

NEW CASTLE COUNTY COUNCIL
May 26, 2020
6:30 p.m.
VIRTUAL ZOOM WEBINAR MEETING***

REVISED AGENDA

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

- B. Approval of Minutes**

- C. Announcements**

- D. Introduction of Ordinances**

°20-052: TO PROVIDE FOR THE INSTALLATION OF GRANVILLE STREET LIGHTS IN THE SUMMIT CIRCLE SUBDIVISION LOCATED IN PENCADER HUNDRED AND FOR A LIGHT TAX BASED ON THE COST OF STREET LIGHTS. Introduced by: Mr. Bell

°20-053: AMEND THE GRANTS BUDGET: FOR FY2020, APPROPRIATE ADDITIONAL FEDERAL FUNDS OF \$326,455.24 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE FY2015 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°20-054: AMEND THE GRANTS BUDGET: APPROPRIATE \$290,288 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO A SPECIAL HOUSING CHOICE VOUCHER CARES ACT PROGRAM DESIGNATED AS SECTION 8 HCV-CV TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES TO RESPOND TO THE CORONAVIRUS PANDEMIC. Introduced by: Mr. Hollins, Ms. Diller

°20-055: AMEND THE GRANTS BUDGET: APPROPRIATE \$278,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), \$452,380 IN LOCAL FUNDING FROM NEW CASTLE COUNTY AND \$75,000 IN PRIVATE FUNDING FROM THE PUBLIC SERVICE ENTERPRISE GROUP (PSEG) NUCLEAR TO FUND THE OPERATIONS OF THE NEW CASTLE COUNTY OFFICE OF EMERGENCY MANAGEMENT (OEM) FOR FY2021. Introduced by: Mr. Bell, Mr. Street

°20-056: AMEND THE ANNUAL FY2021 OPERATING BUDGET: REDUCE THE FY2021 APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY, OFFICE OF EMERGENCY MANAGEMENT, BY \$452,380 TO PROVIDE THE ANNUAL COUNTY MATCH FOR THE OFFICE OF EMERGENCY MANAGEMENT GRANT FOR FY2021. Introduced by: Mr. Bell, Mr. Street

°20-057: AMEND THE GRANTS BUDGET: APPROPRIATE AN ADDITIONAL \$70,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE EMERGENCY MANAGEMENT FY2020 GRANT. Introduced by: Mr. Bell, Mr. Street

°20-058: AMEND THE GRANTS BUDGET: APPROPRIATE \$75,000 IN FEDERAL FUNDING FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE FEDERAL EMPG-S FY20 COVID-19 SUPPLEMENT GRANT. Introduced by: Mr. Bell, Mr. Street

°20-059: AMEND THE FY2020 APPROVED SEWER FUND OPERATING BUDGET: APPROPRIATE \$30,000 TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE CONTRACTUAL SERVICES BUDGET LINE ITEM. Introduced by: Mr. Smiley, Mr. Cartier

°20-060: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM NEW CASTLE COUNTY COUNCIL TO THE SENIOR HOME REPAIR PROGRAM GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Tackett

°20-061: AMEND THE GRANTS BUDGET: APPROPRIATE FUNDING FROM THE NEW CASTLE COUNTY COUNCIL TO THE 2020 NEW CASTLE COUNTY SUMMER YOUTH EMPLOYMENT GRANT, WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Street

°20-062: AMEND THE FY2020 APPROVED OPERATING BUDGET: REDUCE THE GRANTS AND FIXED CHARGES BUDGET LINE ITEM OF COUNTY COUNCIL TO PROVIDE FUNDING FOR NEW CASTLE COUNTY GRANTS. Introduced by: Mr. Tackett, Mr. Street

°20-063: TO AMEND NEW CASTLE COUNTY CODE CHAPTER 7 (“PROPERTY MAINTENANCE CODE”), SECTION 7.01.002. (“AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE”), SECTION PM 102.6.1. (“MAINTENANCE OF PROPERTY IN HISTORIC OVERLAY ZONING DISTRICTS - DEMOLITION BY NEGLECT”) REGARDING HISTORIC PROPERTIES AND INSPECTION THEREOF. Introduced by: Ms. Durham

°20-064: TO AMEND *NEW CASTLE COUNTY CODE* ARTICLE 5 (“DEPARTMENTS AND OFFICES”) TO CREATE A NEW EXCEPTION TO THE PURCHASING OF SUPPLIES AND SERVICES RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier

°20-065: TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 (“ADMINISTRATION”), ARTICLE 2 (“COUNTY COUNCIL”) TO CREATE A NEW EXCEPTION TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier

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

R20-083: AUTHORIZING THE EXECUTION OF ONE PURCHASE ORDER CONTRACT FOR ENVIREP, INC. FOR THE PURCHASE OF PUMP EQUIPMENT AND APPURTENANCES FOR THE DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$115,287.50. Introduced by: Mr. Bell

R20-084: AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL ASSISTANCE WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, AND THE CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT, AS AMENDED. Introduced by: Mr. Hollins, Ms. Diller

R20-085: PLAN OF 650 CHURCHMAN'S ROAD; NEW CASTLE HUNDRED; NORTH SIDE OF ROUTE 273, EAST OF CHURCHMAN'S ROAD, AND WEST OF NEW CHURCHMAN'S ROAD; MAJOR LAND DEVELOPMENT PLAN THAT PROPOSES CONSTRUCTION OF A 1,168,211 SQUARE FOOT WAREHOUSE FACILITY WITH ASSOCIATED SITE IMPROVEMENTS ON 58.9 ACRES; I ZONING; APPLICATION NO. 2018-0513-S/Z; COUNCIL DISTRICT 7. Introduced by: Mr. Smiley

R20-068: (STATUS: TABLED) ADOPTING THE NEW CASTLE COUNTY CAPITAL PROGRAM FOR FISCAL YEAR 2021 THROUGH 2026. Introduced by: Mr. Smiley, Mr. Cartier

I. Consideration of Ordinances

°20-041: AMEND THE PAY PLAN AND RATES OF PAY FOR NON-UNION CLASSIFIED POLICE EXECUTIVE STAFF AND THE PAY PLAN AND RATES OF PAY FOR NON-UNION UNCLASSIFIED SERVICE EMPLOYEES OF THE EXECUTIVE OFFICE. Introduced by: Ms. Hartley-Nagle

°20-042: APPROPRIATE \$190,000 FROM THE GARSTIN TRUST PORTFOLIO TO THE GARSTIN TRUST FUND IN ORDER TO FUND PARK MAINTENANCE FOR FISCAL YEAR 2021, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS. Introduced by: Mr. Sheldon, Mr. Woods

°20-043: AMEND THE GRANTS BUDGET: APPROPRIATE \$2,427,355 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND \$425,000 IN ESTIMATED PROGRAM INCOME TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FY2021, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°20-044: AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE FEDERAL FUNDS OF \$200,206 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE EMERGENCY SOLUTIONS GRANT FY2021, WHICH WILL BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°20-045: AMEND THE GRANTS BUDGET: FOR FY2021, APPROPRIATE FEDERAL FUNDS OF \$997,376 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND ESTIMATED PROGRAM INCOME OF \$100,000 TO THE FY2021 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME), WHICH IS ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES. Introduced by: Mr. Hollins, Ms. Diller

°20-046: AMEND THE GRANTS BUDGET: APPROPRIATE \$548,419 FROM THE U.S. DEPARTMENT OF JUSTICE TO THE CORONAVIRUS EMERGENCY FUNDS GRANT, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY. Introduced by: Mr. Bell, Mr. Street

°20-048: TO PROVIDE RELIEF FROM CERTAIN PENALTIES, TAXES, AND FEES DUE TO A PUBLIC HEALTH THREAT. Introduced by: Mr. Smiley, Mr. Cartier

°20-049: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$1,000,000 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE FOR THE PURPOSE OF FUNDING THE PURCHASE OF NEEDED SUPPLIES, TESTS, AND EQUIPMENT TO PROTECT NEW CASTLE COUNTY'S FIRST RESPONDERS AND RESIDENTS DURING A PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier

°20-050: AMEND THE FY2020 APPROVED OPERATING BUDGET: APPROPRIATE \$500,000 OF TAX STABILIZATION RESERVE TO THE DEPARTMENT OF ADMINISTRATION, OFFICE OF FINANCE FOR THE PURPOSE OF FUNDING THE DELAWARE COMMUNITY FOUNDATION IN SUPPORT OF THE NONPROFIT COLLABORATIVE COVID-19 EMERGENCY RESPONSE INITIATIVE. Introduced by: Mr. Smiley, Mr. Cartier

°20-051: TO APPROPRIATE \$500,000 IN THE NEW CASTLE COUNTY HOUSING TRUST FUND TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES FOR THE PURPOSE OF ASSISTING NEW CASTLE COUNTY RESIDENTS BY PROVIDING FUNDING FOR THE DELAWARE STATE HOUSING AUTHORITY'S DELAWARE HOUSING ASSISTANCE PROGRAM. Introduced by: Mr. Smiley, Mr. Cartier

°20-030: (STATUS: TABLED) THE ANNUAL REVENUE ORDINANCE OF NEW CASTLE COUNTY FOR FISCAL YEAR 2021 BEGINNING JULY 1, 2020. Introduced by: Mr. Smiley, Mr. Cartier

°20-031: (STATUS: TABLED) CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2020 FOR FISCAL YEAR 2021. Introduced by: Mr. Smiley, Mr. Cartier

°20-032: (STATUS: TABLED) AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF NEW CASTLE COUNTY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS APPROVED IN THE FISCAL YEAR 2021 CAPITAL BUDGET. Introduced by: Mr. Smiley, Mr. Cartier

°20-033: (STATUS: TABLED) THE CAPITAL BUDGET ORDINANCE OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020. Introduced by: Mr. Smiley, Mr. Cartier

°20-034: (STATUS: TABLED) ADOPT THE ANNUAL OPERATING BUDGET OF NEW CASTLE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020. Introduced by: Mr. Smiley, Mr. Cartier

J. Time Sensitive Congratulatory/Honorary Resolutions

K. Introduction/Consideration of Emergency Ordinances

E°20-008: AMEND THE GRANTS BUDGET: APPROPRIATE \$85,350,000 FROM THE UNITED STATES DEPARTMENT OF TREASURY TO THE CORONAVIRUS RELIEF FUND GRANT TO RESPOND TO THE COVID-19 PUBLIC HEALTH EMERGENCY, TO BE ADMINISTERED BY THE OFFICE OF FINANCE. Introduced by: Mr. Cartier

E°20-006: (STATUS: TABLED; TO BE WITHDRAWN) TO AMEND *NEW CASTLE COUNTY CODE* CHAPTER 2 ("ADMINISTRATION"), ARTICLE 2 ("COUNTY COUNCIL") AND ARTICLE 5 ("DEPARTMENTS AND OFFICES") TO CREATE EXCEPTIONS TO THE APPROVAL OF CONTRACTS BY COUNTY COUNCIL AND THE PURCHASING OF SUPPLIES AND CONTRACTUAL SERVICES REGARDING THE EXPENDITURE OF APPROPRIATED FEDERAL FUNDING RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY. Introduced by: Mr. Smiley, Mr. Cartier

E°20-007: (STATUS: TABLED; TO BE WITHDRAWN) AMEND THE GRANTS BUDGET: APPROPRIATE \$322,766,668.80 FROM THE UNITED STATES DEPARTMENT OF TREASURY TO THE CORONAVIRUS RELIEF FUND GRANT TO RESPOND TO THE COVID-19 PUBLIC HEALTH EMERGENCY, TO BE ADMINISTERED BY THE OFFICE OF FINANCE. Introduced by: Mr. Smiley, Mr. Cartier

L. Public Comment/Other

M. Motion to Adjourn

AGENDA POSTED: May 19, 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>

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>

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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.