

NEW CASTLE COUNTY COUNCIL
July 28, 2020
6:30 p.m.
VIRTUAL ZOOM WEBINAR MEETING**

AGENDA

A. Call to Order
Moment of Silence
Pledge of Allegiance
Roll Call

B. Approval of Minutes

C. Announcements

D. Introduction of Ordinances

°20-083: AMENDING *NEW CASTLE COUNTY CODE* CH. 20 (“LAW ENFORCEMENT”) IN RELATION TO JUVENILE INFORMATION. Introduced by: Ms. Durham, Mr. Hollins, Mr. Street, Mr. Carter

°20-084: AMEND THE GRANTS BUDGET: APPROPRIATE \$5,000,000 FROM THE UNITED STATES DEPARTMENT OF TREASURY TO THE CORONAVIRUS RELIEF FUND GRANT FOR HAZARD PAY FOR ELIGIBLE INDIVIDUALS EMPLOYED BY GOVERNMENTAL ENTITIES CONSISTENT WITH GUIDANCE OF THE U.S. DEPARTMENT OF TREASURY AND ANY OTHER APPLICABLE LAW RELATED THERETO, TO BE ADMINISTERED BY THE OFFICE OF FINANCE. Introduced by: Ms. Hartley-Nagle

°20-085: AMEND THE FY2021 APPROVED OPERATING BUDGET: TRANSFER \$882,688 FROM THE FY2021 APPROVED BUDGET FOR THE NEW CASTLE COUNTY DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE AND DIVISION OF ADMINISTRATION, FROM THE DEPARTMENT’S *SALARIES AND WAGES* AND *BENEFITS* BUDGET LINE ITEMS TO THE DEPARTMENT OF COMMUNITY SERVICES FY2021 APPROVED BUDGET *CONTRACTUAL SERVICES* BUDGET LINE ITEM WITH SUCH FUNDS TO SUPPORT COMMUNITY INITIATIVES AND RACIAL JUSTICE IN NEW CASTLE COUNTY. Introduced by: Mr. Street, Mr. Hollins

°20-086: AMENDING *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 5 (“DEPARTMENTS AND OFFICES”), SECTION 2.05.515 (“COUNTY INVESTMENT ADVISORY BOARD; CREATED; DUTIES GENERALLY”) REGARDING THE COUNTY INVESTMENT ADVISORY BOARD. Introduced by: Ms. Durham, Mr. Smiley

°20-087: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$25,000,000 FROM THE UNITED STATES DEPARTMENT OF TREASURY TO THE CORONAVIRUS RELIEF FUND GRANT FOR HEALTHY COMMUNITIES DELAWARE, TO BE ADMINISTERED BY THE OFFICE OF FINANCE. Introduced by: Mr. Cartier, Mr. Carter

E. Reports from Select and Special Committees**F. Consent Calendar**

R20-156: APPOINTING SCOTT FARNAN TO THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. Introduced by: Ms. Kilpatrick

R20-157: APPOINTING RICHARD R. SCHNEIDER TO THE NEW CASTLE COUNTY FINANCIAL ADVISORY COUNCIL. Introduced by: Ms. Durham

R20-158: APPOINTING TERRELL WILLIAMS TO THE NEW CASTLE COUNTY DIVERSITY COMMISSION. Introduced by: 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**

R20-159: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR RAVE MOBILITY SAFETY TO RENEW THE ANNUAL LICENSE AND SERVICE CONTRACT FOR THE RAVE PANIC BUTTON APPLICATION FOR THE DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$149,800.00. Introduced by: Mr. Smiley, Mr. Cartier, Ms. Hartley-Nagle

R20-160: APPROVING REVISED POSITION DESCRIPTION FOR CHIEF OF CONSTRUCTION SUPPORT PURSUANT TO *NEW CASTLE COUNTY CODE* SECTION 26.03.105(F). Introduced by: Mr. Sheldon, Mr. Woods

R20-161: AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE MEMORANDUM OF UNDERSTANDING CONCERNING THE ACQUISITION, PRESERVATION AND FUTURE USE OF HOCKESSIN COLORED SCHOOL #107 AS A PERMANENT CENTER FOR DIVERSITY, INCLUSION, AND SOCIAL EQUITY. Introduced by: Mr. Sheldon, Mr. Woods, Ms. Kilpatrick, Mr. Hollins, Mr. Street

R20-162: TO AMEND RULES 4.5.7. AND 4.5.7.1. OF NEW CASTLE COUNTY COUNCIL RULES REGARDING THE PROCESS FOR NOMINATIONS TO NEW CASTLE COUNTY BOARDS AND COMMISSIONS. Introduced by: Ms. Durham

R20-163: PLAN OF CAVALIERS COUNTRY CLUB; WHITE CLAY CREEK HUNDRED; SOUTH SIDE OF CHURCHMANS ROAD AT THE TERMINUS OF ADDISON DRIVE; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES AN OPEN SPACE PLANNED AND AGE-RESTRICTED OPEN SPACE PLANNED DEVELOPMENT CONSISTING OF 715 DWELLING UNITS, ALONG WITH A 15,390 SQUARE FOOT BANQUET CENTER ADDITION; ST AND CR ZONING; APPLICATION NO. 2016-0491-S; COUNCIL DISTRICT 1. Introduced by: Mr. Woods

R20-164: PLAN OF SAFSTOR CHAPMAN ROAD; WHITE CLAY CREEK HUNDRED; SOUTH SIDE OF CHAPMAN ROAD, 136 FEET EAST OF N. WAKEFIELD ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSED CONSTRUCTION OF A FOUR STORY, 104,000 SQUARE FOOT SELF STORAGE BUILDING WITH ASSOCIATED SITE IMPROVEMENTS ON 4+/- ACRES; OR ZONING; APPLICATION NO. 2019-0357-S; COUNCIL DISTRICT 11. Introduced by: Mr. Tackett

I. Consideration of Ordinances

°20-077: AMEND THE GRANTS BUDGET: APPROPRIATE \$205,375 IN ANTICIPATED STATE OF DELAWARE GRANT-IN-AID FUNDS TO THE ABSALOM JONES SENIOR CENTER FY2021, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°20-078: AMEND THE GRANTS BUDGET: FOR FY2020, APPROPRIATE \$30,000 FROM THE STATE OF DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES TO THE ABSALOM JONES SENIOR CENTER-VIRTUAL SOCIAL ACTIVITIES PROGRAM GRANT WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°20-079: AMEND THE GRANTS BUDGET: APPROPRIATE \$1,582,960 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM DESIGNATED AS ESG-CVII TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES TO RESPOND TO THE CORONAVIRUS PANDEMIC. Introduced by: Mr. Hollins, Ms. Diller

°20-080: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE STATE OF DELAWARE FUNDING RECEIVED FOR THE NEW CASTLE COUNTY POLICE EMPLOYEE'S RETIREMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY EMPLOYEE BENEFITS BUDGETARY LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier

°20-081: TO DECLARE SURPLUS CERTAIN LANDS OF NEW CASTLE COUNTY ASSOCIATED WITH THE NEW CASTLE COUNTY AIRPORT AND TO AUTHORIZE THE TRANSFER OF LANDS TO THE STATE OF DELAWARE FOR A PUBLIC PURPOSE. Introduced by: Mr. Smiley

°20-082: AMEND THE FY2021 APPROVED OPERATING BUDGET: INCREASE THE AUTHORIZED POSITION COUNT FOR THE DEPARTMENT OF COMMUNITY SERVICES, DIVISION OF COMMUNITY DEVELOPMENT AND HOUSING, BY THREE TEMPORARY GRANT POSITIONS. Introduced by: Mr. Hollins, Ms. Diller

°20-014: REVISE ZONING MAP: ST. GEORGES HUNDRED, EAST SIDE OF SUMMIT BRIDGE ROAD, NORTH OF BOYDS CORNER ROAD; 4353 SUMMIT BRIDGE ROAD, TAX PARCEL 13-007.00-078, 1.64 ACRES FROM NC21 (NEIGHBORHOOD CONSERVATION) TO NC21 AND H (HISTORIC) OVERLAY ZONE (The property owner is requesting the H (Historic) Overlay Zone for the subject parcel. 2019-0676-R/Z.). Introduced by: Mr. Bell

SUBSTITUTE NO. 1 TO °20-075: (STATUS: TABLED) AMENDING *NEW CASTLE COUNTY CODE* CH. 20 (“LAW ENFORCEMENT”) TO BAN THE USE OF KNEE HOLDS, CHOKEHOLDS, AND SIMILAR PROCEDURES AS A METHOD OF RESTRAINT OR USE OF FORCE PROCEDURE. Introduced by: Mr. Carter, Mr. Hollins, Ms. Durham

SUBSTITUTE NO. 1 TO °20-076: (STATUS: TABLED) AMENDING *NEW CASTLE COUNTY CODE* CH. 20 (“LAW ENFORCEMENT”) REGARDING NEW CASTLE COUNTY POLICE OFFICERS AND THE DUTY TO INTERVENE AND REPORT IN RELATION TO UNAUTHORIZED OR EXCESSIVE USE OF FORCE. Introduced by: Mr. Carter, Mr. Hollins, Mr. Street, Ms. Durham

SUBSTITUTE NO. 1 TO °19-116: (STATUS: TABLED) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 26 (“HUMAN RESOURCES”), ARTICLE 4 (“PENSIONS”), RELATING TO THE EMPLOYEES’ RETIREMENT SYSTEM, THE COUNTY EMPLOYEES’ PENSION PLAN AND THE COUNTY 2011 PENSION PLAN TO PROVIDE FOR SERVICE RETIREMENT ANNUITY AFTER TWENTY-FIVE YEARS OF CREDITED SERVICE FOR EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES AND PROVIDING FOR INCREASED EMPLOYEE CONTRIBUTIONS FROM EMERGENCY MEDICAL SERVICES DIVISION EMPLOYEES AND EMERGENCY COMMUNICATIONS DIVISION EMPLOYEES. Introduced by: Mr. Bell, Mr. Street

J. Time Sensitive Congratulatory/Honorary Resolutions

R20-165: URGING THE DELAWARE GENERAL ASSEMBLY TO IMMEDIATELY SUSPEND ALL TAX PENALTIES ESTABLISHED BY *DELAWARE CODE* TITLE 9, SECTION 8604(A)(1) AND TITLE 14, SECTION 1917(A), AS APPLICABLE TO NEW CASTLE COUNTY, FOR A PERIOD OF SIX (6) MONTHS. Introduced by: Mr. Smiley

K. Introduction/Consideration of Emergency Ordinances**L. Public Comment/Other****M. Motion to Adjourn****AGENDA POSTED: July 21, 2020**

*The agenda is posted (7) seven days in advance of the scheduled meeting in compliance with 29 *Del. C.* Section 10004(e)(2).

In accordance with Governor Carney's recently issued *Proclamation*, coupled with the Governor's *Declaration of a State of Emergency*, New Castle County Council is holding this meeting as a telephone and video conference, utilizing **zoom Webinar. 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://nccde.org/AgendaCenter/County-Council-1>

Members of the public joining the meeting utilizing the link or the call-in number will be provided an opportunity to make comments in real time. A comment period will be administered by a moderator to ensure everyone has an opportunity to comment. You will not be able to speak until called upon by the moderator. There are functions in the program that allow you to do this. Please see the link in the previous paragraph.