

**REGULAR MEETING OF WILMINGTON CITY COUNCIL
FEBRUARY 4, 2016 @ 6:30 P.M.**

**Council Chambers
Louis L. Redding City/County Building
800 N. French Street - Wilmington, DE 19801
www.WilmingtonDe.gov or www.WITN22.org**

AGENDA

- I. Call to Order**
 - Invocation**
 - Pledge of Allegiance**
 - Roll Call**

- II. Approval of Minutes**

- III. Committee Reports**

- IV. Acceptance of Treasurer's Report**

- V. Non-Legislative Business**

All Council	Recognize February as Black History Month
All Council	Retirement Carolyn Martin-Pettyway
All Council	Recognize 1996 Howard High School Basketball Champ - 20 th Anniversary
Freel	Retirement Lorraine D. Ignudo
Wright	Recognize Alpha Kappa Alpha Sorority, Inc. Founders' Day

VI. Legislative Business

CONGO

#4155 A Resolution Scheduling a Public Hearing on the Proposed Amendments to the Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan on March 3, 2016

***Synopsis:** This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be directing that a public hearing be held regarding amendments to the Baynard Boulevard/Concord Avenue Neighborhood Comprehensive Development Plan that were approved by the City Planning Commission at its December 15, 2015 meeting. The public hearing on the amendments would be held during the scheduled 6:30 p.m. City Council meeting of March 3, 2016. The public hearing will allow the public to voice opinions regarding the proposed amendments to the neighborhood plan.*

#4156 A Resolution Scheduling a Public Hearing on the Proposed Rezoning of the Property Being the Former Cathedral Church of St. John (Ordinance No. 16-003) on March 3, 2016

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be directing that a public hearing be held regarding proposed amendments to Chapter 48 of the City Code related to zoning classifications for the former Cathedral Church of St. John property which is located in the 2000 block of Market Street. Zoning amendments for the property were approved by the City Planning Commission at its December 15, 2015 meeting and were introduced before City Council on January 21, 2016. The public hearing will allow the public to voice opinions regarding the rezoning of the property.*

D. BROWN

#4157 A Resolution Authorizing the Department of Real Estate and Housing on two Housing and Urban Development (HUD) Grant, Promise Zone Designation Grant

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Department of Real Estate and Housing, to apply to the Federal government for the designation of a "Promise Zone" area in Wilmington which could result in Federal government investments to create jobs, leverage private investment, increase economic activity, expand educational opportunities and reduce violent crime. Businesses that hire residents who live in the area of the City that is designated as a Promise Zone would be eligible to receive tax incentives. The Promise Zone program was originally proposed by President Obama during his 2013 State of the Union Address.*

#4158 A Resolution Authorizing the Acquisition of 201 Vandever Avenue from Roxbury, LLC

Synopsis: *This Resolution is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration, through the Department of Real Estate and Housing, to purchase a property at 201 Vandever Avenue from Roxbury LLC for \$650,000.*

GREGORY (D. BROWN presenting on behalf of Gregory)

#4141 Ord. 15-058 Amend Chapter 2 of the City Code Regarding the Capital Review Committee **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. If approved, Council would be authorizing the establishment of a Capital Review Committee in City Code to improve the management of the City's capital program and budget. Because capital expenditures can be significant, the Council would be supporting more transparency and monitoring of capital expenditures and acquisitions by mandating quarterly public reviews of capital projects with an accompanying quarterly report presented to Council for its review. This action by Council would codify a capital review process that has been guided largely up to this point through policy decisions and actions.*

SHABAZZ

#4142 Ord. 15-059 Authorize City Contract 16011WD – Water Distribution System Maintenance – with Brandywine Construction Co., Inc. **(3rd & Final Reading)**

Synopsis: This Ordinance is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the City, through the Department of Public Works, to enter into a one-year contract beginning July 1, 2015 with Brandywine Construction Company for maintenance of the City's water distribution system. The contract, totaling \$3 million, has two, one-year extensions at the sole discretion of the City subject to an escalation clause not to exceed 2% of the original control. This contract was awarded by the City as part of a public bidding process.

GREGORY (SHABAZZ presenting on behalf of Gregory)

Rev. 1

#4135 Sub. 1 Ord. 15-057 Amend Chapter 37 of the City Code Regarding Outstanding and Overdue Citations (3rd & Final Reading)

Synopsis: This Ordinance is being presented by City Council for Council's review and approval. If approved, Council would be codifying a current City policy that governs when vehicles may be immobilized or towed by the City because of non-payment of a citation or fine. Specifically, Council would be amending Chapter 37 of the City Code to direct that an unpaid fine will not be considered towards boot eligibility until the appeal period for that citation or fine has expired. The Ordinance would make certain in law that because a citizen has an option to either appeal or pay the fine during an active appeal period, or to challenge the citation on appeal, that particular unpaid fine should not be counted toward eligibility for vehicle immobilization or towing.

FREEL

#4151 Ord. 16-006 Authorize the Annual Reconciliation of Accounts by Transferring Funds to Various Offices and Departments in the City of Wilmington to Fulfill Obligations for the Remainder of Fiscal Year 2015 (3rd & Final Reading)

Synopsis: This Ordinance is being presented by the Administration for Council's review and approval. If approved, Council would be authorizing, based on information from the City's Finance Director, the transfer of funds among City departments and offices as part of the City's annual reconciliation of accounts for Fiscal Year 2015. The purpose of the annual reconciliation ordinance is to review transfers that were necessitated during the course of a fiscal year which has ended. These transfers, however, were not separately approved through amendments to the annual operating budget ordinance for that particular fiscal year. These types of reconciliation transfers are carried out annually to ensure that all government department accounts are properly balanced for a fiscal year.

#4159 An Ordinance to Ratify and Authorize an Agreement with Belfint, Lyons & Shuman, P.A., for the Conduct of the CAFR and Federal Funds Audits for Fiscal Years 2015, 2016 and 2017 (1st & 2nd Reading)

Synopsis: This Ordinance is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing the Administration to enter into an agreement with the auditing firm of Belfint, Lyons & Shuman, P.A., to provide an annual audit of all City government departments, as required by the City Charter, for Fiscal Years 2015, 2016, and 2017.

The estimated cost of each annual City government audit is estimated to be \$185,000. The agreement also allows for the possibility to two, one-year extensions of the contract by mutual agreement of the City and auditing firm. Belfint, Lyons & Shuman, P.A. was awarded the audit contract as the result of a public request for proposals.

#4160 An Ordinance to Amend Chapter 3 of the Wilmington City Code Relating to the Feeding of Wild Animals and Waterfowl **(1st & 2nd Reading)**

Synopsis: *This Ordinance is being presented by City Council for Council's review and approval. If approved, Council would be authorizing changes to Chapter 3 of the City Code related to the feeding of wild animals and waterfowl. The Ordinance would prohibit the feeding of pigeons, waterfowl, sea gulls and wild animals in order to prevent public nuisances and to protect the species. The legislation notes that feeding pigeons, waterfowl and sea gulls the birds to congregate resulting in an accumulation of feces or droppings which in turn increases the potential for damage to public property, water quality problems and the spread of disease to residents. The Ordinance also notes that feeding waterfowl may interrupt normal migration patterns, cause nutritional problems and promote the spread of bird diseases.*

CABRERA

#4153 Ord. 16-007 Amend Chapter 4 of the City Code Regarding Amendments to the International Mechanical Code of 2012 **(3rd & Final Reading)**

Synopsis: *This Ordinance is being presented by the Administration for City Council's review and approval. If approved, Council would be authorizing an amendment to the City Code, Chapter 4, Section 4-81, to correct errors that were intended to be part of the original amendments to the International Mechanical Code of 2012. Specifically, the Ordinance would remove a duplicate provision related to return air in commercial or residential buildings and make minor modifications to the remaining provision.*

#4161 A Resolution Calling Upon the United States Congress and the President to Develop a Comprehensive Plan to Address the Humanitarian and Fiscal Crisis Facing Puerto Rico

Synopsis: *This Resolution is being presented by City Council for Council's review and approval. If approved, Council would be urging President Obama and the United States Congress to provide Puerto Rico with the tools needed to recover from an estimated debt of \$72 billion in order stabilize the island economically. Among the steps requested of the President and Congress through this Resolution, are restructuring the island's debt incorporating both bankruptcy and debt restricting provisions, new tax policies that foster diverse and living wage job creation and health care equity provisions. If approved, Wilmington would join the larger Puerto Rican population centers of Philadelphia, Cleveland, New York, Orlando and the State of New Jersey in calling for immediate action by the Federal government to assist Puerto Rico.*

VII. Petitions and Communications

VIII. Adjournment