000.00. Funding is included in the FY2023 Approved Operating Budget.

Michael Smith
Chief Financial Officer

REQUISITIONER INFORMATION				VENDOR INFORMATION					
NAME	Michael Harris			FISCAL YR	2023	NAME	New Castle Conservation District		
DEPARTMENT	PUBLIC_WORKS_30			FUND	500 SEWER OP	ADDRESS	2430 Old County Road		
ORGANIZATION	50300501 PW - STORMWATER & ENVIR P						Newark, DE 19702		
PHONE	302-395-5806			REQ#	2023/2304131				
DELIVERY LOCATION	Conner Bldg								
SEND VENDOR PO	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			CONTACT NAME	Bruce Maccolley		
CURRENT VENDOR	<input checked="" type="checkbox"/> YES		<input type="checkbox"/> NO			PHONE	302-365-8971	EXT	
VENDOR #	100243					EMAIL	Bruce.Maccolley@delaware.gov	FAX #	

ADDITIONAL NOTES	

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

Delaware State Code Title 7 Chapter 39 Section 3922 requires each of the three counties to provide \$75,000 in matching funds to their respective conservation districts.

It is mandated by Delaware State Code and the districts provide a valuable service to our constituents in assisting with drainage and water quality improvement.

New Castle County will be out of compliance and may face penalties.

IF YES, AGENCY	
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[illegible]

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Introduced by: Mr. Sheldon, Mr. Woods
Date of Introduction: September 27, 2022

RESOLUTION NO. 22-191

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A FINANCING AGREEMENT WITH THE DELAWARE CLEAN WATER STATE REVOLVING LOAN FUND, ACTING BY AND THROUGH THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, IN AN AMOUNT NOT TO EXCEED \$7,750,000, TO FUND INCREASED CAPACITY FOR THE AIRPORT ROAD SANITARY SYSTEM ORIGINAL INTERCEPTOR REVITALIZATION, AS PART OF THE AIRPORT ROAD SYSTEM REHABILITATION CAPITAL PROJECT; PROVIDING FOR THE PURCHASE OF THE BOND; AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the County Council (the “Council”) of New Castle County (the “County”) has, by the enactment of Ordinance No. 22-xxx (the “Bond Ordinance”), authorized the issuance of its negotiable general obligation bonds for public purposes, including rehabilitation and reactivation of abandoned interceptor that runs parallel to the active south Christiana interceptor for the Airport Road Sanitary System Original Interceptor Revitalization Project to increase capacity (the “Project”); and

WHEREAS, the Project is part of the ongoing efforts to improve and maintain the existing sanitary sewer system and to prevent sanitary sewer overflows which have negative environmental and public health impacts on wildlife, residents and commercial entities; and

WHEREAS, pursuant to and in accordance with the 9 *Del. C.* § 1163, as amended, the Bond Ordinance and this Resolution, the County desires to (i) issue its General Obligation Bond (Airport Road Sanitary System), Series of 2022A-WPCRF, or such other designation as the County shall determine at the time of issuance, in the maximum principal amount not to exceed \$7,750,000 (the “Bond”) and (ii) authorize the County Executive to determine the final terms and conditions of the Bond and to sell the Bond in a negotiated sale to the Delaware Clean Water State Revolving Loan Fund (the “Fund”), acting by and through Delaware Department of Natural Resources and Environmental Control (“DNREC”); and

WHEREAS, the Bond will be issued under, and subject to, the terms and conditions contained in that certain financing agreement dated as of the date of closing, by and between the County and the Fund (the “Financing Agreement”) and pursuant to a binding commitment letter dated June 21, 2022 from DNREC to the County; and

WHEREAS, the loan interest rate shall be 2% for a term of 20 years. The Bond and the Financing Agreement will include the repayment provisions of the Bond, to include the payment of semi-annual interest only payments during the period commencing with the date of Closing (“Closing”) on the Loan through and including the payment date following the date on which the Project is completed based on cumulative loan draws. Upon completion of the project, principal

and interest payments shall be due semi-annually in an amount sufficient to amortize the outstanding balance over 20 years.

WHEREAS, the County has determined that it is not necessary to appoint a fiscal agent or payment agent in connection with the issuance of the Bond; and

WHEREAS, by the adoption of this Resolution, the Council desires to exercise the authority delegated to it under the Bond Ordinance and, on behalf of the County, to approve the execution and delivery of the Financing Agreement, the Bond and any other documents required to be delivered in connection with the issuance of the Bond.

NOW, THEREFORE, BE IT RESOLVED by and for the County Council of New Castle County that County Council hereby approves the following:

Section 1. The Bond. The County hereby authorizes the issuance of its General Obligation Bond (Airport Road Sanitary System), Series of 2022A-WPCRF, or such other designation as the County shall determine at the time of issuance, in a principal amount not to exceed \$7,750,000, pursuant to and in accordance with Title 9 *Del. C.* § 1163 for the purpose of financing (i) the Project and (ii) the costs associated with issuing the Bond. The Bond shall be in such principal amount (not to exceed \$7,750,000), shall bear such rate or rates of interest, shall mature in such principal amounts and on such dates, shall be subject to redemption, shall be sold at such price and in such manner, and shall be in such form and contain or be subject to such other terms and conditions, as shall be determined by the County Executive.

Section 2. Purpose. The Bond shall be issued for the purpose of financing the Project, which consists of rehabilitation and reactivation of abandoned interceptor that runs parallel to the active South Christiana Interceptor to increase capacity, pursuant to and in accordance with Title 9 *Del. C.* § 1163, as amended, and the Bond Ordinance.

Section 3. Sale of Bond. The County hereby approves the sale of the Bond to the Fund acting by and through DNREC.

Section 4. Security for the Bond. The full faith, credit and taxing power of the County is hereby pledged to the prompt payment of the principal of, premium, if any, and the interest on the Bond. The Bond shall be the direct and unlimited obligation of the County, and unless paid from other sources, the County shall levy *ad valorem* taxes upon all taxable property in the County for the payment of the Bond subject to the limitation contained in applicable law.

Section 5. Financing Agreement. The Financing Agreement shall be in such form and contain or be subject to such other terms and conditions as shall be determined by the County Executive, subject only to such changes and modifications as counsel may recommend and the County Executive may approve, which approval shall be conclusively evidenced by his execution thereof.

Section 6. No Paying Agent. The County hereby determines that it is not necessary to appoint a paying agent in connection with the issuance of the Bond and declines to make such appointment.

Section 7. Further Action. The County Executive is hereby authorized to approve or execute such other documents and to take such other actions as shall be necessary or appropriate for the issuance of the Bond, or to implement the terms of the Financing Agreement, as contemplated by the Bond Ordinance and this Resolution of the County.

Section 8. Effective Date. This Resolution shall become effective immediately upon its approval by Council.

Adopted by County Council of
New Castle County on:

President of County Council of
New Castle County

SYNOPSIS: This Resolution authorizes the County Executive to execute a financing agreement with the Delaware Clean Water State Revolving Fund, acting by and through the Delaware Department of Natural Resources and Environmental Control, in an amount not to exceed \$7,750,000 for the purpose of rehabilitation and reactivation of abandoned interceptor that runs parallel to the active South Christiana Interceptor to increase capacity for the Airport Road Sanitary System Original Interceptor Revitalization, as part of the Airport Road System Rehabilitation Capital Project. This Resolution allows the Bond to be sold to the Delaware Clean Water State Revolving Fund and authorizes the County Executive to execute various documents in connection with the issuance of the Bond and implementation of the financing agreement.

FISCAL IMPACT: This Resolution pledges the full faith, credit and taxing power of the County to the prompt payment of the principal of, premium, if any, and the interest on the Bond.

Introduced by: Mr. Smiley, Mr. Cartier
Date of introduction: September 13, 2022

ORDINANCE NO. 22-113

**AMEND THE FY2023 APPROVED OPERATING BUDGET:
APPROPRIATE \$60,000 FROM THE GENERAL FUND TAX STABILIZATION RESERVE
ACCOUNT TO THE DEPARTMENT OF COUNTY EXECUTIVE TO FUND STRATEGIC
ADVISORY SERVICES**

WHEREAS, funding in the amount of \$60,000 is needed for a contract with Smith Dawson & Andrews to collaborate with County officials on the development of a New Castle County Federal Agenda focused on federal grants, appropriations, authorizing legislation, public policy, and government regulation;

WHEREAS, due in part to passage of the American Rescue Plan Act of 2021, the Infrastructure Investment and Jobs Act, the Inflation Reduction Act, and the return of Congressionally directed spending, also known as earmarks, there are increasing federal funding opportunities for local governments like New Castle County;

WHEREAS, in January, 2022 Smith, Dawson & Andrews, a Washington D.C. based lobbyist, was hired through a competitive RFP on a trial basis to help New Castle County identify and apply for federal funding opportunities. Based on that trial period, New Castle County will continue to benefit from the expertise of Smith, Dawson & Andrews; and

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

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

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

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

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

Adopted by County Council of
New Castle County on:

President of County Council
of New Castle County

Approved on:

County Executive
New Castle County

SYNOPSIS: This Ordinance, if approved, amends the FY2023 Approved Operating Budget by appropriating \$60,000 from the General Fund Tax Stabilization Reserve Account to the Department of County Executive Contractual Services Budget Line Item. These funds will support strategic advisory services.

FISCAL NOTE: This Ordinance, if approved, will amend the FY2023 Approved Operating Budget by appropriating \$60,000 from the General Fund Tax Stabilization Reserve Account to the Department of County Executive Contractual Services Budget Line Item. These funds will support strategic advisory services.

The revised FY2023 Approved Operating Budget will be \$318,775,112. Fiscal impact for future years will be determined on an as needed basis. The General Fund Tax Stabilization Reserve balance (unaudited) upon passed of this Ordinance will be \$69,586,511.

COUNTY COUNCIL

Salaries and Wages		\$	2,402,572
Benefits			1,419,731
Training and Civic Affairs			79,888
Communication and Utilities			19,506
Materials and Supplies			62,542
Contractual Services			240,087
Equipment			1,600
Grants and Fixed Charges			310,094
Operating Transfer Charges			144,715
Total		\$	4,680,735
Total Authorized Full-Time Positions	35		

COUNTY EXECUTIVE

Salaries and Wages		\$	1,620,891
Benefits			957,820
Training and Civic Affairs			31,904
Communication and Utilities			15,280
Materials and Supplies			22,236
Contractual Services	88,991		148,991
Equipment			1,000
Grants and Fixed Charges			143,000
Contingency			55,000
Operating Transfer Charges			75,861
Total	3,011,983	\$	<u>3,071,983</u>
Total Authorized Full-Time Positions	14		

DEPARTMENT OF ADMINISTRATION

Salaries and Wages		\$	12,042,398
Benefits			7,020,831
Training and Civic Affairs			130,625
Communication and Utilities			6,919,323
Materials and Supplies			155,647
Contractual Services			6,488,271
Equipment			389,900
Grants and Fixed Charges			3,834,000
Operating Transfer Charges			1,020,448
Operating Transfer Credits			(11,775,518)
Total		\$	26,225,925
Total Authorized Full-Time Positions	166		

DEPARTMENT OF PUBLIC WORKS

Salaries and Wages	\$	24,542,855
Benefits		14,385,376
Training and Civic Affairs		42,945
Communication and Utilities		24,780,927
Materials and Supplies		4,398,385
Contractual Services		9,219,575
Equipment		762,764
Grants and Fixed Charges		1,193,757
Land and Structures		35,000
Operating Transfer Charges		4,402,788
Operating Transfer Credits		(7,359,063)
Total	\$	76,405,309
Total Authorized Full-Time Positions		379

DEPARTMENT OF LAND USE

Salaries and Wages	\$	8,547,554
Benefits		5,025,008
Training and Civic Affairs		68,665
Communication and Utilities		112,225
Materials and Supplies		118,127
Contractual Services		1,532,591
Equipment		55,175
Grants and Fixed Charges		31,500
Operating Transfer Charges		1,111,742
Operating Transfer Credits		(800,651)
Total	\$	15,801,936
Total Authorized Full-Time Positions		118

DEPARTMENT OF COMMUNITY SERVICES

Salaries and Wages	\$	11,407,432
Benefits		5,184,613
Training and Civic Affairs		20,085
Communication and Utilities		945,633
Materials and Supplies		1,384,163
Contractual Services		2,294,587
Equipment		17,900
Grants and Fixed Charges		3,110,149
Operating Transfer Charges		1,219,665
Operating Transfer Credits		(188,230)
Total	\$	25,395,997
Total Authorized Full-Time Positions		161

DEPARTMENT OF PUBLIC SAFETY

Salaries and Wages	\$	62,634,574
Benefits		36,578,078
Training and Civic Affairs		158,194
Communication and Utilities		1,021,943
Materials and Supplies		1,251,037
Contractual Services		2,122,116
Equipment		1,430,785
Grants and Fixed Charges		6,458,350
Operating Transfer Charges		7,576,912
Total	\$	119,231,989
Total Authorized Full-Time Positions		711

REGISTER OF WILLS

Salaries and Wages	\$	1,118,686
Benefits		642,551
Training and Civic Affairs		35,150
Communication and Utilities		12,266
Materials and Supplies		9,062
Contractual Services		14,770
Equipment		1,950
Operating Transfer Charges		80,523
Total	\$	1,914,958
Total Authorized Full-Time Positions		19

RECORDER OF DEEDS

Salaries and Wages	\$	1,268,310
Benefits		737,299
Training and Civic Affairs		43,170
Communication and Utilities		33,977
Materials and Supplies		12,898
Contractual Services		81,446
Equipment		8,000
Grants and Fixed Charges		15,000
Operating Transfer Charges		150,152
Total	\$	2,350,252
Total Authorized Full-Time Positions	24	

SHERIFF

Salaries and Wages	\$	1,246,585
Benefits		732,842
Training and Civic Affairs		29,452
Communication and Utilities		16,181
Materials and Supplies		20,684
Contractual Services		56,398
Equipment		5,000
Operating Transfer Charges		158,555
Total	\$	2,265,697
Total Authorized Full-Time Positions	21	

CLERK OF THE PEACE

Salaries and Wages	\$	461,658
Benefits		272,804
Training and Civic Affairs		14,130
Communication and Utilities		5,256
Materials and Supplies		5,424
Contractual Services		23,593
Operating Transfer Charges		30,639
Total	\$	813,504
Total Authorized Full-Time Positions	7	

DEBT SERVICE

Debt Service	\$	46,374,026
Total	\$	46,374,026
Total Authorized Full-Time Positions		

ETHICS COMMISSION

Salaries and Wages	\$	38,000
Benefits		3,950
Training and Civic Affairs		10,500
Communication and Utilities		2,223
Materials and Supplies		2,450
Contractual Services		291,116
Equipment		500
Operating Transfer Charges		6,066
Total	\$	354,805
Total Authorized Full-Time Positions	0	

COUNCIL CONTINGENCY

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

EXECUTIVE CONTINGENCY

Contingency	\$	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	\$	(4,924,511)
Personal Services - Employee Benefits	\$	(2,910,011)
Total	\$	(7,834,522)
Total Authorized Full-Time Positions		

ONE-TIME CONTINGENCY

Contingency	\$	717,518
Total	\$	717,518

NEW CASTLE COUNTY

Salaries and Wages		\$	122,407,004
Benefits			70,050,892
Training and Civic Affairs			664,708
Communication and Utilities			33,884,740
Materials and Supplies			7,442,655
Contractual Services	22,453,541		<u>22,513,541</u>
Equipment			2,674,574
Grants and Fixed Charges			15,095,850
Debt Service			46,374,026
Land and Structures			35,000
Contingency			1,777,518
Operating Transfer Charges			15,978,066
Operating Transfer Credits			(20,123,462)
<i>Sub-Total New Castle County</i>	<i>318,715,112</i>	\$	<u>318,775,112</u>
<i>Total Authorized Full-Time Positions</i>	<i>1,655</i>		

RESERVE ACCOUNTS AS OF JULY 26, 2022

Tax Stabilization Reserve Account (Unaudited)	69,646,511		<u>69,586,511</u>
Sewer Rate Stabilization Reserve Account (Unaudited)			11,039,209
General Fund Budget Reserve Account			44,845,412
Sewer Fund Budget Reserve Account			18,362,788
<i>Total Reserves:</i>	<i>143,893,920</i>		<u>143,833,920</u>

NEW CASTLE COUNTY
TRAVEL & TRAINING EXPENSE FORM

EMPLOYEE NAME

David Carter

TELEPHONE

302-395-8366

TITLE

Councilman

DEPARTMENT

County Council

DESTINATION

Chicago, IL

OCA - GRANT/PROJECT

DATES

11/30/22-12/03/22

PURPOSE

NACo Large Urban County Conference

	Obj												
	Lvl												
Dates	11/30/2022	12/01/2022	12/02/2022	12/03/2022					TOTALS				
TRANSPORTATION													
Airfare	\$125			\$125					\$250	2001			
Trainfare									-	2002			
Taxi & Shuttle	\$30			\$30					\$60	2003			
Tolls									-	2005			
Parking									-	2006			
Total						\$	-	\$	-	\$310			
MILEAGE													
Actual miles													
Allowable Rate													
Total	\$	\$	-	\$	-	\$	-	\$	-	\$	2004		
LODGING													
Hotel	\$200	\$200	\$200							2010			
Telephone									-	2030			
Total	\$200	\$	200	\$	200	\$		\$	-	\$	-	\$600	
MEALS													
Number of days (overnight travel):		Rate per day:		Maximum meal allowance:									
Actual meal costs										-			
Less than full day:													
Breakfast										-			
Lunch										-			
Dinner										-			
Total	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	2020
MISCELLANEOUS													
Conference Fees											2101		
Seminar Fees										-	2102		
ATM Fees										-	2007		
Tips	\$10			\$10						\$20	2007		
Books, Tapes, Etc										-	4101		
Auto Rental										-	2008		
Other										-			
Total	\$		\$	-	\$	-	\$	-	\$	-	\$	-	
SUMMARY	\$		\$	-	\$	-	\$	-	\$	-	\$	930	
Expense Explanations:								Less Pre-payments:					
With Council Approval, the hotel and airfare will be placed on Council's Credit Card, and all other incidentals will be reimbursed to Councilman Carter after travel. These totals are approximates as of 9/8/2022 when the form was prepared. Flight prices and hotel availability are subject to change.								Less Charges paid by NCC:					
								Due Employee:		\$			
Explanation continued on attachment: yes() no()													

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

David B. Carter

9/8/2022
Employee Signature Date

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

REVIEW AND APPROVAL:

Supervisor's Signature

Date

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

General Manager's Signature Date

VENDOR NUMBER:

VOUCHER NUMBER:

VE

