

*Wilmington City Council  
Wilmington, Delaware  
November 21, 2024*

City Council met in regular session with remote participation on the above date at 6:33 p.m., President Ernest M. Congo, II presiding.

The opening prayer was done by Akira Grenardo, Deputy City Clerk.

The Pledge of Allegiance was recited by City Council.

**ROLL CALL**

The following members responded to the Call of the Roll: Council Members White, Darby\* (virtual), Oliver, B. Fields, McCoy, Johnson, N. Field, Mills (virtual), Spadola and Bracy, and Council President Congo. Total, eleven. Absent with leave, Council Members Harlee and Cabrera. Total, two.

**MINUTES**

After reading a portion of the minutes of November 7, 2024, Council Member Johnson made the following correction to the minutes:

*“The wrong ordinance number was inadvertently assigned to agenda number 0495. Let the record reflect the correct ordinance number for Agenda #0495 should be Ord. 24-067, which has been corrected and was correctly stated in the distribution of the agenda results and legislation and will be reflected correctly in the minutes thereof”.*

Upon a motion of Council Member McCoy, seconded by Council Member B. Fields, it was moved they be accepted as written and corrected. Motion prevailed.

**COMMITTEE REPORTS**

The Deputy City Clerk read the following committee report:

<b>Finance &amp; Economic Development Committee Member</b>	<b>Present</b>	<b>Absent w Leave</b>	<b>Absent w/out Leave</b>
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
Latisha Bracy	y		
Nathan Field	y		
Zanthia Oliver		y	
James Spadola		y	
Ernest “Trippi” Congo, Ex-Officio	y		

President and Members of Council of  
The City of Wilmington

November 13, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-056** entitled:

AN ORDINANCE TO AMEND CHAPTER 44 OF THE CITY CODE TO INCREASE THE INCOME THRESHOLD FOR THE EXEMPTION OF CAREGIVER, ELDERLY, OR DISABLED PERSONS FROM REAL ESTATE TAXATION

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Finance & Economic Development Committee

Upon a motion of Council Member Johnson, seconded by Council Member McCoy, the Report was received, recorded and filed. Motion prevailed.

The Deputy City Clerk read the following committee report:

Finance & Economic Development Committee Member	Present	Absent w Leave	Absent w/out Leave
Chris Johnson, Chair	y		
Michelle Harlee, Vice Chair	y		
Latisha Bracy	y		
Nathan Field	y		
Zanthia Oliver		y	
James Spadola		y	
Ernest "Trippi" Congo, Ex-Officio	y		

President and Members of Council of  
The City of Wilmington

November 13, 2024

Ladies and Gentlemen:

We, your Finance & Economic Development Committee met by **anchor location and remote participation**, to who was referred **Ordinance No. 24-057** entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BOND (ADAMS STREET GREEN INFRASTRUCTURE PROJECT), SERIES C OF 2024-WPCRF, IN ORDER TO PROVIDE THE FUNDS NECESSARY FOR THE

INSTALLATION OF THREE (3) BIORETENTION GARDENS, 1900 LINEAR FEET OF STORMWATER PIPE, SIXTEEN (16) MANHOLES, AND FIVE (5) TRENCH DRAINS LOCATED IN AND AROUND THE ADAM STREET COURTS AT 210 NORTH JACKSON STREET; PROVIDING FOR THE SALE OF THE 2024C BOND TO THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Have given this Ordinance careful study and recommend Council vote on it accordingly.

Respectfully submitted, Members of  
Finance & Economic Development Committee

Upon a motion of Council Member Johnson, seconded by Council Member Oliver, the Report was received, recorded and filed. Motion prevailed.

#### **TREASURER'S REPORT**

The following Treasurer's Report for November 21, 2024 was read into the record by Deputy City Clerk and upon a motion of Council Member Johnson, seconded by Council Member Oliver, the Report was received, recorded and filed. Motion prevailed.

*Note: The Treasurer's Report is included herein as an insert from Page 4 to Page 6.*

*[the remainder of this page intentionally left blank]*

# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report December 05, 2024

Cash - Ledger Balance (as of 12/04/2024):

General	M & T Bank	\$ 8,116,796.00
Payroll	M & T Bank	\$ 2,173,134.51
Law Department Court Costs	M & T Bank	\$ 4,652.07
Total Petty Cash	M & T Bank	\$ 5,913.65
Police - Evidence Found (Currency)	M & T Bank	\$ 1,236,077.95
Police & Fire Remembrance	M & T Bank	\$ 11,744.49
Police Department Discretionary	M & T Bank	\$ 18,020.81
Rent Withholding Escrow	M & T Bank	\$ 17,337.97
Grant-in-Aid	M & T Bank	\$ 112,760.87
Community Development Block Grant	M & T Bank	\$ 1.00
Capital Projects	M & T Bank	\$ 1.00
<b>Total Cash on Hand</b>		<b>\$ 11,696,440.32</b>

Cash Equivalents & Investments (as of 12/04/2024):

Account Type & Fund	Institution	Investment Type	Number of Days	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
General	M&T	Overnight Repo	Daily	3.99%	\$ 3,094.42	\$ 30,365,095.07
General	TD	High Yield Checking	4	3.94%	\$ 5,769.74	\$ 13,179,606.02
General	TD	High Yield Checking	4	3.86%	\$ 10,121.55	\$ 23,599,457.73
General	TD	High Yield Checking	4	3.94%	\$ 2,236.01	\$ 5,107,630.01
<b>SUB-TOTAL:</b>						<b>\$ 72,251,788.83</b>
<b>RESTRICTED:</b>						
Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Int. Receiv.	Investment Amount
Police & Fire Remem.	WSFS	CD	1/23/2025	4.88%	\$ 1,168.38	\$ 26,124.17
General	TD	CD	12/18/2024	4.77%	\$ 123,303.88	\$ 31,019,844.60
General	TD	CD*	12/16/2024	4.77%	\$ 74,551.70	\$ 17,582,947.52
General	TD	CD	12/16/2024	4.77%	\$ 4,111.11	\$ 969,602.21
<b>SUB-TOTAL:</b>						<b>\$ 49,598,518.50</b>
<b>RESERVE:</b>						
General <sup>1</sup>	PNC	T-Bills	12/19/2024	4.52%	\$ 56,200.00	\$ 19,719,000.00
<b>SUB-TOTAL:</b>						<b>\$ 19,719,000.00</b>
<b>RESTRICTED:</b>						
Capital Project	TD	CD	12/16/2024	4.77%	\$ 6,139.75	\$ 1,448,053.16
Capital Project	TD	CD	12/16/2024	4.77%	\$ 357.68	\$ 84,358.54
Capital Project	TD	CD	12/16/2024	4.77%	\$ 39,357.51	\$ 9,282,432.07
Water/Sewer	PNC	T-Bills	12/19/2024	4.52%	\$ 44,500.00	\$ 15,590,000.00
State Bonds Proceeds	TD	CD	12/16/2024	4.77%	\$ 9,460.39	\$ 2,231,224.42
<b>SUB-TOTAL</b>						<b>\$ 28,636,068.19</b>
<b>Total Investments</b>						<b>\$ 170,205,375.52</b>
<b>Total Cash on Hand</b>						<b>\$ 11,696,440.32</b>
<b>Grand Total</b>						<b>\$ 181,901,815.84</b>

<sup>1</sup> Budget Reserve

\*Restricted use. Per ARPA US Treasury Guidelines

DocuSigned by:

*DaWayne Sims* 12/5/2024

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DaWayne Sims, City Treasurer

CITY TREASURER'S OFFICE

LOUIS L. REDDING CITY/COUNTY BUILDING • 800 FRENCH STREET • WILMINGTON, DELAWARE • 19801-3537  
WWW.WILMINGTONDE.GOV • PHONE: (302) 576-2480 • FAX: (302) 573-5568

# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions I December 05, 2024

**Cash - Ledger Balance (as of 12/04/2024):**

Pension Payroll	M & T Bank	\$	88,862.02
Retiree Healthcare	M & T Bank	\$	658,080.44
Police Pension	M & T Bank	\$	116,441.55
Fire Pension	M & T Bank	\$	404,398.75
Non-Uniform Pension Act of 1990-Plan 3	M & T Bank	\$	162,396.67
Non-Uniform Pension Plan 2	M & T Bank	\$	1,000.00
Old Non-Uniform Pension - Plan 1	M & T Bank	\$	1,592.81
<b>Total Cash on Hand</b>		<b>\$</b>	<b>1,432,772.24</b>

**Cash Equivalents (as of 12/04/2024) & Investments (Market Value as of Nov 29, 2024)**

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>LIQUIDITY:</b>						
Fire Pension III	TD	CD	1/21/2025	4.78%	\$ 16,465.25	\$ 2,000,098.26
<b>SUB-TOTAL:</b>						<b>\$ 2,000,098.26</b>
<b>RESERVE:</b>						
Pension Trust	Rhumblin (S&P 500)					\$ 114,648,349.00
Pension Trust	Earnest Partners					\$ 19,439,209.00
Pension Trust	Dodge & Cox					\$ 14,256,397.00
Pension Trust	Artisan Global					\$ 14,865,865.00
Pension Trust	MFS Low Global					\$ 15,895,020.00
Pension Trust	Fidelity Total Intl. Index					\$ 17,911,624.00
Pension Trust	Harding Loevner					\$ 2,430,563.00
Pension Trust	Fidelity Emerging					\$ 2,995,377.00

*Fire pension CD currently undergoing renewal*

DocuSigned by:

*DaWayne Sims*

12/5/2024

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**DaWayne Sims, City Treasurer**

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# City of Wilmington



**DaWayne Sims**  
City Treasurer

## Treasurer's Report - Pensions II December 05, 2024

**Investments (Market Value Nov 29, 2024)**

Account Type & Fund	Institution	Investment Type	Maturity Date	Interest Rate	Interest Receivable	Investment Amount
<b>RESERVE:</b>						
Pension Trust	Clarion Lion					\$ 9,521,609.00
Pension Trust	Morgan Stanley					\$ 7,914,405.00
Pension Trust	JP Morgan					\$ 16,376,951.00
Pension Trust	LM Capital Core					\$ 34,031,032.00
Pension Trust	Rhumbline Core					\$ 29,696,334.00
Pension Trust	Fidelity Bond Index					\$ 9,650,763.00
Pension Trust	Money Market					\$ 2,309,353.00
Pension Trust	OPEB Trust Fund					\$ 37,088,264.00
<b>SUB-TOTAL</b>						<b>\$ 349,031,115.00</b>
<b>Total Investments</b>						<b>\$ 351,031,213.26</b>
<b>Total Cash on Hand</b>						<b>\$ 1,432,772.24</b>
<b>Grand Total</b>						<b>\$ 352,463,985.50</b>
<b>Total Funds under Treasury Management:</b>						
<b>Total Investments</b>						<b>\$ 521,236,588.78</b>
<b>Total Cash on Hand</b>						<b>\$ 13,129,212.56</b>
<b>Grand Total<sup>1</sup></b>						<b>\$ 534,365,801.34</b>

<sup>1</sup> Excludes non-City funds held in trust on behalf of City employees (Mass Mutual)

DocuSigned by:

*DaWayne Sims* 12/5/2024

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DaWayne Sims, City Treasurer

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**NON-LEGISLATIVE BUSINESS**

Upon a motion of Council Member McCoy, seconded by Council Member Bracy, the following non-legislative resolutions were accepted into the record and motion prevailed:

a. Recognition Resolutions

Bracy	Recognize Metropolitan Wilmington Urban League (25 Year Anniversary)
Oliver	Recognize Beverly A. Marion (Retirement)

b. Sympathy Resolutions

All	Council Sympathy Margaret "Peg" Tigie
Oliver	Sympathy Charles Kevin Spencer

**PUBLIC COMMENTS**

At this time, President Congo opened up the floor for public comments and the following individuals spoke:

- Deacon Earl E. Tate
- Kaitleen Troller (virtual)
- Luke Bernhardt
- Tony Dunn (virtual)
- Joseph Walls
- Dominique Grant (virtual)
- Liam Schofield
- David Storm (virtual)
- Travis Fogelman
- Nicholas Domicich (virtual)
- Doyin Coker (virtual)

*\*Note: Council Member Darby was recognized during Public Comments as being present and reflected in the minutes herein (Roll Call).*

**LEGISLATIVE BUSINESS**

On behalf of President Congo, Council Member Bracy presented Resolution No. 24-060 (Agenda #0506) as follows:

**WHEREAS**, Section 2-369 of the City Code requires grants awarded by the Mayor, City Council, or the City Treasurer in the amount of \$5,000 or more within a fiscal year to be approved by resolution of City Council; and

**WHEREAS**, Cool Shoes Inc. has previously received \$4,750 in Community Support/ Discretionary Funds from various Councilpersons in Fiscal Year 2025; and

**WHEREAS**, City Council President Ernest “Trippi” Congo, II wishes to award a grant to Cool Shoes Inc., by way of their fiduciary agent, Christian Growth Ministries CDC, in the amount of \$2,500 from the Community Support/ Discretionary Funds, which has been allocated to provide sponsorship by various Councilpersons of community initiatives; and

**WHEREAS**, under the leadership of LaDaye "Cooley" Johnson, Cool Shoes Inc. has served the Wilmington community for 14 years. This non-profit organization, which focuses primarily on youth, offers support to children and families by helping provide resources to families in need. Cool Shoes Inc. has led Thanksgiving food giveaways and Easter egg hunts, distributed backpacks and laptops to underserved communities, and supported summer camps to meet the needs of local youth; and

**WHEREAS**, these funds will be used to support Cool Shoes Inc.’s 14<sup>th</sup> annual Christmas toy drive, which aims to purchase 200 bikes for local children.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this Council hereby approves the issuance of a grant Cool Shoes Inc. in the amount of \$2,500.

**BE IT FURTHER RESOLVED** that this grant contribution is in alignment with the 2022-2025 Wilmington City Council Strategic Plan goal of fostering a “Wilmington for All Ages” that supports positive youth and family development activities.

Upon a motion of Council Member Bracy, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Bracy deferred to President Congo who spoke on the purpose of the Resolution. Council Member B. Fields requested to be added as a co-sponsor and made comments. Council Member McCoy raised a question and President Congo responded. Council Member Oliver made comments and requested to be added as a co-sponsor.

President Congo requested the Clerk call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, B. Fields, McCoy, Johnson, N. Field, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Harlee and Cabrera. Total, two.

President Congo declared the Resolution **adopted**.

Council Member Darby presented Resolution No. 24-062 (Agenda #0507) as follows:



**WHEREAS**, the 2022-2025 Wilmington City Council Strategic Plan, prioritizes a “Prosperous and Sustainable Wilmington” with active participation in the development of “policies and strategies regarding risk management, workers’ compensation, and human resources”; and

**WHEREAS**, in 2022, the Delaware General Assembly passed House Bill 422, An Act to Amend the Charter of the City of Wilmington Relating to Residency, to revise Section 3-304 of Wilmington’s City Charter to grant the City the authority to determine “whether, and to what extent, its employees are required to be City residents.” After much deliberation and public engagement, Substitute 2 to Ordinance 23-040 (Sub. 2 to Ord. 23-040), An Ordinance to Amend Chapter 40 of the City Code to Establish 22 Del 22 Del. C. § 841’s Five-Year Maximum Residency Requirement, to Establish the Related Geographical Boundaries at City of Wilmington Limits, and to Establish a Residency Taskforce, was enacted without the Mayor’s signature after 10-days pursuant to Section 2-202 of the Charter; and

**WHEREAS**, in November, Sub. 2 to Ord. 23-040 established a five-year maximum period wherein which all new non-elected employees must reside within the geographical boundaries of the City of Wilmington, extended the allowable time for relocation from six months to one year, established Residency Assistance Fund to defray the costs of relocation, and established a Residency Taskforce to advise on additional actions that could address the vacancies within the City’s workforce; and

**WHEREAS**, in December, following the codification of Sub. 2 to Ord. 23-040, a complaint was filed by the Fraternal Order of Police (FOP) with the State of Delaware’s Public Employee Relations Board (PERB) alleging that the City failed to respond to their request to reopen contract negotiations to discuss the residency requirement, which many members opposed. In response to the PERB’s ruling, the five-year residency requirement was immediately suspended at the discretion of the City’s Department of Human Resources and the Law Department. Because the statutory language in the contracts of other City unions, including Fire Local 1590, and AFSCME (American Federation of State, County, and Municipal Employees) Locals 1102, 1102B and 320, was deemed sufficiently similar to that of the FOP, the five-year residency requirement was also repealed for members of these unions, approximately 854 union employees, which constitute 77% of the City’s workforce, were exempted from meeting the five-year residency requirement. At the time the decision was announced in April of 2024, 300 non-union employees were still required to comply with the stipulations of the five-year residency requirement; and

**WHEREAS**, the members of the Taskforce were appointed with the intentions of examining the barriers to employment that impeded the recruitment and retention of the City’s workforce. The scope of their work included, but was not limited to: “identifying ways for residents to fill vacancies, creating incentives to move into the city, find ways to ease financial burdens to move, rent, and/or buy within the City”; and

**WHEREAS**, after careful deliberation, the members of the Residency Taskforce have submitted their final report, included herein as Attachment A. The document contains an assessment of key barriers to employee recruitment and retention, considerations regarding the policies governing the Residency Assistance Fund, and an array of recruitment and retention suggestions inspired by regional and national best practices; and

**WHEREAS**, the Residency Taskforce Report is complementary to other efforts by the Wilmington City Council to support laws and policies that attract and retain an effective City workforce. Some of these include, proposing an amendment to Chapter 40 of the City Code to allow the spouses of City employees, regardless of employment status, to be listed as dependents on their health insurance policy, which has currently been held; urging the Department of Human Resources to study and present findings to the administrative board and city council regarding college degree requirement removal from some job descriptions; appealing to the Administration to make a cost-of-living adjustment for pension beneficiaries a budget priority going forward, adopting an Ordinance to expand bereavement eligibility to the loss of an unborn child or great-grandparents; introducing an Ordinance to implement the State's 12-week paid parental leave policy prior to being mandated to do so; and passing an Ordinance to contribute to organizational cohesion by making a revised organizational chart with the photographs of key organizational leaders; and

**WHEREAS**, the Residency Taskforce has furnished a range of feedback that is conscious of the present contexts and challenges our City must confront to build and retain a competitive workforce.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this Legislative body accepts the Residency Taskforce Report, included herein as Attachment A, into the public record.

**BE IT FURTHER RESOLVED** that this Legislative body expresses its appreciation for the service and contributions of the members of the Residency Taskforce: Tyre' Matthews, chair of the Taskforce; U'Gundi Jacobs, vice chair of the Taskforce; Charlotte Barnes, Director of the Department of Human Resources; Tanya Washington, the Mayor's Chief of Staff; So'nya Jones, and Dubbard McGriff.

*Note: The Residency Report is included herein as an insert from Page 11 to Page 27.*

*[the remainder of this page intentionally left blank]*

# RESIDENCY TASK FORCE REPORT

## RECRUITMENT AND RETENTION

CITY OF WILMINGTON, DELAWARE



### COMMITTEE MEMBERS

Tyre' Matthews, Tanya Washington, Charlotte B. Barnes, U'Gundi Jacobs,  
Dubbard McGriff and So'nya Jones

Technical Writer: Gabriel Akinporoye

OCTOBER 31, 2024

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## EXECUTIVE SUMMARY

Delaware's House Bill 422 and Wilmington's Ordinance 23-040 enabled greater flexibility in residency requirements to address labor shortages, a challenge exacerbated by national trends such as aging populations and COVID-19 pandemic. This report analyzes considerations to fill the vacant job positions in the City of Wilmington through qualified city residents. It proposes attractive incentives for prospective employees, especially qualified and specialized job candidates, to relocate to the City of Wilmington. Strategies to financially support relocation for moving, renting, and or buying a home locally are discussed. Key initiatives include improved financial motivation, enhanced recruitment strategies with relocation assistance, and other extensive employee support measures. These considerations make Wilmington an employer of choice for potential employees among its competitors.

## BACKGROUND

The unprecedented wave of workers voluntarily leaving their jobs began in 2021 and has continued to reshape the American labor market. Research<sup>1</sup> shows that 47.8 million workers quit their jobs in 2021, followed by 50.6 million in 2022, and 44.5 million in 2023. This trend has left employers struggling to fill vacancies and retain talent. During COVID-19 pandemic, frontline workers in healthcare, retail, and education sectors experienced burnout<sup>2</sup> from long hours and remote work, leading to significant mental and physical strain. Many workers reassessed their work-life balance during this period with a focus on personal well-being, family time, and flexible working conditions. The refusal of some employers to continue remote work options after Covid-19 lockdown triggered further resignations. A notable trend was the migration from high-stress roles toward jobs that offered more autonomy and fulfillment. According to a 2022 survey<sup>3</sup> by McKinsey, 87% of employees wanted flexibility.

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<sup>1</sup> [Understanding America's Labor Shortage: The Most Impacted Industries | U.S. Chamber of Commerce](#)

<sup>2</sup> [Frontiers | Coping with burnout and the impact of the COVID-19 pandemic on workers' mental health: A systematic review](#)

<sup>3</sup> [McKinsey Study: "Americans are embracing flexible work—and they want more of it"](#)

Simultaneously, the U.S. is facing a demographic shift with the baby boomer generation reaching retirement age. Research<sup>4</sup> found more than 11,200 Americans will turn 65 every day from 2024 to 2027, totaling over 4.1 million annually. This wave of retirements worsens the labor shortages already caused by Covid-19 pandemic. This also means that many experienced workers in skilled and managerial positions are leaving the workforce. Specifically, in 2021, the number of retirees in the U.S. reached nearly 30 million. This was a dramatic increase from the 25 million in 2009, and this trend will continue through the mid-2020s. As revealed in a study<sup>5</sup> done by Microsoft and LinkedIn, nearly half (46%) of people considered quitting their jobs in 2024. The U.S. Census Bureau<sup>6</sup> projected that one in five Americans will be 65 or older by 2030. This demographic shift does not only put strain on sectors like healthcare and education, but government services as well.

### **Labor Market Landscape: Reflection of National Trends in Delaware and Wilmington**

While Delaware ranks 40<sup>th</sup> in labor force participation,<sup>7</sup> it ranks 5<sup>th</sup> in the U.S. for the highest proportion of residents aged 65 and older. According to the U.S. Census Bureau<sup>8</sup>, over 20% of Delaware's population is 65 years or older, compared to the national average of 16%. This limits Delaware to having only 63 applicants for every 100 job openings. Governor John Carney, in his 2024 State address,<sup>9</sup> mentioned that there are 31,000 job openings in Delaware, but only 21,000 people are actively seeking employment. Delaware now experiences the dual challenges of an aging population and labor force participation. In Wilmington, many long-serving city employees in administrative roles, public works, and community services are also reaching retirement age especially in departments like Wilmington's Department of Public Works, leaving gaps in important services like waste management, water treatment, and infrastructure maintenance. Beyond government services, the retirement of senior executives in Bank of America<sup>10</sup>

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<sup>4</sup> [The silver wave: 4.1 million Americans will turn 65 in 2024 | Empower](#)

<sup>5</sup> [Nearly 50% of people are considering leaving their jobs in 2024: new LinkedIn and Microsoft research](#)

<sup>6</sup> [Demographic Turning Points for the United States](#)

<sup>7</sup> [How Delaware aims to overcome its low labor rate - WHY](#)

<sup>8</sup> [The Population 65 Years and Older, 2021](#)

<sup>9</sup> [How Delaware aims to overcome its low labor rate - WHY](#)

<sup>10</sup> [Bank of America Announces Senior Leadership Changes | Press Releases | Newsroom | Bank of America](#)

and Chase bank<sup>11</sup> in Wilmington was noted. ChristianaCare<sup>12</sup> has been offering retention bonuses and better mental health support for its workers as a strategy to reduce mass resignation.

## RESIDENCY REQUIREMENTS

Governor John C. Carney signed Delaware House Bill 422 into law<sup>13</sup> to grant Wilmington the authority to determine residency requirements for its non-elected employees. This Bill was in response to several challenges faced by Delaware municipalities in attracting pool of qualified talents into their workforce. Delaware faced competition from nearby towns and counties which do not have strict residency requirements. Many cities in Delaware, especially Wilmington, struggled to recruit and retain qualified workers.

Some argued that restrictive residency requirements reduce the pool of potential candidates, particularly for specialized roles that demand specific skills and qualifications, such as in law enforcement and certain administrative positions. Some cities in Delaware, particularly Wilmington, have higher living costs<sup>14</sup> than their surrounding areas and this makes potential employees, especially those with families, prefer more affordable housing options outside the city. In response to a complaint filed by the Fraternal Order of Police (FOP) after the adoption of Substitute 2 to Ordinance 23-040,<sup>15</sup> which established Wilmington's residency requirement for new employees, the Delaware Public Employee Relations Board (PERB)<sup>16</sup> directed Wilmington to re-open contract negotiations with its police union regarding the five-year residency requirement. While the City of Wilmington's 824 union employees are exempted from residency requirements, 244 non-union employees, primarily in administrative and managerial positions, must still comply with the current residency requirements.

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<sup>11</sup> [JPMorgan Chase Announces Expanded Roles for Top Executives](#)

<sup>12</sup> [Forbes ranks ChristianaCare No. 1 employer in Delaware - ChristianaCare News](#)

<sup>13</sup> [Legislation Document](#)

<sup>14</sup> [Cost of Living in Delaware | Live Love Delaware](#)

<sup>15</sup> [Sub -2-to-Ord -23-040-0362-Rev -2-Amend-Chapter-45-to-Establish-Residency-Requirement-snd-AATF-W0122963x920B6-1.pdf](#)

<sup>16</sup> [Police union complaint prompts pause of Wilmington's residency law](#)

## RESIDENCY TASK FORCE IN WILMINGTON

Substitute 2 to Ordinance 23-040 in Wilmington was in response to the goal of Delaware to give more flexibility and autonomy for Wilmington to manage its workforce through House Bill 422. This gives Wilmington greater control over its hiring processes and enables its tailor residency requirements to fit its unique needs in order to attract and retain a skilled, diverse, and satisfied workforce. This Ordinance also established a Residency Task Force consisting of a member of the Department of Human Resources, a member of the Administration, and at least three community members who live within the geographic boundaries of Wilmington.

The Task Force is responsible for identifying ways for residents to fill vacancies, creating incentives for potential qualified employees to move into the city, and finding ways to ease their financial burdens to move, rent, and or become homeowners within the city. This ordinance aims to ensure that the city jobs are accessible to Wilmington residents as well as skilled and qualified potential employees who would move into the city. It should be noted that Substitute 2 to Ordinance 23-040 became law per Charter after 10 days with or without the Mayor's signature. The City Council intended for this legislation to apply to all City employees, even while the case with the Public Employment Relations Board was still pending.

## EXISTING RECRUITMENT PRACTICES

The Department of Human Resources has implemented some recruitment strategies aimed at attracting highly qualified job candidates. These strategies include:

- ✓ **Organizing and Attending Job Fairs:** These events help the city gain access to a broad pool of job seekers, from recent graduates to experienced professionals. It also allows the Human Resources team to conduct on-the-spot screenings or interviews and speed up the hiring process for suitable candidates. It is important



to note that on-the-spot screenings or interviews are only available to Limited Service Employees (LSEs).

- ✓ **Posting Job Vacancies on the City's Social Media Site and Job Boards:** Leveraging social media and job boards expands the City's reach to a wider and more diverse audience. Platforms such as LinkedIn and Indeed help attract active and passive job seekers.
- ✓ **Posting Technical Job Vacancies on Trade Publications and Magazines:** Posting technical vacancies in specialized trade publications and magazines, like the American Water Works Association, the Society for Human Resource Management and National Public Employers Labor Relations Association, ensures that job openings are seen by professionals with the specific qualifications and expertise required.
- ✓ **Collaborating with Schools as a Pipeline to Fill Vacant Positions:** Forming partnerships with educational institutions, such as the University of Delaware and the New Castle County Vocational Technical School District, to create a talent pipeline for the city. This collaboration involves internship programs and contemplates co-op placements and direct recruitment initiatives aimed at preparing graduates for future roles in Wilmington's workforce.
- ✓ **Outsourcing Jobs on Contract:** This strategy has been useful for handling fluctuating workloads and highly technical projects. This helps the city bring in expertise that may not be available in-house without the long-term commitment of permanent hires.
- ✓ **Giving Referral Bonuses to Fill Technical Vacant Positions:** Offering referral bonuses incentivizes current employees to recommend qualified candidates from their networks. This helps to fill technical positions faster with higher quality of potential employees.

- ✓ **Come in and Study:** This innovative approach allows potential employees to visit the City of Wilmington, observe its operations, and gain a first-hand understanding of the environment, culture, and job expectations. It should be noted that this initiative is still in the exploratory stages.

## EXISTING RETENTION PRACTICES

Wilmington has initiated some retention strategies to reduce turnover and save costs associated with rehiring and training. These include:

- ✓ **Housing Assistance:** Down payment for employees' mortgage has been increased from \$4,000 up to \$15,000. This substantial increase in financial assistance reflects the City's commitment to helping its workforce secure affordable housing and establish roots within the community
- ✓ **Residency Flexibility:** Substitute 2 to Ordinance 23-040 extended the period of time for a newly hired employee to obtain residency within city limits. The City has recently revised its residency requirements<sup>17</sup> to permit new hires to move to the city within one year instead of the previous six-month timeframe. This policy change is a strategic move to attract qualified candidates from neighboring areas and retain them.
- ✓ **Stay Interview:** The Human Resources team conducts interviews with the current employees to understand their job satisfaction, motivations and to attend to concerns that could lead to resignation. This strategy fosters employees' engagement and retention.
- ✓ **Workforce Development Program:** The City participates in ARPA Apprenticeship Program in partnership with the New Castle County Vocational Technical School District to train young people between the ages of 16 and 24 for jobs. The City also

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<sup>17</sup> [The City of Wilmington has a new employee residency requirement | Delaware First Media](#)

has training programs for its blue-collar jobs and upcoming development initiatives for its white collar jobs. Resolution 24-044 approved<sup>18</sup> training participation for current and new city employees in Wilmington.

- ✓ **Flexible Working Hours:** The has an established teleworking policy. Currently, staff are allowed to work remotely for one day each week in order to enhance work-life balance. This initiative recognizes the evolving nature of work, where many employees value the ability to manage their schedules in a way that accommodates personal commitments with professional responsibilities.
- ✓ **Community and Lifestyle Incentives:** The City partners with local restaurants, YMCA and others to provide subsidies for staff on food, sports and entertainment. The City also keeps improving local amenities and public services to enhance friendly environment for potential employees. This will attract employees looking for both career opportunities and a desirable place to live.
- ✓ **Career Growth and Development:** Resolution 24-044 approved a partnership with the Department of Labor to support additional training for new and current City employees

## LEGISLATIVE AND POLICY MEASURES

- **Degree Requirements:** Resolution 24-012 urged the Department of Human Resources to study and present findings to the administrative board and City Council regarding college degree requirement removal from some job descriptions.<sup>19</sup>
- **Upskilling:** Resolution 24-044 approved the acceptance by the Department of Public Works of Grant Funds from the Delaware Department of Labor, Division of Employment

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<sup>18</sup> [Res-24-044-0456-Resolution-Authorizing-Department-of-Public-Works-to-Accept-Grant-Funds-from-DDOL-zo.pdf](#)

<sup>19</sup> [#0393 - Resolution - Urging Department of Human Resources to Evaluate Whether College Degrees are necessary-W0123824.DOCX](#)

and Training, to support training of current and new city employees who are promoted to take on new roles.<sup>20</sup>

- Organizational Culture and Cohesion: Substitute 1 to Ordinance 22-041 amended Chapter 2 of the City Code and required the creation, publication and maintenance of a revised organizational chart with the names, titles, and photographs of key City leadership.<sup>21</sup>

- Senate Bill 253: This Act amended Section 3-701 of the City's Charter to provide, with the exception of the City Solicitor, all persons appointed to serve as attorneys in the law department to have 3 years of continuous satisfactory full-time service and should not be removed from their positions except for a just cause.<sup>22</sup>

- Resolution 24-026: This recommended the Administration to include a cost-of-living adjustment (COLA) for pension beneficiaries among its top budgetary priorities.<sup>23</sup>

- Ordinance 23-031: Human Resources initiated this amendment to Chapter 40 of the City Code to update bereavement leave requirements to include an additional day of employee leave. It also expanded the eligibility for bereavement leave to the loss of an unborn child or great grandparents.<sup>24</sup>

- Resolution 18-054: This requested the Mayor and the Department of Finance to give all City employees an advanced opportunity of 10 business days to bid on motor vehicles that are being disposed of by the City.<sup>25</sup>

- The findings of Classification and Compensation Study initiated by the Department of Human Resources also aims at maintaining the City's competitiveness by benchmarking

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<sup>20</sup> [Res -24-044-0456-Resolution-Authorizing-Department-of-Public-Works-to-Accept-Grant-Funds-from-DDOL-zo.pdf](#)

<sup>21</sup> [Sub -1-to-Ord -22-0410234-Amend-Chapter-2-of-City-Code-to-Require-Creation-Publication-Maintenance-of-Revised-City-Organizational-Chart-zo.pdf](#)

<sup>22</sup> [SB253 | Delaware 2023-2024 | AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON RELATING TO ASSISTANT CITY SOLICITORS. | TrackBill](#)

<sup>23</sup> [Res -24-026-0426-Recommend-a-Cost-of-Living-Adjustment-for-Pension-Beneficiaries-as-a-Budgetary-Priority-4.16.24-rev-zo.pdf](#)

<sup>24</sup> [Ord -23-031-0341-Amend-Chapter-40-of-the-City-Code-Regarding-Bereavement-Leave-v2cj-2.pdf](#)

<sup>25</sup> [Res -18-054-4564-City-Vehicles.pdf](#)

the salaries of current employees with their counterparts with comparable ranks and responsibilities.<sup>26</sup>

## **CHALLENGES**

A considerable number of job openings in the City of Wilmington remain unfilled, reflecting the broader economic trends, shortage of qualified applicants and other contributing factors. While a key challenge lies in recruiting residents to step into these roles, some of these job openings require specific skills and qualifications that are not widely available. The City is also finding it difficult to draw qualified prospective employees who live outside Wilmington to take up some available technical job positions that are harder to fill. Many of these technical job openings demand not only advanced training but also a deep familiarity with technical skills. The City's pool of qualified candidates for these available job positions is small because it faces stiff competition from other municipalities and private companies that are often able to offer more attractive compensation packages and career advancement opportunities among others. Besides flexibility in adjusting salaries and benefits to make the City jobs more appealing to these prospective employees, some of them decline due to a range of other concerns including housing, safety, cost of living and other personal reasons.

## **CONSIDERATIONS**

In accordance with Substitute 2 to Ordinance 23-040, the task force has outlined key considerations for developing effective recruitment strategies aimed at addressing current job vacancies. These considerations lead to targeted incentives aimed at attracting potential employees to Wilmington. The goal is to make the City of Wilmington an appealing destination for skilled professionals by alleviating the initial financial burdens and creating a supportive environment that encourages long-term commitment to the community. Below are the task force considerations:

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<sup>26</sup> Sep 05, 2023 Finance and Economic Development - Wilmington, DE

## FILLING VACANT POSITIONS

- ✓ **Competitive Salary and Benefits:** Wilmington should conduct regular salary benchmarking analyses to ensure that compensation packages remain competitive with other cities, particularly for in-demand technical and specialized roles. This approach will attract highly qualified technical workers and prevent talent loss to neighboring areas. Beyond financial motivation, enhanced retirement benefits, competitive healthcare benefits and other perks would demonstrate a strong commitment to employee well-being and financial security.
  
- ✓ **Flexible Work Arrangements:** Wilmington should adopt a hybrid work model that allows three in-office days and two remote days each week. Those remote days currently exclude Mondays and Fridays by directives in order to promote team cohesion and maintain continuity for department meetings and collaborative work. Wilmington should consider offering eligible employees to work remotely on either Monday or Friday. This flexible approach would support a better work-life balance that has become increasingly sought after in today's job market. Employees with flexible arrangements often report<sup>27</sup> higher satisfaction and productivity.
  
- ✓ **Inclusive and Positive Work Environment:** Wilmington should actively promote a work culture of inclusion and respect that ensures that all employees, including LGBTQ+ individuals, feel valued and supported. Hosting diversity, equity, and inclusion (DEI) workshops, as well as establishing Employee Resource Groups (ERGs) could help create a more inclusive culture that acknowledges and celebrates diversity. Wilmington should consider offering unique benefits like pet insurance and “peternity leave” for new pet owners to signal the city's recognition of non-traditional family structures and lifestyle needs. The City should also implement more wellness initiatives and reinstate those that may have lapsed due to the COVID-19 pandemic that encourages a healthier work-life balance. This investment in employee well-being

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<sup>27</sup> [The Impact of Flexibility and Flexible Work Environments on Employee Well-being - Most Loved Workplace®](#)

would make Wilmington a more attractive place to work and promote long-term retention.

## **INCENTIVES FOR MOVEMENT TO THE CITY**

- ✓ Wilmington should provide employees with more exclusive benefits at local restaurants, entertainment venues, fitness centers, and wellness facilities. These discounts will not only add value to employees' roles but also encourage them to engage more actively with the community they serve. Such partnerships could create an incentive for commitment.
  
- ✓ Wilmington should implement more reward programs that allow staff to earn points or vouchers redeemable at local restaurants, entertainment venues and wellness facilities. In addition to external perks, creating a more enjoyable and convenient workplace environment could be supported by offering complimentary on-site snacks, drinks, and meal options. This approach would provide added convenience that allows employees to recharge during workdays. This will also foster a positive and community-oriented culture within the workplace.

## **WAYS TO EASE FINANCIAL BURDENS TO MOVE, RENT, AND/OR BUY WITHIN THE CITY**

Wilmington should implement a comprehensive relocation assistance program for non-union staff and negotiate this with the union staff. Relocation assistance program would serve as an effective incentive for employees to move into the city. It will boost community engagement and long-term commitment. Key elements of this initiative should include:

- ✓ **Reimbursement for Moving Expenses:** Staff should be eligible for relocation reimbursement after completing an initial period of employment of six months to a year. A threshold of 25 miles should receive up to \$5,000, and 75 miles should get up

to \$7,500. This could cover gas, airfare, and moving services such as loading, unloading, storage facilities and temporary housing. Beneficiaries should maintain their job positions with the City for a minimum of 3 years. The City should consider restricting this benefit to non-union employees who must comply with the residency requirements and offer direct payments to vendors for services rendered.

- ✓ **Expanded Support for Homeownership:** For employees purchasing a home for the first time, Wilmington should partner with local housing authorities and financial institutions to provide counseling and support such as helping employees secure favorable mortgage rates, access to low-interest loans, and education on maintaining homeownership. This assistance will foster relocation and commitment.
- ✓ **Subsidized Rental Assistance:** Wilmington should offer rental subsidies to new non-union staff, particularly for qualified prospective employees suitable for technical roles, who may be challenged with rental expenses. This could be done through discounts on rent on designated subsidized housing or a percentage payment on the first month's rent in areas of their choice within the city. These programs can be funded through partnerships<sup>28</sup> with housing authorities and grants from the state and federal agencies.

#### **NOTABLE MENTIONS:**

- ✓ ***Fitness and Well-being:*** Wilmington should consider providing transportation for employees to the Hicks Anderson Community Center to support their participation in fitness and well-being activities. This service would make it easier for employees to access health programs, promoting physical wellness and encouraging a balanced lifestyle.
- ✓ ***Pension Reform:*** Wilmington should consider a defined contribution plan, based on employee contributions and employer match, or hybrid plan. Either option should

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<sup>28</sup> State of Delaware – Delaware State Housing Authority



include portability, which allows employees to take their accumulated savings with them if they leave Wilmington. This will enhance flexibility for a diverse workforce.

- ✓ *Eldercare Benefit*: Wilmington should implement elder care leave to support employees who are balancing work responsibilities with caregiving for their elderly relatives. Research<sup>29</sup> indicates that employees with access to elder care benefits report higher job satisfaction and are more likely to remain loyal to their employers.
- ✓ *Childcare Assistance*: Wilmington should consider offering childcare assistance to employees to help them manage work-life responsibilities more effectively. This support could alleviate childcare challenges, reduce stress, and boost productivity.

## CONCLUSION

While the Residency Task Force recognizes the ongoing recruitment and retention policies and strategies, it provides a comprehensive framework that addresses the current and long-term workforce challenges of the City of Wilmington through employee-based incentives that prioritize competitive salary structure and benefits, staff growth and development, inclusive and friendly organizational culture, relocation and rental assistance, employees' wellness and other extensive employee support measures. These considerations are geared towards making Wilmington an employer of choice to pool of prospective employees within and outside the City of Wilmington.

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<sup>29</sup> [Elder Care Employee Benefits | Bright Horizons®](#)

## ENDNOTES:

- <sup>1</sup> Understanding America's Labor Shortage: The Most Impacted Industries | U.S. Chamber of Commerce
- <sup>2</sup> Frontiers | Coping with burnout and the impact of the COVID-19 pandemic on workers' mental health: A systematic review.
- <sup>3</sup> McKinsey Study: "Americans are embracing flexible work—and they want more of it "
- <sup>4</sup> The silver wave: 4.1 million Americans will turn 65 in 2024 | Empower
- <sup>5</sup> Nearly 50% of people are considering leaving their jobs in 2024: new LinkedIn and Microsoft research
- <sup>6</sup> Demographic Turning Points for the United States
- <sup>7</sup> How Delaware aims to overcome its low labor rate - WHY
- <sup>8</sup> The Population 65 Years and Older: 2021
- <sup>9</sup> How Delaware aims to overcome its low labor rate - WHY
- <sup>10</sup> Bank of America Announces Senior Leadership Changes | Press Releases | Newsroom | Bank of America
- <sup>11</sup> JPMorgan Chase Announces Expanded Roles for Top Executives
- <sup>12</sup> Forbes ranks ChristianaCare No. 1 employer in Delaware - ChristianaCare News
- <sup>13</sup> Legislation Document
- <sup>14</sup> Cost of Living in Delaware | Live Love Delaware
- <sup>15</sup> Sub.-2-to-Ord.-23-040-0362-Rev.-2-Amend-Chapter-45-to-Establish-Residency-Requirement-snd-AATF-W0122963x920B6-1.pdf
- <sup>16</sup> Police union complaint prompts pause of Wilmington's residency law
- <sup>17</sup> The City of Wilmington has a new employee residency requirement | Delaware First Media
- <sup>18</sup> #0393 - Resolution - Urging Department of Human Resources to Evaluate Whether College Degrees are necessary-W0123824.DOCX.
- <sup>19</sup> Res.-24-044-0456-Resolution-Authorizing-Department-of-Public-Works-to-Accept-Grant-Funds-from-DDOL-zo.pdf
- <sup>20</sup> Res.-24-044-0456-Resolution-Authorizing-Department-of-Public-Works-to-Accept-Grant-Funds-from-DDOL-zo.pdf
- <sup>21</sup> Sub.-1-to-Ord.-22-0410234-Amend-Chapter-2-of-City-Code-to-Require-Creation-Publication-Maintenance-of-Revised-City-Organizational-Chart-zo.pdf
- <sup>22</sup> Sub.-1-to-Ord.-22-0410234-Amend-Chapter-2-of-City-Code-to-Require-Creation-Publication-Maintenance-of-Revised-City-Organizational-Chart-zo.pdf
- <sup>23</sup> SB253 | Delaware 2023-2024 | AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON RELATING TO ASSISTANT CITY SOLICITORS. | TrackBill
- <sup>24</sup> Res.-24-026-0426-Recommend-a-Cost-of-Living-Adjustment-for-Pension-Beneficiaries-as-a-Budgetary-Priority-4.16.24-rev-zo.pdf
- <sup>25</sup> Ord.-23-031-0341-Amend-Chapter-40-of-the-City-Code-Regarding-Bereavement-Leave-v2cj-2.pdf

<sup>26</sup> Res.-18-054-4564-City-Vehicles.pdf

<sup>27</sup> Sep 05, 2023 Finance and Economic Development - Wilmington, DE

<sup>28</sup> The Impact of Flexibility and Flexible Work Environments on Employee Well-being - Most Loved Workplace

<sup>29</sup> State of Delaware - Delaware State Housing Authority

<sup>30</sup> Ordinance to Amend Chapter 40 of the City Code Regarding Health Care Benefits (#0491)

<sup>31</sup> Elder Care Employee Benefits Bright Horizons

Upon a motion of Council Member Johnson\*\*, seconded by Council Member Oliver, the Resolution before the Council for its consideration. Motion prevailed. Council Member Darby spoke on the purpose of the Resolution and made comments. Council Member Oliver made comments and requested to be added as a co-sponsor. Council Members Johnson and Bracy made comments. Council Member Darby made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, B. Fields, McCoy, Johnson, N. Field, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Harlee and Cabrera. Total, two.

*\*\*Note: As Council Member Darby was experiencing technical issues virtually, Council Member Johnson made the motion to move the legislation.*

President Congo declared the Resolution **adopted**.

Council Member Oliver **held** Agenda #0508.

Council Member B. Fields presented and called for the first and second reading Ordinance No. 24-068 (Agenda #0509) entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF  
THE CITY CODE TO ESTABLISH SHORT-TERM  
RESIDENTIAL RENTAL REGULATIONS

**FISCAL IMPACT:** [TBD]

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member B. Fields, seconded by Council Member McCoy, the Ordinance was received, recorded and referred to the Community Development and Urban Planning Committee. Motion prevailed.

Council Member McCoy **held** Ord. 24-056 (Agenda #0490).

Council Member Johnson presented and called for the third and final reading Ordinance No. 24-057 (Agenda #0492) entitled:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF  
THE CITY'S GENERAL OBLIGATION BOND (ADAMS  
STREET GREEN INFRASTRUCTURE PROJECT),  
SERIES C OF 2024-WPCRF, IN ORDER TO PROVIDE  
THE FUNDS NECESSARY FOR THE INSTALLATION

OF THREE (3) BIORETENTION GARDENS, 1900 LINEAR FEET OF STORMWATER PIPE, SIXTEEN (16) MANHOLES, AND FIVE (5) TRENCH DRAINS LOCATED IN AND AROUND THE ADAM STREET COURTS AT 210 NORTH JACKSON STREET; PROVIDING FOR THE SALE OF THE 2024C BOND TO THE DELAWARE WATER POLLUTION CONTROL REVOLVING FUND; AND AUTHORIZING OTHER NECESSARY ACTION

Upon a motion of Council Member Johnson, seconded by Council Members McCoy and B. Fields, the Ordinance was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Ordinance.

President Congo requested the Clerk to call the roll.

The above-referenced Ordinance was read for the third and final time and was adopted by title and section recurring to the Enacting Clause and was passed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, B. Fields, McCoy, Johnson, N. Field, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Harlee and Cabrera. Total, two.

President Congo declared the Ordinance **adopted**.

Council Member Johnson presented Resolution No. 24-063 (Agenda #0510) as follows:

**WHEREAS**, the legalization and regulation of recreational marijuana in the State of Delaware has introduced new challenges, as well as new opportunities for the government of the City of Wilmington and its residents. In accordance with the 2022-2025 Wilmington City Council Strategic Plan goal of promoting a “Prosperous and Sustainable Wilmington” for the benefit of all residents, it is incumbent on the Council to responsibly evaluate and assess the full costs of current and past marijuana policies on the City’s population; and

**WHEREAS**, the honorable members of the Delaware General Assembly have demonstrated leadership and foresight in the institution of policies that both facilitate entrepreneurship, prioritize social equity, and seek to address the historical impacts of policies, like the War on Drugs, on the quality of life of countless Delawareans. The Council of the City of Wilmington deems it necessary and appropriate to institute laws and policies that support, reinforce, and further these priorities; and

**WHEREAS**, House Bill 1 (HB 1), An Act to Amend Title 16 of the Delaware Code Relating to Marijuana, removed penalties for personal possession and use of marijuana and marijuana accessories and legalized marijuana possession, use, purchase and transportation for those 21 years and older; and

**WHEREAS**, House Bill 2 (HB 2), An Act to Amend Titles 4, 11, 16, and 30 of the Delaware Code Relating to Creation of the Delaware Marijuana Control Act,

codified regulation and taxes for recreational marijuana use in the State of Delaware. The Act established a foundation for the cultivation, manufacturing, and sale of marijuana; created the Justice Reinvestment Fund; and social equity license opportunities to improve the quality of life for communities most affected by the War on Drugs era policies; and

**WHEREAS**, HB 1 and HB 2 are two of many efforts by the State of Delaware to foster equity and positively impact disadvantaged communities, particularly within the contexts of the criminal justice system. In 2021, Senate Bill 112, which is known as the “Clean Slate Act,” expanded the eligibility for automatic expungements to include marijuana possession, as long as the individual has no prior or subsequent convictions 5 years after the conviction. In the same year, the 151<sup>st</sup> General Assembly approved House Bill 244 (HB 244) to reduce the financial burden of certain fines, fees, and restitution costs on criminal justice-involved individuals; and

**WHEREAS**, the Justice Reinvestment Fund and social equity licensing components of HB 2 built on our State’s achievements by directly targeting these initiatives towards redressing some of the harms of the War of Drugs on Disproportionally Impacted Areas (DIAs). DIAs are defined as “census tracts in the State of Delaware identified by the Commissioner [of Marijuana] in collaboration with state and local agencies that have high rates of arrest, conviction, and incarceration relating to the sale, possession, use, cultivation, manufacture, or transport of marijuana.” Table 1, herein included as Exhibit A, provides detailed arrest rates for Wilmington’s DIAs. Applicants who have lived in a DIA for at least 5 of the last 15 years; have been convicted of or adjudicated delinquent of marijuana-related offense; or has had a parent, legal guardian, child, spouse, or dependent who was convicted of or an adjudicated delinquent of any marijuana-related offense under Delaware law prior to April 23, 2023 can benefit from reduced licenses, fees, and community investments; and

**WHEREAS**, the Justice Reinvestment Fund is allocated to grants and initiatives that address restorative justice, jail diversion, workforce development, and technical assistance in DIAs. It also aims to reduce drug-related arrests and the State’s prison population, develops technology for restoring civil rights and expunging criminal records, supports Social Equity applicants with business-related expenses and provides re-entry services. However, the impacts of the more than four decade the War on Drugs, have extended beyond individual relationships with the criminal justice system. Wilmington’s DIAs face an array of disparities in health, economic, and educational outcomes. Table 2, herein attached as Exhibit B, provides further details on the socioeconomic status of Wilmington’s census tracts containing DIAs; and

**WHEREAS**, 35 DIAs are composed of communities within the City of Wilmington. Although recreational marijuana use is now permitted in the State of Delaware, the implications of past convictions for these activities have had resounding effects. Spending more than one day incarcerated can lead to job and income loss, damage to an individual’s reputation, and a decline in social and emotional well-being. Individuals who have been incarcerated face higher rates of worse physical and mental health compared to the overall population, with 44% having a mental health disorder, and often having limited access to quality healthcare. In the State of Delaware, an individual without prior offenses could be required to wait as many as five years for an expungement. In the interim, background checks have posed barriers to gaining employment, housing, and public assistance. A Pew Research Center study estimated that

family income dropped by 22% during incarceration and 15% after re-entry. Additionally, financial aid programs, such as Delaware's SEED (Student Excellence Equals Degree) and Inspire Scholarships, along with other federally-backed educational loans have been restricted due to marijuana convictions. Such convictions or adjudications also triggered license revocations or denials for numerous professions, ranging from commercial driving licenses (CDLs) to careers in plumbing. Throughout the years, these convictions and adjudications have contributed to economic instability; homelessness; health problems, such as high blood pressure and substance abuse for affected individuals; and disruptions in family relationships; and

**WHEREAS**, marijuana-related incarcerations have had generational impacts on the family bonds, economic well-being, and psychosocial health of DIAs in Wilmington. Incarceration due to marijuana-related convictions disrupts entire family units, creating challenges in balancing responsibilities, supporting children, and caring for incarcerated loved ones. Marijuana convictions have impacted family reunification even after incarceration. In custody matters, consideration of marijuana-related offenses has resulted in loss of child custody, reduced visitation rights, and the imposition of additional restrictions from child welfare authorities. For non-citizens, such offenses have triggered family separations due to deportation, denial of naturalization, and other immigration complications; and

**WHEREAS**, Wilmington's children have been particularly affected. Children of incarcerated parents face increased risks of delinquency, substance abuse, and risky behaviors. They experience psychological strain, antisocial behavior, and are more likely to experience school disciplinary issues and economic hardship than their peers. Black children are 7.5 times and Hispanic children 2.3 times more likely to be affected, creating a cycle of vulnerability and potential incarceration; and

**WHEREAS**, the War on Drugs has had collective impacts on criminal justice-involved individuals and families locally and nationally, including the 35 DIAs located in the City of Wilmington. These areas continue to face high rates of recidivism, crime, poverty, and unemployment; and

**WHEREAS**, census tracts corresponding with the DIAs in the City of Wilmington include 6.01, 9, 14, 15, 16, 19.02, 21, 22, 23, 29 and 30.02. These areas follow distinct patterns of disadvantage. As illustrated by Table 1, herein attached as Exhibit A, marijuana-related arrest rates in these areas have been as high as 35.76%, directly impacting more than one of every three residents. The median household incomes are approximately \$42,266. Table 2, included herein as Exhibit B, demonstrates incomes ranging from \$25,538 in census tract 29 to \$58,767 in census tract 19.02. Housing insecurity, which is defined as the percentage of adults 18 years and older not able to pay mortgage, rent, or utility bills in the past 12 months, averages at about 30%, ranging from 37.5% in census tract 22 to 16.4% in census tract 15. In census tract 29, 57.3%, or about one in every two households, received public assistance or SNAP (Supplemental Nutrition Assistance Program) benefits within the past 12 months. In census tract 22, approximately one-third of households relied on public assistance to meet their family's needs; and

**WHEREAS**, DIAs in Wilmington exhibit high social vulnerability index (SVI) scores, which is a composite measure based on indicators of a household's housing type, access to transportation, socioeconomic status, and other characteristics. A score of

one denotes the highest vulnerability. Wilmington's census tracts with DIAs have SVI scores between 0.83 in census tract 14 and 1 in census tract 22. Census tracts 21,16, 29, and 30.02 have SVI scores at or above 0.93; and

**WHEREAS**, the State's area deprivation index (SDI) scores measure the relative disadvantage of a neighborhood based on factors including income, education, employment and house quality on a scale of zero to 10. Census tracts 9, 30.02, 22, 23, 6.01, 29 and 21, all of which contain a DIA, have SDI scores of 10, signaling the greatest disadvantages compared with other neighborhoods. None of the census tracts had an SDI score of less than 5; and

**WHEREAS**, the inordinate arrests in Wilmington's DIAs have negatively affected police-community relations and fostered racial disparities in quality-of-life indicators over time. Since 1978, the incarceration rate for Black people in Delaware has increased by 104%, exacerbating racial disparities in the prison system. In Delaware, 86.8% of those receiving prison sentences for drug offenses are Black, with most coming from Wilmington. While studies have repeatedly shown no racial disparities in marijuana usage, Black individuals have been four times more likely to be arrested for marijuana possession, despite making up about half of Wilmington's overall population; and

**WHEREAS**, the cumulative effects of the War on Drugs on individuals who were arrested, their families, and the communities they reside in are substantial. The City of Wilmington has the highest concentration of DIAs in the State. Delaware's current model for the legalization and taxation of recreational marijuana represents an unprecedented opportunity to address not only the direct impacts of marijuana-related arrests and convictions on local communities, but also the residual impacts on Wilmingtonians' quality of life over the more four-decade enforcement period; and

**WHEREAS**, taxes and fees applied to the sales of recreational marijuana have been instrumental in generating sustainable funding for public services, including community reinvestment programs, K-12 education, affordable housing, homelessness services, drug education, drug rehabilitation, mental health services, childcare, environmental programs, and to subsidize the costs of transportation infrastructure. The needs of Wilmington's DIAs are extensive and necessitate a multi-level approach to providing resources and developing holistic support structures that account for the indirect costs of marijuana-related prosecutions and convictions on the economic potential, educational opportunity, physical and mental health, and socioemotional relationships of residents; and

**WHEREAS**, Title 4 § 1382 of the Delaware Code imposes a 15% state tax on the retail sales price of marijuana products, and § 1386 appropriates 7% of such revenue to the Justice Reinvestment Fund. The furtherance of the State's goals of facilitating entrepreneurship, prioritizing social equity and inclusion, and counteracting the historical impacts of the War on Drugs in the City of Wilmington necessitates sustainable local resources.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** that this Legislative body respectfully requests that the Delaware General Assembly make provisions for the City of Wilmington to receive a direct allocation or be accorded with the authority to levy a municipal tax on recreational marijuana revenue; and



**BE IT FURTHER RESOLVED** that this Legislative body expresses strong support for the new opportunities embodied by the establishment of social equity business licenses and the Justice Reinvestment Fund for individuals directly impacted by the War on Drugs and their immediate families; and

**BE IT FURTHER RESOLVED** that the additional revenue generated by recreational marijuana retail sales would be pivotal to bolstering Wilmington's capacity to develop the types of holistic support systems for disproportionately impacted areas (DIAs) that could change the trajectories of countless lives in the present and future.

Upon a motion of Council Member Johnson, seconded by Council Member B. Fields, the Resolution was before the Council for its consideration. Motion prevailed. Council Member Johnson spoke on the purpose of the Resolution and made comments. Council Members N. Field and Oliver made comments. Council Member Spadola made additional comments. Council Members Darby and B. Fields made comments. President Congo made comments. Council Member B. Fields requested to be added as a co-sponsor. Council Member Bracy requested to be added as a co-sponsor and made comments. Council Member McCoy made comments. Council Member Oliver requested to be added as a co-sponsor and made additional comments. Council Member Spadola requested to be added as a co-sponsor. Council Member Darby requested to be added as a co-sponsor and made additional comments. President Congo requested to be added as a co-sponsor. Council Member N. Field requested to be added as a co-sponsor and made comments. Council Member McCoy requested to be added as a co-sponsor. Council Member Congo raised a question and Council Member Johnson responded. Council Member White requested to be added as a co-sponsor. Council Member B. Fields made additional comments. Council Member Mills requested to be added as a co-sponsor. Council Member Johnson made closing comments.

President Congo requested the Clerk to call the roll.

The above-referenced Resolution was received, adopted as read and directed to be recorded and filed by the following Yea and Nay Roll Call Vote: Yeas, Council Members White, Darby, Oliver, B. Fields, McCoy, Johnson, N. Field, Mills, Spadola and Bracy, and Council President Congo. Total, eleven. Nays, none. Absent, Council Members Harlee and Cabrera. Total, two.

President Congo declared the Resolution **adopted**.

Council Member N. Field presented and called for the first and second reading Ordinance No. 24-069 (Agenda #0511) entitled:

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE TO PROHIBIT THE OPERATION OF RETAIL MARIJUANA BUSINESSES IN THE CITY OF WILMINGTON, DELAWARE

**FISCAL IMPACT STATEMENT:** There is no anticipated negative fiscal impact associated with this Ordinance.

The above-referenced Ordinance was given two separate readings by title only and upon a motion of Council Member N. Field, seconded by Council Member McCoy, the Ordinance was received, recorded and referred to the Community Development and Urban Planning Committee. Motion prevailed.

**PETITIONS AND COMMUNICATIONS**

Council Members and Council President spoke on the following: individuals and the Department of Parks & Recreation were thanked for their participation in The Frauline M. Trotter 44th Annual Senior Citizen Luncheon; rendering for Canby Park; Delaware Arts Museum exhibit; everyone was thanked who joined tonight's meeting whether in-person or virtually and encouraged to continue to do so every 1st & 3rd Thursday as well as encouraged to attend committee meetings; everyone was encouraged to contact the Council Office for assistance; and including but not limited to, for President Congo's birthday party/donation event, everyone was encouraged to bless others during this holiday season by donating clothes, can goods and toys, which can be dropped off at Council's Office or at 501 W. 28th Street on Saturday (Nov. 23rd). Happy Thanksgiving expressed to all.

**ADJOURNMENT**

Upon a motion of Council Member B. Fields, seconded by Council Members McCoy and Johnson, Council adjourned at 8:00 p.m. Motion prevailed.

*Note: More detailed information is reflected in the videotape of the November 21, 2024 City Council meeting at the following link:  
<https://wilmingtonde.new.swagit.com/videos/321475>.*

Attest:   
Maribel Seijo, City Clerk