



CITY COUNCIL AGENDA

Monday, November 8, 2021

Joseph Ronnie Rogers Council Chambers
Milford City Hall, 201 South Walnut Street, Milford, Delaware

This meeting is also available for viewing by the public by accessing the following link:
<https://zoom.us/j/99156131279>

Members of the public may also dial in by phone using the following number:
Call 301 715 8592 Webinar ID: 991 5613 1279

Public Comments are encouraged on the items as noted on the agenda. Virtual attendees may alert the City Clerk that they wish to speak at the appropriate time by submitting their name, address, and agenda item on which they would like to comment via the Zoom Q&A function or by using the Raise Your Hand function during the meeting.
Any written public comments received prior to the meeting will be read into the record.

7:00 PM

COUNCIL MEETING

Call to Order - Mayor Archie Campbell

Invocation

Pledge of Allegiance

Swearing-In:

Third Ward Councilmember Nirmala Samaroo by Judge Noel Eason Primos

PUBLIC HEARING @:

Community Development Block Grant Program

Kent & Sussex County Presentation

Adoption of Resolutions 2021-15, 2021-16, 2021-17, 2021-18, 2021-19

Approval of Previous Minutes

Recognition

Proclamation 2021-22/Small Business Saturday

Proclamation 2021-24/World Pancreatic Cancer Day

Proclamation 2021-25/Native American Indian Heritage Month

Proclamation 2021-26/US Veterans Recognition

Monthly Staff Reports:

Police Department

City Manager Departments:

Public Works

Planning & Zoning

Parks & Recreation

Human Resources
Economic Development & Community Engagement
Informational Technology
Finance Department

Monthly Finance Report

Committee & Ward Reports

Communication & Correspondence

Unfinished Business

Authorization/Participation/Opioid Settlement Agreement
Authorization/Proposal for Departmental Take Home Vehicle Program/Funding Source

New Business

Ordinance Introductions:

Ordinance 2021-23

KD Properties, LLC for a Conditional Use
0.27 +/- acres of land located along the West side of
N. Washington Street between NE Sixth Street and NE Seventh Street
Comprehensive Plan Designation: Low Density Residential
Zoning District: R-2 (Residential District)
Present Use: Vacant
Proposed Use: Single-family Semi-detached
Tax Parcel: MD-16-183.06-03-31.02

Ordinance 2021-24

Application of Atlantic Self Storage Associates, LLC for the Final Minor Subdivision/Lot Line
Adjustment of 5.4 +/- acres of land located in an I-1 (Limited Industrial) District,
along the south and west side of E. Masten Circle.
Address: 851 & 861 E. Masten Circle
Present and Proposed Land Use is Self-Storage & Vacant Land
Tax Map & Parcel MD-16-183.00-01-07.00 (2.6 acres) and MD-16-183.00-01-08.00 (2.8 acres)

Adoption/Resolution 2021-14/ORPT Grant/Matching Funds ①
Adoption/Resolution 2021-15/City Investment Policy Statement¹ ①

Executive Session²

Motion to Recess into Executive Session

Pursuant to 29 Del. C. §10004(b)(4) Strategy sessions, including those involving legal advice or opinion
from an attorney-at-law, with respect to collective bargaining or pending or potential litigation

Legal Matters (2)

Return to Open Session

Potential Vote/Legal Matter (2)

Adjournment

All items on the Council Meeting Agenda are subject to a potential vote.

**SUPPORTING DOCUMENTS MUST BE SUBMITTED TO THE CITY CLERK IN ELECTRONIC FORMAT
NO LATER THAN ONE WEEK PRIOR TO MEETING; NO PAPER DOCUMENTS WILL BE ACCEPTED OR DISTRIBUTED
AFTER PACKET HAS BEEN POSTED ON THE CITY OF MILFORD WEBSITE.**

Ⓢ Public Comment, up to three minutes per person, will be accepted.

080521 102021 102921 110321 Item Removed

¹110521 Item Removed in Error/Added this Date

²110821 Late Additional/CM Request

PUBLIC HEARING

The **City of Milford, Delaware**, in cooperation with the Sussex County Council, the Levy Court of Kent County, Delaware, and the Delaware State Housing Authority (DSHA), will hold a public hearing on **Monday, November 8, 2021, at 7:00 p.m. at the City Hall, 201 South Walnut St., Milford, Delaware** for the purpose of providing any interested citizens the opportunity to comment on the municipality's application for funds under the Delaware Community Development Block Grant (CDBG) Program. In accordance with the Section 106 Review Process established by the National Historic Preservation Act of 1966, as amended, comments are especially encouraged from interested agencies and individuals with respect to undertakings that may affect historic properties of significance to such agencies and individuals.

This Federally funded program will provide grants amounting to \$2,000,000. (funding level subject to change), to support Community Development Activities in eligible local governments in Kent and Sussex Counties. The public hearing will also include a status report for Milford's FY-21 projects.

For further information on this hearing, please contact Sussex County Department of Community Development at 855-7777 or the Kent County Department of Planning at 736-2014.

Sussex County promotes equal housing opportunity.





DEVELOPMENT SECTION
18 THE GREEN
DOVER, DELAWARE 19901

(302) 739-4263

TOLL FREE: (888) 363-8808

(800) 232-5460 DE RELAY

September 20, 2021

MEMORANDUM

TO: Eligible Communities and Kent & Sussex Counties
FROM: Andrew J. Lorenz 
SUBJECT: **Draft FY2022 CDBG Program Guidelines**

Attached is a draft copy of the FY2022 Community Development Block Grant (CDBG) Program Guidelines, Application Package, and a Notice of Public Meeting to be published as part of the process. The Program Guidelines and Application Package have **been changed from last year as follows:**

- **Under Section I.E.2.e., all target area information must be received in the DSHA office at 18 The Green, Dover, Delaware 19901, no later than 4:00 p.m. on January 20, 2022. This Section has also been changed to clarify that target areas and applications must have and request a minimum of four (4) units;**
- **Section III.A.1.a.2) has been changed to add the following clarifying language: The limit of CDBG/HOME funds that may be expended per dwelling unit for rehabilitation of owner-occupied stick-built or modular housing is \$40,000. Owner-occupied stick-built or modular units requiring \$40,000 or more in rehabilitation assistance must meet the Substantial Reconstruction requirements in Section III.A.6. of these Program Guidelines;**
- **Section II.D. and Section V.D. have been changed to increase the maximum allocation an applicant may request per application from \$1,100,000 to \$1,200,000. DSHA's CDBG allocation from HUD has increased approximately \$500,000 over the past few years, and this change will allow individual applications to request more of that increased funding. This Section also now states that "An allocation exceeding \$600,000 (increased from \$500,000) would have to be extremely competitive.";**
- **Section III.F.3. has been changed to increase the maximum allocation for all administrative and program delivery per applicant to \$250,000. Again, DSHA's CDBG allocation from HUD has increased approximately \$500,000 over the past few years, and this change will allow individual applications to request more administrative funds for that increased funding; and,**
- **Under Section IV.A., applications for the State's FY2022 CDBG Program must be received in the DSHA office at 18 The Green, Dover, Delaware 19901, no later than 4:00 p.m. on February 24, 2022. ONE SIGNED ORIGINAL AND ONE ELECTRONIC COPY of the application must be submitted.**

Eligible Communities and Kent & Sussex Counties
Page Two
September 20, 2021

Please review this draft and submit any comments by October 6, 2021. Comments will also be received at a virtual FY2022 CDBG public meeting scheduled for October 6, 2021, at 10:00 a.m.

If you have any questions please contact me in the Community Development Section 739-0261 or via e-mail at andy@destatehousing.com. Thank you.

ajl:mjh

Attachments

TODD F. LAWSON
COUNTY ADMINISTRATOR
(302) 855-7742 T
(302) 855-7749 F
tlawson@sussexcountyde.gov



Sussex County
DELAWARE
sussexcountyde.gov

October 1, 2021

The Honorable Arthur J. Campbell, Mayor
City of Milford
P.O. Box 159
Milford, DE 19963

Dear Mayor Campbell:

Please be advised that the Sussex County Council has authorized the Sussex County Community Development Office to assist local governments in Sussex County in preparation of Community Development Block Grant (CDBG) applications. In an effort to bring as much CDBG funding to Sussex County as possible, Director Brandy Nauman, is prepared to offer assistance to your community in applying for CDBG funding. The only financial responsibility for the town is to pay for advertising the public hearing.

Last year the Delaware State Housing Authority proposed to keep CDBG minimum target area numbers, as well as, the remainder of the guidelines the same as FY 22. This means that your community must have **a minimum of 4-targeted homes** to be eligible for the CDBG housing rehabilitation program.

In order to be considered, Infrastructure projects must be in a predominately low to moderate-income area. A house-by-house income survey must be complete to prove area household incomes. Additionally, we require a complete set of engineering plans, cost estimates, documentation of existing matching funds, and a letter stating that the requested project will be completed within one year (see enclosed CDBG Infrastructure requirement sheet). Sussex County Council's highest priority is housing rehabilitation assistance for Sussex County.

The process, if accepted by your Council, would have Sussex County apply for the CDBG funding on your town's behalf, and if funded, Sussex County would administrate the projects for you. All administrative cost would be paid for by grant and County funds.

We are required to schedule public hearings in each city or town that is applying for the funding during November or December to be able to meet the application deadline. I respectfully request that if your community is interested in participating with the County in a CDBG application, please notify Brandy Nauman, at the Sussex County Community Development and Housing Division at 855-7777 by October 29, 2021.

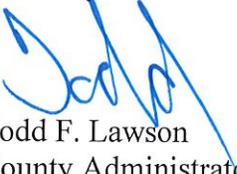


COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

The Honorable Arthur J. Campbell, Mayor
October 1, 2021
Page Two.

Do not hesitate to contact me if you have any additional questions.

Sincerely,



Todd F. Lawson
County Administrator

TFL/nr

cc: Mark Whitfield, City Manager
pc: Brandy Nauman



NOTICE OF PUBLIC MEETING

The Delaware State Housing Authority (DSHA) will hold a virtual public meeting on Wednesday, October 6, 2021, at 10:00 a.m. for the purpose of providing any interested citizens the opportunity to comment on proposed changes to the Delaware Community Development Block Grant Program Guidelines in Fiscal Year 2022.

FY2022 CDBG Public Meeting

Wed, Oct 6, 2021 10:00 AM - 11:00 AM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/913849229>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 913-849-229

The period for receiving written comments on the Guidelines will close at 4:00 p.m. on Wednesday, October 6, 2021. Written comments can be submitted via e-mail to andy@destatehousing.com. You may view the proposed Guidelines at DSHA's website http://www.destatehousing.com/Landlords/dv_cdbg.php.

This federally-funded program will provide funds to support Community Development activities in eligible municipalities in Kent and Sussex Counties. Accommodations are available in reading this Notice for anyone with disabilities by calling DSHA at 302-739-4263 or 888-363-8808. TTY/ ASCII/ VOICE/ VCO users may utilize the Telecommunications Relay Service (TRS) at 800-676-3777. Questions on this Notice should be directed to Andrew Lorenz at 302-739-0261 or via e-mail at andy@destatehousing.com.



City of Milford



RESOLUTION 2021-15 Sussex County

Councilmember _____ submitted to the Council the following Proposed Resolution:

ENDORISING PROJECT TO BE SUBMITTED TO THE DELAWARE STATE HOUSING AUTHORITY FOR FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AUTHORIZING TODD F. LAWSON, SUSSEX COUNTY ADMINISTRATOR TO SUBMIT APPLICATION.

WHEREAS, the City of Milford resolves to apply for Community Development funds from the Delaware State Housing Authority in accordance with appropriate regulations governing Community Development Block Grants State of Delaware Program for Block Grants as contained in Sections 570.488-499 24 CFR U.S. Department of Housing and Urban Development; and

WHEREAS, the City of Milford has met the application requirements of (Attachment E Delaware Community Block Grant Program Policies and Procedures) Citizen Participation requirements; and

WHEREAS, Sussex County plans on accomplishing the requested projects with CDBG funds; and

WHEREAS, the City of Milford hereby agrees to allow Sussex County to accomplish the projects in the targeted areas of Milford; and

WHEREAS, the City of Milford and Sussex County are in agreement with this activity.

NOW, THEREFORE, BE IT RESOLVED by the City of Milford and Sussex County that they endorse and grant permission for the following activity:

APPLICATION: Rehabilitation/Infrastructure/Demolition

Total Infrastructure project cost is \$ _____, total CDBG grant request is \$ _____.
Matching funds in the amount of \$ _____ will be provided by the City of Milford general funds.

NOTE: To be used for Infrastructure projects only.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION PASSED BY THE CITY OF MILFORD, SUSSEX COUNTY, ON THE 8th DAY OF NOVEMBER 2021.

WE GIVE MAYOR AUTHORIZATION TO SIGN RESOLUTION:

Councilmembers

Daniel Marabello
Mike Boyle
Andrew Fulton
Todd Culotta

Brian Baer
Nirmala Samaroo
Jason James Sr.
Katrina Wilson

Arthur J. Campbell
Mayor

I DO HEREBY CERTIFY THAT THE FOREGOING TITLE OF RESOLUTION ADOPTED BY THE CITY OF MILFORD IS THE SAME TITLE OF RESOLUTION NO. _____ ADOPTED BY THE COUNTY COUNCIL OF SUSSEX COUNTY ON THE ____ DAY OF _____.

Clerk of Sussex County Council

City of Milford



Resolution 2021-16 CITIZEN PARTICIPATION CERTIFICATE OF ASSURANCE Sussex County

It is hereby assured and certified to the Delaware State Housing Authority that Sussex County, Delaware, has met application requirements of (Attachment E Delaware Community Development Block Grant Program Policies and procedures) citizen participation requirements, and that Sussex County has:

- 1) made available information concerning the amount of funds that may be applied for;
- 2) made known the range of activities that may be undertaken with these funds;
- 3) made known the fact that more applications will be submitted to the State of Delaware than can be funded;
- 4) outlined the processes to be followed in soliciting and responding to the views and proposals of citizens, communities, nonprofit agencies and others in a timely manner; and
- 5) provided a summary of other important program requirements.

The City of Milford has held a Public Hearing on November 8, 2021 with required notice for all citizens, including low and moderate income persons, to have an opportunity to present their views and proposals.

The City of Milford has by resolution and following a Public Hearing, endorsed this application.

Mayor Arthur J. Campbell

Attest _____

Adopted: November 8, 2021

City of Milford



RESOLUTION 2021-17 AFFIRMATIVELY FURTHERING FAIR HOUSING Sussex County

WHEREAS, City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW THEREFORE, BE IT RESOLVED, that the City of Milford heartily encourages all parties involved in the renting, selling or financing of housing in the City of Milford to ensure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation or disability be discriminated against or denied a fair and equal opportunity to housing.

AND BE IT FURTHER RESOLVED, that the City of Milford take meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

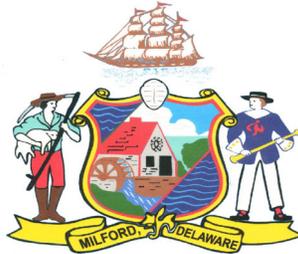
AND BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

The Resolution was adopted by a vote of the Councilmembers of the City of Milford on November 8, 2021.

Mayor Arthur J. Campbell

Attest _____

City of Milford



RESOLUTION 2021-18

Authorizes Levy Court of Kent County to Submit Application

The City Council of Milford, Delaware, hereby authorizes Mayor Arthur J. Campbell, to submit the Fiscal Year 2022 Community Development Block Grant (CDBG) application and all understandings and assurances therein contained, and furthermore authorizes the Levy Court of Kent County to Act as the official representative of the City of Milford in connection with the submission of the Fiscal Year 2022 CDBG applicant and to provide such additional information as may be required. In the event the City of Milford's application is funded, the Levy Court of Kent County is hereby authorized to administer the funded application on behalf of the City of Milford.

This resolution was adopted by a majority of the Council of the City of Milford on November 8, 2021.

Mayor Arthur J. Campbell

Attest _____

City of Milford



RESOLUTION 2021-19 AFFIRMATIVELY FURTHERING FAIR HOUSING Kent County

WHEREAS, City of Milford recognizes the importance of fair housing for the citizens of Milford; and

WHEREAS, the City of Milford supports the goals of the Federal Fair Housing Law.

NOW THEREFORE, BE IT RESOLVED, that the City of Milford heartily encourages all parties involved in the renting, selling or financing of housing in the City of Milford to ensure that no person shall, on the grounds of race, color, national origin, religion, creed, sex, marital status, familial status, age, sexual orientation or disability be discriminated against or denied a fair and equal opportunity to housing.

AND BE IT FURTHER RESOLVED, that the City of Milford take meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws; and

AND BE IT FURTHER RESOLVED, that the City of Milford, when acting as administrator of a Community Block Grant, is hereby authorized to take such actions as deemed necessary to affirmatively further fair housing in connection with the said Community Development Block Grant.

The Resolution was passed by a vote of the Councilmembers of the City of Milford on November 8, 2021.

Mayor Arthur J. Campbell

Attest _____



The background of the image is a stylized American flag with a dark blue field containing white stars and alternating red and white horizontal stripes. The flag is slightly wavy, giving it a sense of movement.

The Pledge of Allegiance

I pledge allegiance to the flag
of the United States of America,
and to the republic for which it stands,
one nation under God,
indivisible, with liberty and justice for all.

CITY OF MILFORD
COUNCIL WORKSHOP MINUTES
May 24, 2021

The City Council of the City of Milford convened in a Workshop Session by way of video conferencing on Monday, May 24, 2021 at 7:08 p.m.

PRESIDING: Mayor Archie Campbell

IN ATTENDANCE: Councilpersons Daniel Marabello, Andrew Fulton, Todd Culotta, Brian Baer, Douglas Morrow, Jason James Sr. and Katrina Wilson

STAFF: City Manager Mark Whitfield, Police Chief Kenneth Brown and City Clerk Terri Hudson

COUNSEL: Solicitor David Rutt, Esquire

ABSENT: Councilmember Mike Boyle

In an effort to adhere to social distancing protocols and best practices imposed by Governor John Carney's State of Emergency Declaration effective March 13, 2020, the City of Milford has canceled all public gatherings until further notice. See May 10, 2021 Council Workshop agenda and packet for additional information.

Southeast TID Discussion

City Planning Rob Pierce reintroduced DelDOT Planner/TID Coordinator Sarah Coakley and Planning Supervisor Bruce Allen in attendance. This will be a continuation of the presentation Ms. Coakley did for Council on April 26th. He again provided a history of the comprehensive plan that was initially adopted in 2008 and the relationship with the transportation improvement plan (TIP) which was a City Council objective beginning in 2011.

He then deferred to Ms. Coakley who will talk about the next steps of the TIP and provided the following information:

The intent is to get to the point where DelDOT can start on the concepts and estimate. This is a geographic area defined for the purpose of securing required improvements to transportation facilities in that area. It is a place where the city and DelDOT coordinated land use and transportation planning in advance. That model allows development that is consistent with that future land use planning and allows payment of a readily determined fee, instead of requiring a traffic impact study (TIS) and making or funding off-site improvements.

A TID is created for more comprehensive infrastructure plans. Normally a TIS is restricted to one development and not the cumulative impact of multiple developments. It is also based on a snapshot in time, whereas the TID looked all the way out to the year 2045 and the possible build out between now and then. It then identifies all the improvements that are needed. The TID requires a developer has to review up to three state-maintain road intersections out from their site.

Projects advance in DelDOT's capital transportation program with extra points for being in a TID. They have a six- year capital transportation program and projects are prioritized based on seven criteria. One is economic development and, within that category if a project is in a TID it receives extra points. That moves the project much faster.

Also, the TID fees from developers stay local and are held in an account that can only be used for the agreed-upon TID improvements and cannot be transferred to another location.

A complaint often received is the varied treatment of developers. Though not intentional, it is a consequence of that process. Having the minimum thresholds that are necessary for requiring a TIS is beneficial for smaller developments that are able to move ahead without doing a TIS. And multiple smaller developments typically move ahead using up the capacity or space on the road. Then when a large development comes in, they end up having to make more improvements, even though some of that some of the improvements might actually have been triggered by the smaller developments.

In a TID everyone pays based on the size of their development. That way it is determined on the number of trips the development is generating.

Doing the TIS, there is no way for developer to know ahead of time what they will be required to contribute to really depends on how far out the three intersections of state-maintained roads go and the number of improvements needed within that area.

The state strategies can determine what is required. With a TID they know ahead of time and is based on a fee per residential or per square foot for nonresidential developments. That can actually be included on their pro forma which is the application that is submitted to banks for loans. That can actually be a way of encouraging economic development or growth with a TID area.

The process for doing a TIS takes a minimum of six to nine months assuming it is done correctly based on DelDOT's mandates. A TID developer simply enters into an agreement to participate with the city and the state.

DelDOT compiles existing conditions and reported on the transportation network. Forecasting traffic on the roads, based on the future land use plan, permits the identification of locations that need improvements to meet the service standards in 2045.

Now, DelDOT wants to compile the latest traffic forecasting and any needed improvements into a Land Use and Transportation Plan (LUTP). DelDOT will then create concept plans and cost estimates for the needed improvements and negotiate an infrastructure fee program.

DelDOT does not expect like developers to pay for all of the costs of the improvements. The developer contributions for the TIDs that are already being implemented, range from 20 to 50%, which is only a portion of the cost with DelDOT paying the balance of the agreed-upon improvements.

There was a question at the last workshop was how are changes in future land use addressed. If the density or use for an individual parcel or development comes in less than the forecast, then they will participate in the TID and pay the fee, though it will be based on their actual development, which is less than what was anticipated but they will also be generating less traffic.

If a density or use for individual parcels or development comes in higher than what was forecast, if it is within or under the 49 peak our trips or 499 or less daily trips of what was forecast, then they will participate in the TID and pay their fee based on the actual development so they'll be paying more than what was expected, and generating additional traffic.

If they come in a lot higher than what was forecasted, and if they are generating 50 or more peak hour trips or 500 or more daily trips that forecasted, then they would be required to conduct a TIS and make off site contributions, instead of participation in the TID. Their contributions will result in more than the TID fees.

To address changes in land use, DelDOT wants to set up a monitoring program where DelDOT regularly collects updated traffic counts. Ms. Coakley will also be coordinating with the Planning Director on both development applications and building permits.

A complete update of the traffic study should be completed at least every five years, or should there be any major land use changes. That can result in adjustments to the fees as well for anyone that hasn't yet developed or paid their fees.

The transportation improvements for the area were again displayed as were discussed at the last meeting.

Also presented was a rendering done by Bruce Allen of how the roundabouts could look like at South Rehoboth Boulevard and Kirby Road. It will be designed to slow down traffic approaching and going through the roundabout. It will also provide a nice facility for pedestrian and bike crossings.

Milford's plan proposes seven new roundabouts and reviewed the specifics of each. Two new traffic signals are also included. The improvements on Route One will be implemented as part of DelDOT's Corridor Capacity Preservation Program with 100% DelDOT funding. Route One is more of a regional facility that involves a lot more traffic than just those coming and going to the area. It will include a service road in the northbound direction and will remove the crossovers at Johnson and Sharps Roads.

It was noted that a four-way stop was added at the Johnson and Route 30 intersection. Eventually, a signal will be added. At Route One you can currently cross over, but the Corridor Capacity Program will remove those crossovers and add service roads to be used instead.

When asked for a timeline, when DeIDOT installs roundabouts, there is an attempt to keep the road partially open by working on one approach at a time.

The same roundabout plan is proposed for Marshall Street and Elks Lodge Road.

Roundabout construction is presently running between \$2 to \$3 million though that includes design, right-of-way acquisition, construction and inspection.

She also reviewed the revised service standards and how the level of service at intersections are measured.

The next step is to obtain City Council's concurrence with the transportation improvements and the revised service standard in order to move forward with the associated conceptual plans and cost estimates. Once the cost estimates are developed, DeIDOT will work with the city to negotiate the infrastructure fee program. That includes how much DeIDOT is going to pay for improvements, percentage wise, versus future development and the actual per unit or per square foot cost.

Lastly, the Land Use and Transportation Plan, revised service standards, TID-CTP and Infrastructure Fee Program will all be added to the new TID agreement. At that point, the TID begins implementation and collecting fees.

When asked about the costs paid by the city, Ms. Coakley noted that DeIDOT will come up with several options after which the city will select what they feel is most appropriate. The larger developments pay a slightly smaller percentage. Future developments pay approximately 24%; however, West and East Towns are smaller and are paying 30%.

The average TID fees for single family dwelling units currently range from \$3,000 to \$5,000, though most average homes are \$3,000 to \$4,000. The \$5,000 fees are more in the resort/beach areas. Multi-family units would be lower. The TID fee would be part of the building permit process and paid at that time.

The item will be voted on as a regular action item on the Council Meeting agenda later this evening.

Budget Review & Wrap Up

Finance Director Lou Vitola addressed Council stating that the intent this evening is to get input from Council on what has been proposed to this point. He has three important items that need to be discussed.

City Manager Whitfield spoke about the Council decision in 2017 to hire five additional police officers and the current need to use general fund reserves versus the real estate transfer (RTT) funding which is unsustainable funding that will end this fiscal year. The intent of Council at that time was it would be paid from the operating budget starting in 2022. The question is whether it is still Council's desire and plan to extend that unsustainable funding or phase out the RTT slower or prefer smaller bites versus all at once.

It has always been the intent that the RTT fund was a temporary fix to fund police operations. FTT funding was established to aid capital improvement projects.

He stated the following items need to be addressed by City Council:

1. Is the decision made in 2017 to fund the five additional police officers using General Fund Reserves through 2021 still valid? Should this be done in one year, as originally contemplated? Two years? Longer? Keeping in mind, less capital improvements will be completed for a longer time period.
2. What is Council's opinion on phasing out RTT for funding police and using RTT for capital projects?
3. What is Council's opinion on the funding level requests for each department for 2022? Should they be reduced? If so, how much?

Councilman James stated the questions in general are good though one other question needs to be added. He has mentioned several times in the presence of full council.

He said that before we were aware of the level of the tax increase or the percent of the tax increase or six and a half cents to cover these costs. But another question for Council is if they are comfortable with the six and a half cents. There is a need to keep in mind that though not now, the increase is coming next fiscal year (FY23) to pay for the police facility. However, we are still trying to achieve the strategic objectives that we believe are the things desired by the taxpayer and how do we do it with a phased approach of the increase into perpetuity. Or is there a way to have the funding done on a temporary basis and on a payback basis from an enterprise fund and to pay it back within a short period of time. He is only throwing that out for consideration because the emphasis is on the amount of the increase in light of coming tax increase for the new police station that may also be on everybody's mind, but especially on the taxpayers' minds.

When asked if Council is comfortable with the additional, increase, Council said they are not and should be allowed to speak.

Councilmember Culotta said a tax increase this large after the announcement another tax increase is needed for the new police station is not in the best interest of the community. He agrees there is a good argument the city has not had a property tax increase since 2007 which is very valid. A tapered approach as has been discussed could be done while we wean ourselves from depending on the Real Estate Transfer Tax or utility reserves to supplement the police budget.

Councilman Culotta suggests that be done in conjunction with cuts across the board though not necessarily in public safety, but where other departments can tighten their belt. Council needs to figure out what that number is and if it is 10% or so and he feels that is the most logical approach.

Councilman Morrow said he concurs with Councilman Culotta. He thinks we still need to fund the five additional officers and think some more work has to be done to see how many officers are really needed. Though Council funded the five officers, we never got to that numbers so there has to be money that hasn't been spent somewhere.

He has been on Council a long time and he was always told by City Managers that the RTT fund was supposed to be used mainly for safety and thinks it continues to be used to supplement the police budget. He understands it is risky but can be changed as needed each year.

The six and a half cent tax increase a year needs to be implemented over time. About a dozen years ago, a Councilman recommended an incremental one-cent increase for ten to fifteen years, but the other Councilmembers would not approve it. Instead, Council would increase taxes a nickel every ten to fifteen years. He thinks that is really important because of the tax increase that has to be done to pay for the new police station.

Councilman Fulton talked to Chief during the last meeting and he thinks we really need to protect public safety as a sacred cow basically and protect them especially with the increase in violence and drug problem here today. There are new problems occurring that cannot be forecast.

He realizes that the police cost a huge chunk of the pie, but if that pie were to go bad, no one would one to live in Milford.

Councilman Fulton understands the risk of using RTT, but thinks we can continue to use it at this time and go cold turkey with this budget.

After saying that for public safety, he turns around and looks at some of the other departments and thinks their budgets need to be tightened and to look at them for additional reductions. He does not agree there is a specific percentage, such as a 10% budget decrease across the board is a terrible thing to say. Instead, there is a need to go back to the other departments and say we need to trim 3-5% from each budget which will make it more efficient.

Councilman Fulton believes that will not hurt them and they can do it.

Now the tax increase that will cover the cost of the new police station, that the City of Milford approved, they know a new police station is needed and they like public safety and are willing to support it. However, they did not want a large tax increase on top of increased service fees. Therefore, he does not agree with a monumental tax increase every five or six

years and instead need to take a more incremental approach over an extended period of time. That will continue to grow so that never again, a large increase is still needed, should have been part of the referendum.

Because it was not, she would not be comfortable with that and Chief Brown has said he does not want burden on him.

She recalled in 2017 discussing the five officers and the police department never got the extra five because of many other reasons and wants the RTT to continue paying for the officers and the reason it was created. Though it is unpredictable, it is there and it should be used.

Councilwoman Wilson thinks the public works departments always seem to be a little top heavy by way of managers or supervisors. She asked how many supervisors are needed to manage three to five people and she has an issue with that or can the responsibility of two supervisors be merged into one position. Those are the type of things she feels need to be reviewed.

She was one of the Councilmembers that in 2017 said if it gets to the point there is a need to raise taxes to pay for these officers, then we have to. Public safety is one of the top priorities in this City. She hopes we can find another way to pay for the police budget and hopes it is less than the six and a half cents.

Councilman Marabello clarified the six and a half cents is a higher percentage than 6.5%.

He asked the potential increase proposed for the new police station; Finance Director Vitola said we were at seven cents on the low end and nine and a half on the high end.

Councilmember Marabello confirmed that combined is a tax increase of sixteen cents. He also agrees there is a need to be conservative. He agrees we have to retain the five officers and agrees it is of paramount importance.

As far as the RTT, he believes there is a serious need to phase it out. The City has been kicking that can down the road for years and the reason Council is now facing a substantial tax increase. If a small increase has been implemented and put away years ago, that would have allowed the phaseout of the RTT, the City would have had most of the money for the police station and Council would not be facing an additional tax increase. If this continues, the problem is not going away and will continue to grow. But if there is away to phase it out in three years, that is what he recommends.

Based on his analysis of the annual reports, it always seems the income was underestimated and overestimated the expenses, and always spent less than what was budgeted. He believes there is room without cutting out the need of the money to trim down those expenses because the budget is always less than what is anticipated. He believes we can come up with at least \$100,000 per year of that amount.

Councilman Marabello also feels that people moving here from other states expect annual tax increases. He also thinks the police station also could be phased out and instead of six and a half cents, instead of going with another nine and a half, perhaps that can be saved along with the incremental increases into perpetuity, as Councilman James recommended.

Though no one likes a tax increase, there is a need to consider what is needed financially for the entire City.

Councilman Baer feels that the RTT should be phased out but possibly over a five-year period. From reading the law, he believes the RTT was created and designed for capital projects versus funding the operations of a police department.

He clearly wants enough police officers. However, he does not want to raise taxes super quick and scare residents into moving out of the community. It will be a balancing act and there is a need to phase out the RTT and keep that for use in capital projects.

Councilman Baer agrees the funding levels should be looked at and he has no problem requesting every department to review their expense to determine any cuts that can be made. That will help down the road and make any potential tax increase less over the long term. He thinks that is an important part of Milford.

Councilman James recalled Chief Brown's conversation and his rationale that he still needed the extra five officers because they were never at full capacity and on average, were five officers under.

He also believes the needs to be weaned and used for what it was intended for which is capital projects. Right now, it is being used to supplement police operations which is not structurally sound and it is certainly not predictable funds.

Councilman James also recalled Finance Director Vitola showing the up and down swings of that fund, and especially during 2008-2009 when the housing market burst. There is no guarantee and no one knows what is going to happen tomorrow or next year. It is simply unreliable.

When the budget process began, Councilman James said to this council and to our finance officials let's make sure that we look at how efficient we can be. He knows that any additional employees were questioned and verified that a new position was absolutely mandatory. That also includes any projects, including capital expenses.

He also pointed out that the budget is based off real amounts, and not off last year's budget. So, he is looking for efficiency though he also knows that costs never go down and instead only go up. We never have costs only goes up. Over the years, there has never been a revenue model which is some kind of cpi increase or increase over time. It is similar to wages which are always going to up

Councilman James asked how the City is going to pay for these new items without increasing revenues to coincide with the other increases, noting it is impossible. Council needs to consider a path that provides a tax structure that will up with inflation, if nothing else. Then when we ask citizens what their wants are, and then include into a strategic plan.

However, there is a need to explain to our property owners so they understand the need though he does not want it all at once. There is already a debt associated with the new police facility that our residents voted on. There are other things our residents want, including enhancements in parks and beautification, etc.

Right now, there is a need to think about the upcoming budget being the launching pad on how the City is going to move forward and whether that is one cent or two cents each year and into the future.

Councilman James also referenced the \$2.5 million transfer from the electric funds into the general fund. There is a need to consider that amount and is there the opportunity to transfer from other funds to help minimize the impact of the upcoming tax increase.

He is also concerned about the increasing costs to provide services though he does not want to increase them at this point.

Councilman Marabello also pointed out the required reassessment in Sussex County and that he suspects property owners in unincorporated Sussex County are paying way below the fair market value based on the increased market value of their homes. He asked how that will impact Milford's share of the county taxes and suspects it will be reduced on homes in Milford which be helpful to our citizens.

Finance Director Vitola explained the assessed value countywide will increase substantially. Sussex County only levies 50% of the 1973 assessed value, so it says values are somewhere in the 7% range of market value. While assessed values will skyrocket to current market values. the tax rate itself will plummet precipitously to offset it perfectly if they are to remain revenue neutral so that the county revenue is unchanged.

Director Vitola said it should not make a difference to the homes in Sussex County that are also Milford residents.

The only caution to that is there is a lot of time between 1973 and 2021-2022 when this gets done. Individual properties could have a wild swing in assessment and if there was a land-only parcel with a small structure on it in the mid 1970's and nothing else has chanced since then, and development has grown around that parcel, that assessed value could increase substantially more than the county wide average. That person could experience an effective tax increase, while others could experience and effective tax decrease. But the intent in a reassessment is to offset each other. The assessment and the rate should offset each other as far as property taxes.

It was noted that in Milford's reassessment, the offset will be determined by the rate and is the same concept. The only option is that Council exercises its power to increase the tax rate and the only way to enhance revenues is the increase the rate and not rely on the higher overall assessment of properties.

He noted that Sussex County does not have the astronomical general fund budget shortfalls but they need to plug with a windfall of tax revenues by increasing everyone's assessment and then stopping there. It will be revenue neutral give or take.

The previous school tax increase was discussed and how that occurred. Councilman Culotta said that Milford School District took advantage of the approved referendum which created a substantial school tax increase.

Councilman Fulton said that the increase for Sussex Tech was included in that increase noting that it was just not Milford School District.

Finance Director Vitola added the school district voters cover a larger area and not just those within the city. The impact and draw are wider than the city alone. Not everyone voting for the referendum is concerned with taxes in the City of Milford. Even though the Sussex County assessed value is just seven and a half percent of market values, that in no way implies that their tax generating power is small. It is right to think about how the school taxes and the county taxes are a function of the County assessment and putting those taxes thwart the magnitude of Milford property taxes.

Director Vitola said for instance, the six and a half cents, that is needed in the FY22 budget proposal, which represents a tax rate increase of something like 15 and a half or quarter percent. Someone looking at their entire tax bill that comes through their mortgage escrow statement that is paid to the city, county, and the school. This six and a half cent tax increase represents a 3.7% increase for a Kent County resident who also lives in Milford and a 4.3% tax increase for Sussex County residents living in Milford.

Though what is being as a large, double digit 14% tax increase, it is minor in the in the grander scheme of an entire property tax bill, including school, county, and the city.

Without diminishing the value of Milford and everything Milford provides, it comes cheap. When taxes are increased, it is hardly felt by the taxpayer, in most cases. The \$8 is just \$8 out of you know, an average of possibly \$2,200 a year in Sussex and \$2,600 a year in Kent.

Though he does not believe it should be blasé, though he is just trying to quantify the magnitude of the impact of some of the overall tax portfolio based on the average in Kent and Sussex.

Councilmember Fulton said Milford has a lot of residents on fixed and \$8 here or \$100 there, it means a whole lot to them. The median income around this city is a difference between somebody cutting the pills in half or not filling a prescription or pay a tax.

Director Vitola appreciates that perspective and is thankful Council has the foresight to have certain abatements available for those people in those situations. He is speaking of the hardship-based abatement. However, he is the finance guy that needs to count the numbers and his role is to make sure the budget is balanced. But if Council felt better about effectuating a tax increase by coupling some way to reduce the impact for certain populations that would merit, that is part of the policy toolkit to do.

He agrees that bolstering the general fund, that is needed for these increased costs before Council, but also not harm people that may notice an \$8 a month increase.

Mayor Campbell recalled that Council agreed to use the RTT funds to pay for the additional five officers. However, there has never been a full complement of police officers. According to Chief Brown, the department is down seven officers. He is hoping that the additional revenues from the homes that are being built will hopefully pick up some of the costs. He also agrees the amount of RTT needs to be reduced, and recalled a previous number of approximately \$300,000 though today he heard \$100,000.

The Mayor prefers it be a gradual reduction even though the department is down by seven officers so the impact should be much smaller on the police budget.

He referenced the increased shootings and criminal activity that Milford is getting, it will not get any better with the growth that is occurring.

Mayor Campbell also agrees that public safety should be number one because people will not move here if Milford continues to become more dangerous. He thinks that Milford residents now understand that increased population means increased costs. That is the norm when a city grows.

When he moved here fifteen years ago, he does not remember all the shootings and criminal activity Milford is seeing today. It was random but it has changed in the last couple years and the reason he favors phasing the RTT out over a period of time.

He would also like to increase to the six and a half cents to pay for the five officers gradually.

The Mayor also reminded Council that next year, residents are going to start paying for the new police station which has to be a tax increase. He wants to get there before the three years is up when the even larger tax increase will occur and another seven to nine cents over the six and a half cents.

He also spoke with Councilman Boyle who had an emergency and is not in attendance. Though he was very content with the budget that has been reviewed. He agrees but eventually wants to go back and have the Finance Committee reconsider the numbers, along with the Finance Director.

City Manager Whitfield says he very much appreciates the input and they will go back and see what can be done in terms of adjustment. He will bring something back that will be more in line with what has been discussed.

He would like to address the three to five percent reduction in expenses. The City Manager pointed out that anything left over goes into general fund reserves. In essence, that would be cutting what's currently feeding the five police officers in the general fund reserves. The result is almost like a double whammy. Cutting that amount of money being rolled over each year, will need to be made up and that does not go away.

The City Manager and Finance Director will back through and make deductions, where they can.

He added that real estate transfer tax is completely dictated by the State of Delaware. The City has no control over the percentage but is established by the State. Having something is being depended on, that is controlled by a third party is very dangerous and something that keeps he and the Finance Director awake at night.

Mr. Whitfield said the last item and one of the things Council has not talked about is the retainment of employees and the starting wage of employees from police officers to garbage truck drivers to any position in the departments. The City continues to have a very difficult time attracting employees. Does not matter if it is a police officer, an electric lineman or refuse worker though a lot of that applies to wages. There has not been any significant wage increases in this budget.

He reminded Council the City is currently in the process of doing a wage and compensation study and Council should see those results this fall.

City Manager Whitfield thanked Council adding that he really appreciates the input.

He will have something to present to the budget workshop on June 7th.

The Council Workshop concluded at 7:29 p.m.

Respectfully submitted,

Terri K. Hudson, MMC
City Clerk/Recorder

City of Milford



PROCLAMATION 2021-22 Small Business Saturday

WHEREAS, the government of the City of Milford, Delaware, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.7% of firms with paid employees, and they are responsible for 65.1% of net new jobs created from 2000 to 2019; and

WHEREAS, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

WHEREAS, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small, 85% of them also encouraged friends and family to do so, too; and

WHEREAS, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

WHEREAS, the City of Milford, Delaware supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, Arthur J. Campbell, by virtue of the authority vested in me as Mayor of the City of Milford, do hereby declare November 27, 2021, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 25th day of October in the Year of Our Lord, Two Thousand Twenty-One.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson

Proclamation Request

Dear Mayor Arthur Campbell,

I am writing on behalf of the estimated 60,430 Americans who will be diagnosed with pancreatic cancer in 2021. Pancreatic cancer has a 5-year survival rate of only 10 percent, meaning approximately 48,220 will die from the disease this year alone.

In September of 2018 my mother, Brenda M. Conway, died after battling pancreatic cancer for 1 year. My mother was a 1974 Milford High School graduate and a resident of Milford, DE for many years. She contributed to the growth and development young children at The Learning Center (TLC) in Milford for many years. That is why I act in her honor, and that is why this initiative and the Delaware Pancreatic Cancer Action Network is important to me.

We need your help to shine a spotlight on this disease and make progress in developing treatments and early detection tools. By issuing a proclamation supporting the observance of November 18th, 2021 as World Pancreatic Cancer Day in Milford, you can help us raise awareness in our community.

Please contact me at scway27@yahoo.com or 302-465-4933 with any questions or for more information about pancreatic cancer. I look forward to working with you to issue a proclamation that will recognize November 18th as World Pancreatic Cancer Day and bring much needed attention to this deadly disease. Thank you for your interest in and attention to this important issue.

Sincerely,
Stacey Conway

City of Milford



PROCLAMATION 2021-24 DECLARING NOVEMBER 18, 2021 AS WORLD PANCREATIC CANCER DAY

WHEREAS, in 2021, an estimated 60,430 people in the United States will be diagnosed with pancreatic cancer, one of the deadliest cancers, and 48,220 will die from the disease;

WHEREAS, Pancreatic cancer is the 11th most commonly diagnosed cancer and the third leading cause of cancer-related death in the United States;

WHEREAS, Pancreatic cancer is the world's toughest cancer, with a five-year survival rate of just 10%;

WHEREAS, the good health and well-being of the residents of the City of Milford are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes and effective treatments.

NOW, THEREFORE, BE IT RESOLVED, that I, Arthur J. Campbell, Mayor of the City of Milford, on behalf of the residents and City Council, do hereby proclaim the 18th day of November 2021 as "World Pancreatic Cancer Day" in the City of Milford and take this opportunity to shine a light on this disease, to elevate our voices to raise awareness and invite others to answer our call-to-action.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of this great City to be affixed hereto this 8th day of November 2021.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson

City of Milford



PROCLAMATION 2021-25

DECLARING NOVEMBER 2021

AS NATIVE AMERICAN INDIAN HERITAGE MONTH

WHEREAS, The United States of America was founded on the idea that all of us are created equal and deserve equal treatment, equal dignity, and equal opportunity throughout our lives; and

WHEREAS, the history and culture of our Nation has been strongly influenced by the Native American Indians who are descendants of the original, indigenous inhabitants of what is now the United States; and

WHEREAS, Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations; and

WHEREAS, their customs and traditions are respected and celebrated as a part of a rich legacy throughout the United States that must be protected and preserved; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George H. W. Bush in August 1990 when the month of November was designated as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, cultural, artistic, educational and historical activities have been planned; and

WHEREAS, these observances should be honored by all residents with suitable ceremony and fellowship.

NOW, THEREFORE, I, Arthur J. Campbell, Mayor of the City of Milford, do hereby proclaim the month of November 2021 as Native American Indian Heritage Month in this community and urge residents to join in celebrating the rich tapestry of our Native Americans and to honor their sacrifices which we recognize as inextricably woven into the history of this country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Milford to be affixed hereto this 8th day of November 2021.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson

City of Milford



PROCLAMATION 2021-26

Recognition of United States Veterans

WHEREAS, throughout the history of our nation, the brave women and men of our Army, Navy, Air Force, Marine Corps, and Coast Guard have risked their lives to protect our country; and

WHEREAS, their contributions and sacrifices are a reminder that freedom is not free, and we are forever indebted to the millions of service members who fought and died in the line of duty; and

WHEREAS, these sacrifices are also made by the family members who support the men and women that have fought to preserve our liberties; and

WHEREAS, within the City of Milford there are more than 1,000 veterans who have served in the U.S. Armed Forces; and

WHEREAS, it is most appropriate that we honor and recognize the dedication and valor that veterans have displayed to protect our freedom and democracy.

NOW, THEREFORE BE IT PROCLAIMED that the Mayor and Council of the City of Milford, with gratitude and respect of the more than 20 million veterans who have faithfully served our country in the Armed Services, hereby proclaim November 11, 2021 as Veterans Day, and further extend our profound appreciation for their service to this great country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 8th day of November in the Year of Our Lord, Two Thousand Twenty-One.

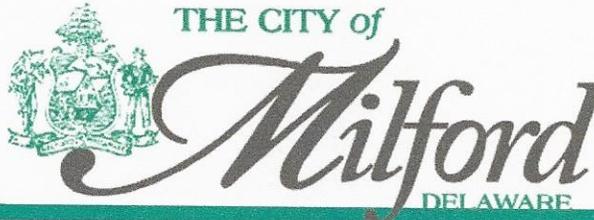
Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson



OFFICE OF THE CHIEF OF POLICE
KENNETH L. BROWN
kenneth.brown@cj.state.de.us



400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council
FROM: Kenneth L. Brown, Chief of Police 
DATE: November 4, 2021
RE: Activity Report/October 2021

Monthly Stats:

A total of 452 arrests were made by the Milford Police Department during October 2021. Of these arrests, 119 were for criminal offenses and 423 for traffic violations. Criminal offenses consisted of 27 felony and 92 misdemeanors. Traffic violations consisted of 60 Special Duty Radar, 12 Drunk-Driving charges, 351 others.

Police officers investigated 57 accidents during the month and issued 95 written reprimands. In addition, they responded to 1294 various complaints including city requests and other agency assistance.

Monthly Activities:

Throughout the month of October, participated in numerous conference calls and virtual meetings including the monthly State, Kent and Sussex Chiefs meetings, DPCC Meeting, City Council and Workshop meetings, and the bi-weekly City Manager's Meeting with Department Heads.

Met with City Manager in reference to possible litigation held via Zoom on October 4, 2021.

Attended De-Escalation training at the Lewis Library on October 5, 2021.

Met with Becker Morgan Group for an update meeting in reference to new police facility held via Zoom on October 7, 2021.

Attended Juvenile Justice Advisory Group (JJAG) meeting held via Zoom on October 11, 2021.

Attended FOIA Training held at City Hall on October 11, 2021.

Attended CPR training held on October 12, 2021.

Attended Police Contract Negotiations held via Zoom on October 14, 2021.

Met with attorney in reference to potential litigation held via Zoom on October 15, 2021.

Met with Building Team for a HVAC design meeting in reference to new police facility on October 18, 2021.

Attended the Annual Staff Development Seminar in Bethany Beach from October 19, 2021 – October 21, 2021.

Milford Community Parade held on October 20, 2021.

Met with Lt. Huey and Dale Matthews to review IT for the existing and new Police Department on October 25, 2021.

Attended the Behavioral Health Crisis Care Task Force Committee Meeting held via Zoom on October 26, 2021.

Met with concerned citizen in reference to a personal issue on October 26, 2021.

Interviewed a potential part-time Mental Health Clinician held via Zoom on October 27, 2021.

Met with Becker Morgan Group in reference to IT and Furniture for new police facility held at the department on October 28, 2021.

Training –

One officer attended Sig Rifle Instructor Course held in New Hampshire on October 3, 2021 – October 9, 2021.

Three officers attended De-Escalation Training held at the Lewis Library on October 6, 2021.

Six officers attended CPR/First Aid & AED Training held at Milford PD on October 12, 2021.

TAC Officer attended IAPE Training held in Virginia Beach on October 12, 2021 – October 14, 2021.

Three sworn officers and the TAC officer attended the Delaware State Police Homicide Conference held in Rehoboth Beach on October 18, 2021 – October 22, 2021.

Two officers attended the Annual Staff Development Seminar held in Bethany Beach from October 19, 2021 – October 21, 2021.

Two officers attended Certified Instructor Course held in Millsboro on October 25, 2021 – October 28, 2021.

Social Media Update –

Social Media Update: October statistics are as follows (all as of 10/26/2021). Our Nextdoor posts during the month made 556 impressions. Our Facebook page has 10,926 likes. Posts during the month reached 93,871 people with 9,202 people actually engaging in our posts. On Twitter our

Tweets made 5693 impressions and our followers are up to 1305. Our Instagram account is at 1654 followers and posts during the month we liked by 454 people. We're also now participating in the Neighbors App provided by Ring. Our presence there allows citizens to share suspicious activity with us that was captured by their Ring video.

SRO –

S/Cpl. Bloodsworth participated in the "Trunk or Treat" event held at Carlisle Fire Company.

S/Cpl. Bloodsworth attended the AAA Safety Patrol swearing in ceremonies at Banneker, Ross, and Mispillion Elementary Schools. S/Cpl. Bloodsworth also participated AAA Safety Patrol Ceremony at Lulu Ross Elementary School that recognized 100 years of the program. The 100th Anniversary event also received media coverage by WRDE (link below).

<https://www.wrde.com/story/44906583/aaa-celebrates-100-years-of-school-safety-patrol-at-lulu-ross-elementary>

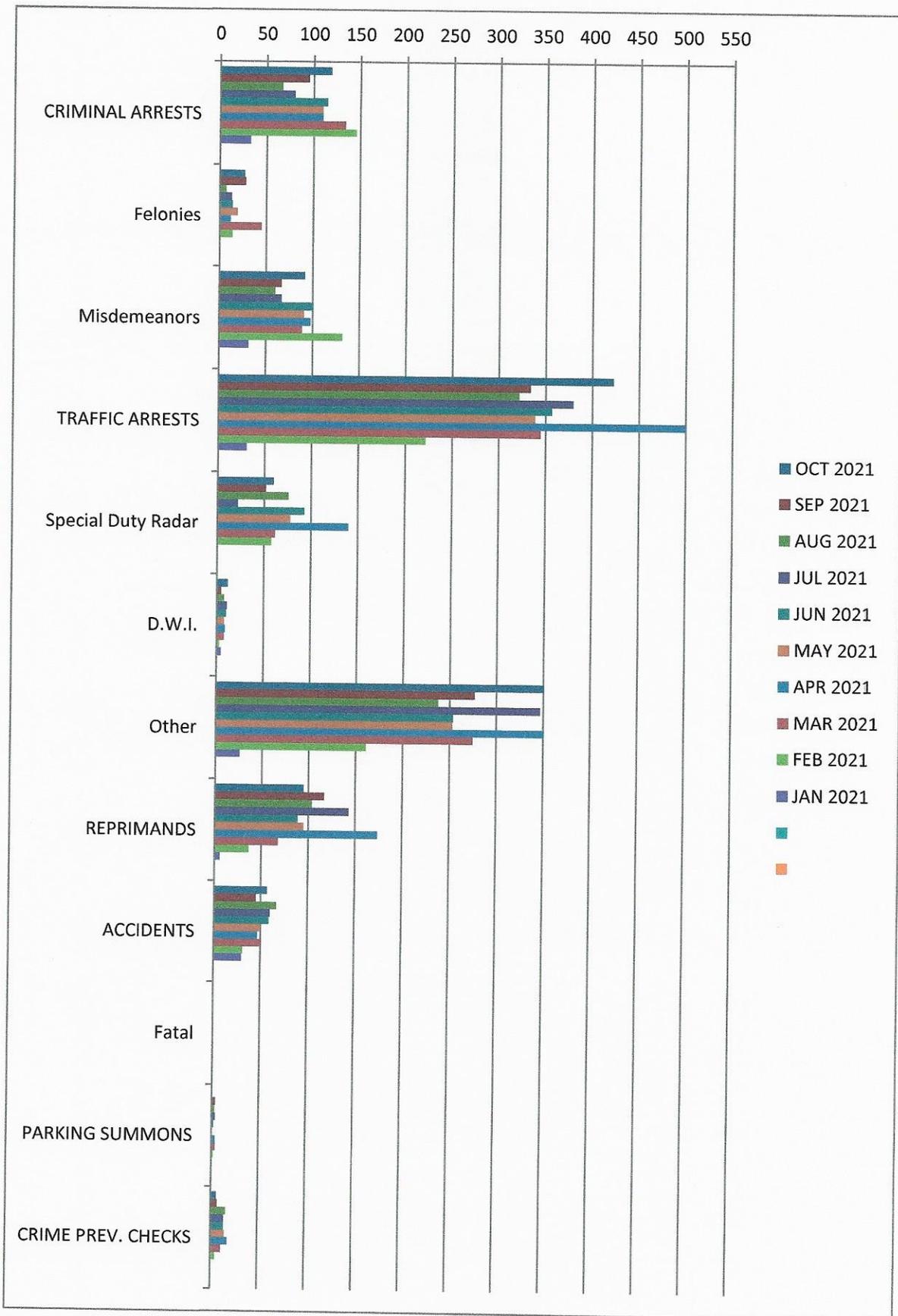
Sgt. Masten, with the assistance of the Drug Enforcement Administration, held a drug take back event at the Milford Police Department on October 23, 2021. 232 pounds of unwanted pills were turned into the DEA as a result of our drug take back efforts. MPD also has a secure drug take back box in our lobby that was provided to us by CVS Pharmacy. This allows our citizens a place to dispose of unwanted pills 24 hours a day.

K9 Unit –

For the month of October 2021, the Milford Police Department K9 Unit did not have any stats as K-9 Officer is out on FMLA.

OCTOBER 2021 ACTIVITY REPORT

	OCT 2021	TOTAL 2021	OCT 2020	TOTAL 2020
COMPLAINTS	1294	11480	1326	9440
CRIMINAL ARRESTS	119	1009	120	957
Felonies	27	180	25	160
Misdemeanors	92	829	95	761
TRAFFIC ARRESTS	423	3253	502	2510
Special Duty Radar	60	641	124	452
D.W.I.	12	79	7	51
Other	351	2533	371	2007
REPRIMANDS	95	928	149	802
ACCIDENTS	57	497	44	292
Fatal	0	1	0	1
PARKING SUMMONS	1	25	3	43
CRIME PREV. CHECKS	6	106	22	97
FINES RECEIVED	\$7,097.07	\$ 48,540.81	\$6,309.75	\$60,198.55



BEHAVIORAL HEALTH UNIT MONTHLY STATS - October 2021

Days	Dates	Hours Worked	Meetings Attended/Hosted	Trainings Attended	# of NEW Contacts	New Contact Notes	# of Diversions from Arrest	# of Diversions from ER	# of Follow-Up's
M-F 0900-1700	October 4- October 8, 2021	42	Champions of Children's Mental Health, Delaware Community Development Network, Delaware Division of Prevention and Behavioral Health Services (PBH), Monthly Rural Subcommittee Meeting	Narcan Administration Training	13	Referrals to Services: "10-81" call Disorderly call Runaway Juvenile call Check the Welfare call Victim Services SUD call	1	1	9
M 0900- 1700 Tu, W, F, Sat 1100-1900	October 11- October 16, 2021	40	Georgetown PD Narcan Event, Meeting w/ Amy Kevis & Potential New Clinician, Check-In Meeting w/ Greg Bisset & Amy Kevis	Crisis Intervention for ASD Individuals, Crisis Intervention in Law Enforcement	11	Referrals to Services: "10-81" call Disorderly call Check the Welfare call Assault/Burglary call Victim Services SUD call	0	1	10
M-F 0900-1700	October 18- October 22, 2021	40	Delaware Continuum of Care (CoC) Meeting, Milford Community Parade	Compassion Fatigue & Resiliency Training, Intimate Partner Violence and Sexual Violence Identification Trainings, The History of Opioids to Current Day Epidemic Training	15	Referrals to Services: "10-81" call Disorderly call Check the Welfare call SUD call	2	2	7
Tu-F 1100-1900	October 26- October 30, 2021	40	Weekly Check-In w/ Amy Kevis & Greg Bisset, Meeting w/ SU Social Work Department, Meeting w/ Amy Kevis RE: New Clinician	Understanding Victim Advocacy Training, Understanding & Reducing Distress in Older Adults Training, Substance Use & Mental Health Connection Training w/ Sun Behavioral Health	7	Referrals to Services: Check the Welfare call Disorderly call SUD call Assist Other Agency call	1	1	8
Totals:		162			46		4	5	34



MARK A. WHITFIELD, CITY MANAGER
201 South Walnut Street
Milford, DE 19963

PHONE 302.422.1111
FAX 302.424.3553
www.cityofmilford.com

To: City Council and Mayor
From: Mark A. Whitfield, City Manager
Subject: October Monthly Report
Date: November 5, 2021

- A new utility pole installed at Jefferson and South Walnut and we plan on removing the existing pole in the middle of the intersection. We are awaiting Verizon and Comcast to relocate their facilities onto the new pole, at which time the pole in the middle of the intersection will be removed. Presently the pole is being braced with 2" X 4"s.
- Brad, Sara, Rob and I met with Sussex County Administrator Todd Lawson, Sussex County Councilperson Mark Schaeffer, and Sussex County Land Trust representatives Mark Chura and Casey Kenton on potential funding for parks and green space within the City. The Sussex County and Land Trust folks were very enthusiastic about the City's plan of creating a greenway.
- I attended the final meeting of the Bicycle Advisory Committee.
- Rob and I met with a potential developer on a property downtown.
- Jamesha and I met with our labor attorney on a worker's compensation claim.
- I met with Bill McGown and Carolann Wicks regarding the retreat on October 16.
- Christie Murphy has resigned her position at Solid Waste and Facilities Supervisor.
- I have updated our Covid policy to allow for folks to return after 10 days of having a positive test. Prior policy required a negative test, which exceeds CDC guidelines.
- The Mayor, Councilperson Marabello and I attended the SCAT dinner in Seaford on Wednesday.
- I received complaints regarding homeless near Masten Circle and Rogers Drive. Chief Brown has been working on the issue as well.
- I met with representatives of Penntex and Senator Pettyjohn about commercial development opportunities in Milford.
- Staff and Council had FOIA training that was given by Max Walton.
- The Mayor, Solicitor and I met regarding a personnel issue.
- I participated in zoom call with Senator Carper regarding the infrastructure bill.
- The Chief, Jamesha and I participated in Police Union negotiations.
- Jamesha and I met regarding the pay study.
- I was informed that Janell Powell resigned as president of DMI. James Robb, DMI vice-president will be addressing Council on Monday night in place of Yanell.
- The Milford Community Parade was truly a huge success! Our public works crews, parks crews, and our police department truly made the City "shine". A sincere thank you to all those who were involved.
- The Mayor, Brad and I attended the quarterly Milford Community Cemetery Board meeting.
- The Mayor, Brad and I attended the monthly WIIN (Water Infrastructure and Investment Network) meeting on Monday.

- Rob, Sara and I met to review a proposed MOU for the Industrial Park. We hope to bring it to Council soon.
- Rob and I met to review the various Code changes proposed to be reviewed with Council.
- Jamesha and I met with our labor attorney regarding a pending lawsuit.
- Rhiannon and I met to review various maintenance issues at City Hall.
- Lou and I attended the monthly board of director's meeting at DEMEC.
- I completed my sexual harassment training as per state law.
- Councilperson James, Rob and I met with Sylvia Carson of the Positive Points program regarding the potential placement of "tiny houses" in Milford.
- Brad, Mike, Jamesha and I met regarding possible staff reorganization to address Facilities and Grounds, given we have a staff vacancy.
- Rob and I met with Mike and Elmer Fannin regarding the Potter Farm as well as the Regional Sewer Pump Station east of Route 1.
- Brad, Rob, and I met with a landscape architect regarding the Riverwalk concept plan for pickleball courts and playground. We also discussed a concept plan for the Deep Branch Greenway.
- Melody Barger, James Puddicombe, Mike Svaby, Suzannah Fredericks, Lou Vitola and I met regarding the sidewalk program, and changes to be made moving forward.



TO: Mayor and City Council

THRU: Mark Whitfield, City Manager

FROM: Michael Svaby, Director, Public Works

DATE: November 3, 2021

RE: October 2021 - Public Works Department Staff Report

The following input represents a high-level list of activities and accomplishments for the month of October 2021.

Director's Office

- Met with DMI to agree on Christmas decoration/lighting layout for tree lighting and Christmas Vendor market
- Joined Sara Pletcher, Rob Pierce Shannon Heal (Choose Central Delaware) and officials from the DPP in meeting with entrepreneurs from J.E. Salazar and Associates on Project Zorro, a prospective occupant of 1 or more parcels at the Fry Farm.
- Toured the City and reviewed possible locations for gateway entrance signs
- Met with Solid Waste carrier GFL in an effort to determine current market pricing and challenges for collection of the City's Solid Waste, Recycling and Yard Waste.
- Attended training in CPR, FOIA and Mandatory Sexual Harassment Prevention
- Supported two PD Building Design charettes covering overall space, layout, furniture, fixtures and equipment
- Attended APWA meeting

Engineering Division

- Completed the bid process for 2020 Streets and Utilities
- Submitted council support for the speeding on Kings Hwy
- Ordered the altitude valve and materials for Caulk Tower
- Completed additional work on NE Front Street for water main installation
- Met with the State regarding our water allocation permit

Public Services Division

Streets/ Utilities Section

- Supported continuity of Solid Waste Collection section that is staffed at 50%
- Filled potholes filled & replaced street signs
- Managed street closure for Halloween Parade
- Began hydrant flushing process

Water/Wastewater Section

- Tenth Street Water Tower pressure washing was completed.
- Cleaned and performed maintenance on Fisher Avenue pump station wet well.
- Pulled pump and performed maintenance at Truitt Avenue pump station.
- Pressure washed and made repairs to several pump station fences.

Electric/Tech Services Division

- Took inventory of Street Lights in place and began investigation of Street Light brightness/fixture issue
- Moved City utilities off of pole located in the middle of the intersection of Jefferson and Walnut. Now awaiting Comcast to removed remaining lines off of pole, then the Electric Division will remove it from the roadway. intersection.
- Responded to multiple system outages due to auto accidents and restored full electric service within 2 hours.

Please contact me with any questions you may have about the contents of this report or events during the month of October.

Public Works Department -Oct 2021	Oct 2020	Oct 2021	FY21 YTD (07/01/20-09/30/20)	FY22 YTD (07/01/21-09/30/21)
Electric Division				
Trouble Service Call	20	11	78	85
Work Orders Completed	42	34	140	155
Outages	8	3	36	37
LED Street Lights Replaced	X	8	X	47
New Service Install	X	2	X	26
Poles Replaced	4	1	24	6
After Hours Calls	6	4	34	43
Trees Trimmed (Streets)	3	2	30	6
Technical Services Division				
New Electric Service Installed/Meter Set	32		83	89
New Water Service Installed/Meter Set	10		62	33
Electric Meter Replacement	14		38	17
Water Meter Replacement	43		131	157
Work Orders Completed	790	557	2,725	2,709
After Hours Calls	7	1	13	14
Streets/Utility Division				
Signs Installed/Replaced	15	24	62	90
Curb Miles Swept	250	125	405	470
Sewer Lines Flushed (in feet)	3,500	2,800	7,480	9,650
Sewer Back-up Response	1	2	10	13
Sewer Line Repaired	1	2	2	4
Water Hydrants Flushed	12	6	138	140
Fire Hydrants Replaced/Installed	0	1	0	5
Water Line Repair	0	2	8	9
Water Valves Exercised	25	24	71	89
De-icing Salt Used (tons)	0	0	0	0
Potholes Filled - Cold Patch	60	60	155	230
Potholes Filled/Spray Patch - Gallons Emulsion Used	0	0	62	7
Leaves Collected (Tons)	6	0	6	0

After Hours Calls	6	7	8	21
Crack Sealing (pounds of sealant used)	500	100	500	100
Work Orders Completed	9	25	118	91
Storm Sewer Inlets Cleaned	150	80	277	315
Street Closures/Festivals	2	6	12	16
Engineering Division				
Utility Locates Completed	249	152	903	474
Infrastructure Work Orders Completed	X	18	X	63
Backfill Inspection Work Orders Completed	X	5	X	27
Operations Division				
Fleet Work Orders Completed	30	27	137	34
Fuel Use-Diesel (Gallons)	2,436	2,068	11,266	7,535
Fuel Use-Gas (Gallons)	4,313	3,877	18,473	12,539
Solid Waste & Facilities Division				
Refuse Collected (Tons)	330	271	166	943
Recycle Collected (Tons)	X	68	X	219
Yard Waste Collected (Tons)	72	49.55	260	197.47
Diversion Percentage (%)	X		X	31.00%
Bulk/Brush Collection Requests Completed	77	77	260	241
Containers Delivered	48	22	186	197
Containers Serviced (Swap, Replacement, Removed)	47	29	128	110
Water & Waste Water Facilities Division				
Water Treated (Millions of Gallons)	87,639,200	83,487,500	855,940,200	842,598,800
Waste Water Transferred (Millions of Gallons)	112,848,000	75,205,000	755,929,620	814,563,000
Work Orders Completed	54	57	225	58
Pump Stations Cleaned	0	0	7	0
After Hours Calls	6	5	30	5

Public Works Projects -Oct 2021	Planning Stage	Bid/PO Award	In Progress	Complete
Electric				
DEL2 Substation Testing			X	
Traffic Signal Head Refurbish. - Church/Walnut/Washington	X			
Water				
Install Automated Blow-off Valves 2 in stock	Charlie		Hospice	
Protection Upgrades Caulk & 10th Street Towers	Steve		X	
Water Tower Altitude Valve at Caulk Tower	Charlie	schrock	X	
Tenth St Water Treatment Facility Test Well, etc.	James	AC Schultes	X	Done
Water Trtmnt Monitoring & Process Control Upgrades (4&5)	DBF		X	
City-wide Valve & Hydrant Replacement/Improvements	Charlie			
Standardized Water Treatment Facility Controls	Steve Z / Steve			
SE 2nd Street Lead Service Line Replacement	Charlie	X	X	Done
NE Front Street Water Lines	Charlie	MSC	X	
DNREC Water Allocation Permit	Steve / James		patty,steve,james	
Washington Street WTF Lot Consolidation	City	?	?	?
Sewer				
Truitt Avenue PS Groundwater Investigation & Repair	KCI	KCI	X	
SCADA Instrumentation Upgrades & Integration	Steve Z / Steve			
Targeted Inflow and Infiltration Investigation & Repair	KCI	KCI	X	
SE 2nd Street Sewer Line Replacement	Charlie	X	X	Done
North Shore Pump Station Hatch Replacement	DBF		X	
Streets				
Mispillion, McColley, Marshall Streets Reconstruct/Paving			X	
Fisher Ave	X			
Financing for Private Sidewalk Improvements	X			
Street Resurfacing and Rehabilitation, ADA Ramps	X			
Installation of ADA Compliant Ramps	X			
Walnut Street Pedestrian Crossing (Landscaping)	X			

Truck Turning Study	X			
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Parking				
Buildings				
Council Chambers Recording System Upgrade	X			
Monitors in Council Chambers	X			
City Hall Basement Renovation Phase 2-Training Rm/Ofc			X	
PW-Complex Security	X			
City Wide-LED Replacement Project			X	
DMI Project (BEING SOLD)	X			
Customer Service-Basement Waterproofing				X
Customer Service-Concrete Repair Drive-Thru	X			
Facilities Management Binder			X	
PW - Bldg 100 Paint/Flooring (fall 2021 project)	X			

PW Facility Air Infiltration		X			
PW Facility Roof Drainage Repair/Replacment		X			
Public Works Equipment & Vehicles - Oct 2021		Planning Stage	Bid/PO Award	In Progress	Complete
Electric					
Replacing Vermer Trencher (E128)			X		
Technical Services					
Water					
Replace W-16 IR Compressor					
Replace W-8 ford F250	2022	Steve	Hertrich	X	
Replace W-15 pick up	2022	Steve	Hertrich	on order	
Replace W-10 FN 150 Pump & MGS Trailer					
Replace S-5 Kod C70 Dump Truck		Charlie	Done	Done	Done
Replace S-9 GMC Dump with Hook truck		Charlie	Done	Done	Done
New fence at Kenton's plant Wells 4&5		Steve	Done	Done	Done
Replace W-14 Chevy Astro Van		Steve	X	X	Done
Sewer					
Replace SE-2 Ford F250 Pickup	2022	Steve	Hertrich	on order	
Replace S-4 with Hook Truck with Dump/Flatbed & Plow		Charlie	Done	Done	Done

New fence at Lighthouse Pump Station	Steve	Done	Done	Done
Streets				
Solid Waste				
Garage				
Active Developments -Oct 2021	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Complete
Hearthstone Manor I		X	X	
Lighthouse Estates II		X	X	
Brookstone Trace		X	X	
Brookstone Trace II		X		
Orchard Hill			X	
West Shores at New Milford			X	
Watergate	X	X	X	
Walnut Village			X	
Milford Ponds Phase I		X	X	
Hearthstone Manor II				
Milford Ponds Phase II	X			
Simpson's Crossing Phase 1a		X	X	
Simpson's Crossing Phase 1b		X		

Riverwalk Villas	X			
Windward on the River		X	X	
Cypress Hall Phase II	X			
Milford Ponds Phase III	X			
200 NW Front				X
Hickory Glen	X			
Knights Crossing	X			
Reserves at Sawmill	X			
Commercial Developments -Oct 2021	Plan Review	Utility Mains Installation	Utility Service Line Inspection	Complete
Microtel				X
Lot 8 Independence Commons	X			
Food Bank	X			
Draper Farms	X			
Laundry Mat-24 Milford-Harrington Hwy	X			
Delaware Mini Storage	X			
La Kramer			X	







XTREME VAC
20 CYD

WARNING DO NOT OPEN
DOORS WHILE UNIT
IS IN OPERATION
ADVERTENCIA PELIGRO
NO ABRIER LAS PUERTAS
Mientras LA UNIDAD
ESTÁ EN OPERACION



THE FIRST STATE
E83680
DELAWARE



TO: Mayor and City Council

FROM: Rob Pierce, AICP - Planning Director

DATE: November 1, 2021

RE: October 2021 – Planning Department Staff Report

- Through the first ten months of the 2021 calendar year, the City has issued 109 new residential construction permits and five permits for 120 apartment units. The total construction investment in Milford from January through the end of October based on issued building permits was \$37,208,758.
- The City of Milford has seen 108 projects with a committed investment of over \$24.2 million within the Downtown Development District (DDD) area since September 2016 (based on permit valuations from submitted applications). The State of Delaware has committed or awarded over \$2.62 million in grant funds for both large and small commercial and residential projects in Milford. The City has waived over \$484,000 in permit fees and taxes associated with these projects in accordance with Chapter 19 Economic Development and Redevelopment and DDD program guidelines.
- The Planning Commission will review a conditional use application for a new duplex on N. Washington Street and a minor subdivision in the West Milford Industrial Park at the November Planning Commission meeting.
- The Board of Adjustment will review three applications in November. Two of the applications involve the construction of new single-family detached dwellings on infill lots. The third application is a lot coverage exceedance for a funeral home on North Street.
- Century Engineering, DeIDOT and City planning staff will present the final draft bicycle master plan update to City Council on November 22, 2021 for adoption.
- The City provided plan review comments for Cypress Hall Phase I & II Final Major Subdivision application to the applicant and is awaiting response.
- The City provided plan review comments for Cypress Hall Phase III Preliminary Major Subdivision and revised Planned Unit Development applications to the applicant and is awaiting response.
- The City provided plan review comments for the Helmick Milford, LLC Preliminary Site Plan to the applicant for a commercial building at the site of the former Wendy's on N. Dupont Boulevard.
- The City received a preliminary site plan application for the renovation of the Buccaneer Carwash site on N. Dupont Boulevard.
- The City received a preliminary site plan application for Pest Pro for the construction of a contractor's office in the Greater Milford Business Complex.
- The City received a parking lot expansion plan for the First Baptist Church of Milford located on Old Shawnee Road.
- Staff has begun research into updating the City's building code from the 2012 International Residential Code and 2012 International Building Code to the 2018 version. The Planning Department intends to present items to City Council in the upcoming months regarding potential revisions.

- Staff has been working to simplify the building permit application forms and developing supplemental information for residents and contractors performing work within City limits. Staff would like to switch to the new forms beginning January 1st.
- Code Enforcement Officials have completed several foot inspections of the town center area with more dates scheduled in November. These inspections are used to identify exterior property maintenance violations.
- Interviews were conducted for the vacant Permit Technician II position. A candidate was selected who is scheduled to begin work on November 15, 2021.
- Staff continues to work towards implementing the goals and objects of the 2018 Comprehensive Plan, SE Master Plan, Downtown Development District (DDD) application, Rivertown Rebirth Master Plan and Strategic Plan (see below links).
 - [2018 Comprehensive Plan & SE Master Plan \(Click Here to View\)](#)
 - [Downtown Development District Plan \(Click Here to View\)](#)
 - [Rivertown Rebirth Master Plan \(Click Here to View\)](#)
 - [Strategic Plan – Press Play: Vision 2023 \(Click Here to View\)](#)

Case Activity:

	Total
New Cases	81
Closed Cases	33
Open Cases at Start of Period	322
Open Cases at End of Period	374

*187 open cases are related to annual grass violations.

Violation Activity:

New Violations Cited	Total
Abandoned Vehicle	6
Dangerous Tree	5
Furniture Violation	7
Generic Violation	3
Property Maintenance Violation	44
Rubbish & Garbage	9
Weeds & Grass	6
Zoning Use Violation	1
Total	81

Rental Licenses Issued: 1

Vendor Licenses Issued: 0

Contractors Licenses Issued: 6

Business Licenses Issued: 0

Building Permits Issued:

Permits Issued by Type	Count
Commercial Demolition	1
Commercial Foundation	0
Commercial Building Permit	4
Construction Trailer	0
Residential Demolition	0
Residential Building New Construction	8
Residential Renovation/Accessory	8
Roof/Siding Permit	4
Sign Permit	1
Solar Panel Permit	1
Utility Permit	9
Total	36

Inspections Performed:

Inspections Performed by Type	Count
Footer	15
Foundation	5
Framing	29
Insulation	5
Final	53
Residential Rental	0
Total	107

PARKS & RECREATION DEPARTMENT
207 Franklin Street
Milford, DE 19963



PHONE 302.422.1104
FAX 302.422.0409
www.cityofmilford.com

TO: Mayor and City Council

FROM: Brad Dennehy-Parks and Recreation Director

DATE: November 3rd, 2021

RE: October – Parks and Recreation Staff Report

- October continues to a challenging month with staffing due to personnel either testing positive for Covid-19 or being exposed to the virus. This effected the primarily in Park operations.
- Grass cutting on all city owned facilities continued throughout October.
- Beautification efforts included continued watering of hanging baskets and flower beds, planting of additional trees (for a total of 52 trees), planting of beach grass on the Riverwalk, and installing red river rock stone.
- Maintenance of park facilities included such items as fixing miscellaneous playground equipment, broken flagpole ropes, to broken gate latches, to miscellaneous tree trimming on Front street, and removal of dead tree limbs to name a few.
- Parks and Rec. continues to work with the Economic Development and Community Engagement Administrator to utilize social media to highlight beautification efforts throughout the City, and to highlight our recreation activities. For October on Facebook P&R had 37 “new” likes (2,449 total likes), reached 5,393 and had 1,418 post engagements.
- Maintenance of mowers included replacement of several belts and sharpening of blades.
- A new pickup truck for the park crew was ordered off the state contract, which had been approved in the CIP plan.
- Park technicians began removing seasonal flowers/plantings at the end of the month from various flowerbeds. The remainder of flowers will be removed in November in preparation for the seasonal holiday greenery.
- Park crews assisted the Milford Community Parade with delivering them a portable stage, lending them some table and chairs and doing a trash run on the parade route both before and after the event.
- Recreation activities included the conclusion of Fall Soccer, Field Hockey and Flag Football. Staff were busy with a full schedule each week which included weeknight practices, maintaining fields and equipment, supervising coaches and practices, and to help officiate the games.
- Our new Recreation coordinator Krista Stott-Deveau (who began in September) became fully immersed in our process of putting on our programs and is now actively planning new programs and activities.

- On October 23rd we added a special event just for our 9-10-year-old girls soccer players. Kent County Recreation brought a team of all girls to play Milford Parks and Recreation girls for a game. We have co-ed teams, but for this week we split the teams up into girls and boys. 14 of Parks and Rec. girls played the Kent County team and it went well. The girls had a fun experience which was unique to most of them. We intend to try this again and possibly expand to other age groups.
- Recreation staff began preparing for the winter activities and active registration will begin in November.
- Park Superintendent attended the monthly safety meeting in October and the Awards and Recognition committee meeting.
- Director and Park Superintendent accompanied other department staff members on a tour of the entrance ways into the City to brainstorm ideas on how to make improvements into the entrance ways into Milford.
- Staff attended the employee service awards at the Public Works facility.
- Staff completed the mandatory sexual harassment prevention training and cybersecurity training.
- Director met with City Manager and the City planner and a Landscape design professional regarding land acquisition and developing a master greenway plan.
- Director met with the IT Director to discuss the implementation of a new recreation software program. This was followed up with a demonstration of an upgrade to our existing software and a new form of payment software.
- Director continued to participate in the weekly and monthly WIIN coalition meetings.
- Director met with the City Manager, Human Resources Administrator and the Public Works Director to discuss open positions and organizational layout.
- Director continued to work on Capital improvement projects including working with DNREC on grant funding for the playground/pickleball project and enlisting the expertise of a design professional for that project and the lighted handrail project.
- Director updated required information for the strategic plan.







HUMAN RESOURCES
10 SE Second Street
Milford, DE 19963

PHONE 302.424.5142
FAX 302.424.5932
www.cityofmilford.com

TO: Mayor and City Council

FROM: Jamesha C. Williams, MBA, MSL- Human Resources Administrator

DATE: November 3, 2021

RE: October 2021 –Human Resources Department Staff Report

- Interviews were conducted for the positions of Permit Technician II, Accountant III and Electric Line Technician.
- Job offers were extended and accepted for the positions of Permit Technician II, Customer Service Clerk, Electric Line Technician, Second Class and Electric Line Technician, First Class.
- Onboarded new hires for the positions of Police Dispatcher (Part-Time) and Audio-Visual Telecommunications Specialist.
- The 2021 Pay & Job Classification Study was completed and will be presented to City Council by Evergreen Solutions on November 22, 2021.

- Employee Recognition:
 1. Excellence Award Winner: Denham Dodd, Network Technician. Recognized twice for exhibiting characteristics of performance excellence, teamwork, productivity and efficiency and customer service.
 2. Rooster: Rhiannon Slater, Public Works Operations Supervisor. Recognized for going above and beyond and being a team player.
 3. Where Am I Challenge Winner: Shelly Muise, Administrative Assistant, Public Works
 4. Officer of the Quarter (July 1, 2021-September 30, 2021): Kyle Breckner

To: City Council and Mayor
From: Sara Pletcher, Economic Development & Community Engagement Administrator
Subject: October Monthly Report
Date: Nov. 3, 2021

Economic Development

- UD DATI office visited Wellness Village again to view gift shop space; signing lease in November
- UD's Associate Arts Program looking for 20,000 sq ft
- Connected commercial developer with Bayhealth regarding their commercial space
- Met with entrepreneur interested in farm tourism
- Connected healthcare provider with Wellness Village for the walk-in clinic space
- Attended Hunter Emory State Farm Agency ribbon cutting
- Attended SBDC Webinar: How to Start a Business and let attendees know Milford is open for their business ideas
- Attended Little Bucs Learning Center ribbon cutting
- Met with Planning Director and restaurant owner about commercial highway space
- Met with City Manager, Planning Director and engineering firm to begin industrial park master plan discussions
- Met with potential industrial park investor, DPP, KEP, Planning Director, Public Works Director and City Engineer
- Attended Bayside Gymnastics ribbon cutting

Community Engagement

- Posted photos on social sites of 2021 employee recognition awards
- Identified Downtown banner program needs, coordinated with DMI & designed holiday banners
- Confirmed one-year no cost contract for SeeClickFix app and website ChatBot
- Posted and shared information regarding annual Community Parade
- Met with Food Bank of DE to review City ARPA Grant guidelines
- Toured Milford entryways with Public Works & P&R staff & directors to look for possible improvements to signage & landscaping
- Met with City Engineer and Public Works Director to discuss sidewalk message to the public

Meetings/Trainings

- Met with Sussex County Land Trust representatives, City Manager, Planning Director and Parks & Recreation Director regarding future park land
- Kicked off Accrisoft Economic Development Website training and development (multiple meetings throughout month)
- Attended Staff and Council FOIA training
- Attended Kent County Reassessment Meeting
- Attended Recover Delaware Roundtable #6: Infrastructure Resilience
- Attended DPP Partners quarterly meeting

- Attended AMP Economic Development Training Webinar - Business Retention and Expansion
- Reviewed GIS tools for Economic Development with City Engineer and GIS Technician
- Attended WIIN monthly meeting
- Attended DMI Economic Vitality Committee monthly meeting
- Attended HBA Nuts & Bolts Meeting
- Attended Kent County Tourism Board Meeting
- Attended monthly SEDAC meeting
- Met with Laura Wisler, Kent County Director of the DE Division of Small Business
- Attended annual Sussex Today & Tomorrow Conference
- Met with Tim Millman, Napa Auto owner, to discuss business retention and expansion plans

Social Media/Website

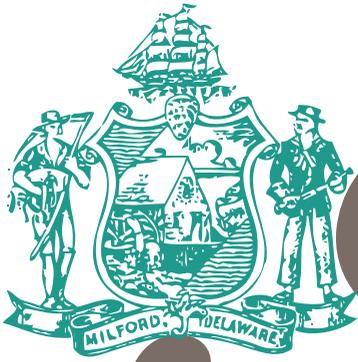
- October 2021 Insights:
 - City of Milford Facebook: 52 new likes (total: 2,309); 8,271 reached; 3,303 post engagement
 - Parks & Rec Facebook: 37 new likes (total: 2,499); 5,398 reached; 1,418 post engagement
 - Instagram: 37 new likes (total: 754); 825 accounts reached; 184 accounts engaged
 - Twitter: 9 tweets, 1,194 impressions, 356 profile visits, 5 mentions, 1,331 followers
 - Website: 16,256 visits (17,540 last month); 27,427 pageviews (30,670 last month)

Email Campaigns

- Oct. utility newsletter to customers who receive e-bills (3,692): 35.1% open
- Oct. business newsletter (audience: business license holders, 633): 29.7% open

Press Releases & Coverage

- NOTICE OF SOLICITATION OF CANDIDATES (Oct. 1)
 - DE State News: Councilman's move requires special election in Milford (Oct. 1)
 - Milford LIVE: NOTICE OF SOLICITATION OF CANDIDATES (Oct. 4)
- City of Milford announces September utility bill delay (Oct. 5)
 - Milford LIVE: City of Milford announces September utility bill delay (Oct. 6)
- City of Milford Celebrates Public Power, Customer Service Week (Oct. 7)
 - Cape Gazette: City of Milford celebrates Public Power, Customer Service weeks (Oct. 19)
- City of Milford HR Administrator, Williams, wins DFIT Leadership Award (Oct. 15)
 - Milford LIVE: Milford HR administrator wins leadership award (Oct. 15)
- Notice Of Special Election Cancellation - Third Ward Vacancy (Oct. 21)
- City of Milford Looking for Commissioners (Oct. 26)
 - Milford LIVE: City of Milford Looking for Commissioners (Nov. 1)



Milford

River Town • Art Town • Home Town

DELAWARE

Sign-up Online

After a few months of printer errors and delays, we're back on track; however, we continue to waive late fees through the end of November. We still welcome customers to sign-up for e-payment notifications and you'll be auto-enrolled to receive this newsletter on the first of each month directly to your inbox. Sign up here: <https://bit.ly/COMebills>

Nov. Community Happenings

- **Every Saturday, 9am-1pm:** The After Market in the Farmers Market area
- **Nov. 6 - Nov. 20, 10am-2pm:** Friends of the Milford Library Holiday Boutique
- **Monday, Nov. 8, 7pm:** City Council Meeting
- **Thursday, Nov. 11:** City Offices Closed due to Holiday
- **Thursday, Nov. 18, 6pm:** 15th Annual Holiday Auction/Tastes of Milford @ Milford Elks Lodge
- **Thursday, Nov. 18, 6pm:** Paint Night "Fun"Raiser @ Carlisle Fire Company
- **Saturday, Nov. 20, 9am:** Fall Market
- **Sunday, Nov. 21, 9am:** Milford in Bloom - Winter Greens, meet @ Santa House
- **Monday, Nov. 22, 7pm:** City Council Meeting
- **Thursday, Nov. 25:** City Offices Closed due to Holiday
- **Friday, Nov. 26:** City Offices Closed due to Holiday
- **Saturday, Nov. 27:** Shop Small Saturday
- **Saturday, Nov. 27, 11am-3pm:** Santa House
- **Sunday, Nov. 28, 9am-2pm:** Carlisle Fire Company Auxiliary Annual Craft Show

Sussex Rehabilitation Program

Sussex County Community Development & Housing Department has funds for housing repairs and housing rehabilitation needs. Funds are limited and are provided on a first-come first-serve basis.

Contact Sussex County Community Development & Housing Department at 302.855.7777 for more information or to be added to the waiting list.

Winter Parks & Rec Programs

Parks & Recreation Winter Sports Registration begins on Nov. 1. Basketball tryouts will be in December and practices and games will be held in January and February. Indoor Soccer will be on Sundays during January and February. The Little Bucs wrestling program will return and returning this year is Taekwondo, both in February and March. Developmental programs for soccer (5-6 years old) and basketball (6-7 years old) will also be offered this season. Check the City of Milford Parks & Recreation website for new programming with possible trips and special events for children and adults. Registration and questions can be directed to 302.422.1104.

National Citizen Survey

The City of Milford is excited to announce the launch of Polco (www.polco.us), an innovative online engagement platform that lets residents provide direct input to the local government decision-making process. By using Polco, the city is making public participation easier for residents. Officials will post questions directly to residents on Polco's website, where residents answer and comment on the questions.

The City of Milford will soon be asking residents for their input on quality of life, safety, infrastructure, historic preservation, business variety and several other topics. The results of this survey will guide the city's next strategic plan.

Select residents can expect to receive a mailed postcard with the survey link by late November.

Commissioners Wanted

The City of Milford is currently seeking volunteers to join the city's Board of Adjustment (BOA) and Planning Commission (PC). The BOA reviews all variance applications as well as certain appeals. The PC reviews all land use applications for compliance with the zoning and subdivision ordinances. Interested residents can apply at <https://bit.ly/COMBoardApp>

Public Utility Education



We will highlight a different public utility each month. The goal is to educate our customers on preventative measures to lower their utility bill, as well as create a more flawless system for all users. This month we're featuring our sewer system. Some tips for you,

the public sewer user:

- When these items are flushed down the toilet, they can cause problems in our homes, wastewater treatment network and the environment: cotton swabs, baby wipes, facial wipes, cleansing pads, toilet paper roll tube, medicines, cigarettes, band-aids, diapers, feminine products, rags, paper towels, sweeper cloths, flushable wipes (they're not actually flushable!). The resulting damage, pictured above, is costly and hazardous. Please put these items in the bin and not down the toilet.
- Although things like melted butter and cooking grease are in liquid form when you pour them down the drain, they will harden once cooled and coat the insides of your pipes as well as those through the City. These narrower pipes then make it easier for a blockage to occur. It is best to pour these liquids into a jar/can to let them harden and then dispose of it in the trash.
- Even with a garbage disposal, these items shouldn't go down your drain: coffee grounds (they clump together when wet, causing a blockage), egg shells (they create a granular waste that can stick to the pipes) and bones, such as chicken wings (they may fragment and create a blockage).
- The pipe sticking up in your front yard is your sewer clean-out. The homeowner is responsible for any backups between that pipe and the house. The City is responsible for any backups between that clean-out and the main line in the road. Most standard homeowner insurance does not cover pipe backups outside the house, but supplemental insurance can be purchased. Also be sure the cap on that pipe is tight fitting and void of cracks or defects. If your cap is damaged or missing, call 302.422.1110 to request a replacement.
- If you have a finished basement, be sure you have a backflow preventer on your lowest lying drain pipe.



Employee Spotlight

Steve Ellingsworth

Public Service Superintendent

1. How long have you worked for the City of Milford? **24 years**
2. Have you always worked in this role? **No, in 1997 I started with the treatment plant and sewer station readings for the state. I got my water operator license in 2005 and became the supervisor for Water and Sewer Facilities. In 2019, I moved to Public Service Superintendent.**
3. What is your favorite thing about working for the City? **Listening to the residents and helping them solve their issues. I have met a lot of people while working for the city. I receive phone calls anytime of the night to try and help out.**
4. What do you enjoy doing in your free time? **Traveling and spending time camping**



Steve Ellingsworth is a 24-year employee who demonstrates an extraordinary level of commitment and organizational knowledge, every day – two key elements of successful leadership. He knows the practical, hands-on part of every job in Public Works and serves the resident of Milford well!

- Michael Svaby, Public Works Director

Council Spotlight

Jason James

Ward 4 Councilmember

1. How long have you been a member of the City Council? **2 years, 8 months (Jan. 2019-present)**
2. What previous city roles have you held? **I was a member of the Planning Commission from 2006-2009, 2012-2013 and most recently 2018-2019.**
3. What is your favorite thing about being a Councilmember? **I take great honor in representing the interest of the tax payer and utility users to ensure they receive the quality and quantity of services their dollars are paying for. I am also excited about participating in the growth opportunities the City is pursuing.**
4. What is your full time job? **I am the Corporate Controller for Burris Logistics.**
5. What do you enjoy doing in your free time? **Spending time with family, studying the history of different nationalities and religions, and providing volunteer services**





INFORMATION TECHNOLOGY
201 South Walnut Street
Milford, DE 19963

PHONE: 302-422-1098
www.cityofmilford.com

Date: November 1, 2021
To: Mayor and City Council
From: Dale Matthews, IT Director
Re: October 2021 Information Technology Department Staff Report

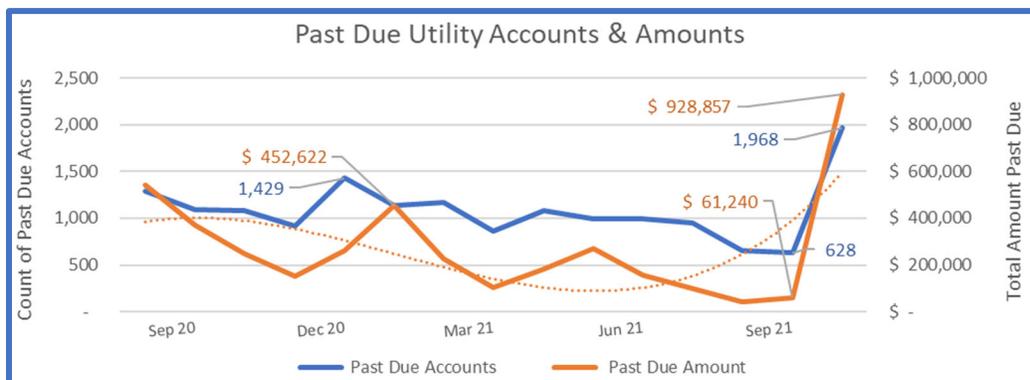
Below are updates for IT open projects:

- Security:
 - All staff are expected to complete Cybersecurity training by 11/15/21.
 - We are still on track to implement improved authentication and access control practices and policies by the end of December.
- M365 and Cloud:
 - All shared files will be moved to the cloud by 11/19.
 - The staff training portal has been set up and can be accessed [here](#). Please contact me directly if you have any issues accessing the site.
- Council Chambers Upgrade:
 - We are still on track to complete the upgrade by November 30.
- Policies and Procedures:
 - We are still on track for December 2021 completion.
- Police:
 - We are working with the Police Department to establish IT support for their existing hardware and software while planning for the new facility's infrastructure.
- Network:
 - We are revamping our network and upgrading network switches, cabling, and wireless access points for all buildings. We expect to complete all upgrades sometime in the first quarter of 2022. Parts shortages continue to affect our timelines.

To: Mayor and City Council
 From: Louis C. Vitola, Finance Director
 Date: November 5, 2021
 Re: October 2021 Finance Department Staff Report

- Monthly Financial Reporting
 - The Q1 FY22 Finance Report for the period ended 9/30/21 was distributed to Council
 - Additional changes made for readability and convenience are highlighted in the report
- Training (over 50 hours) and Improvement Efforts
 - Sandra Peck continued her weekly participation in the Supervisors Academy
 - Six employees from Finance and Customer Service participated in the CPR / AED Training Seminar
 - Two Customer Service employees participated in Key Accounts Training
- Staffing
 - Jamesha Eaddy, Sandra Peck and I interviewed seven competitive Accountant III candidates
 - Until we identify a replacement, Sandra Peck will continue to execute payroll processes
 - The prolonged recruitment has significantly impacted the FY21 audit progress
 - A candidate was identified to fill the final open position in the Customer Service division; we expect to reach full staffing on the November 22, 2021 hire date
- Enterprise Resource Planning (ERP) Selection Process and Project Kickoff
 - The Tyler Technologies team, Dale Matthews and I will meet early in November to plan the ERP project kickoff later in November
- Police Facility Project – Financing
 - We negotiated favorable terms with PNC Bank for the Bond Anticipation Note (BAN), which was approved by Council on October 25, 2021
 - Application materials and the term sheet were returned to PNC in expectation of closing in the middle of November 2021
- FY21 Audit Process
 - Given the challenges in the Finance Department resulting from the loss of just one staff member (25% of full-time team of four), we have fallen behind on the audit process and expect to present the City’s financials at the end of December this year.
 - Progress on cash, accounts payable and accounts receivable testing was made during October, and Sandra and I are in the final stages of adjustments to the trial balance
- Billing & Customer Service Department
 - The City’s third-party print and mail service has recovered from two months of operation-crippling challenges that forced the City to intake the printing, folding, stuffing and mailing of thousands of utility bills and inserts.

Resulting delays and foregone penalties have caused the past due accounts and balances to balloon, which is evident in the graph at left.



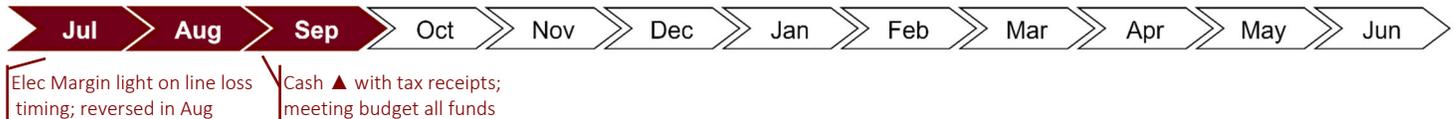
To: Mayor and City Council
Cc: Mark Whitfield, City Manager; Finance Department
From: Louis C. Vitola, Finance Director
Date: November 3, 2021
Re: September 2021 Financial Reporting Package

The Financial Reporting Package for September 2021 (FY22 Q1 / YTD) is enclosed for your review. The following executive summary highlights this month's notable developments and recaps any changes to the report. The Appendix on page 10 was added to show planned use of ARPA funding by category with actual spending updates; the Appendix will remain as part of the regular monthly reporting until the funds are exhausted. In addition, the new "Quick Reference" section of this memo will recap important financial highlights and summarize modifications made during FY22 to help shorten the executive summaries.

The September YTD results largely exceed budget expectations, though operating results in the electric and water funds are short of the first quarter last year. Cash balances have increased about \$2 million in total this month, driven almost entirely by the increase in general fund cash as the annual property tax bills were due on September 30. Capital spending has picked up pace with activity underway on NE & NW Front St, Second St, and the conclusion of the Boys & Girls Club paving, City Hall lower level retrofit and Mispillion St group of road and utility upgrade projects. Operating expenditures remain below even the seasonalized budget across funds for the third consecutive month, which is not surprising given our well-documented and indiscriminating staffing challenges, whose only silver lining is manifested in the reported savings versus the budget.

Quick Reference for FY22 Financial Developments and Report Upgrades

Recap FY22 Financial Highlights



Summary of Modifications

- P.1 – Cash Rollforward
 - New Solid Waste Reserves Acct created by FY22 Water Fund interfund loan forgiveness; new variance indicators
- P.2 – Restricted Cash Reserves Report
 - The MSA and RTT reserves were combined into one shared summary to make room for Solid Waste Fund
 - Lines 3 & 17 added to show additions & interest earnings in the capital reserve accounts
 - Lines 12, 13, 24 & 25 feature updated MCR & ERR calculations for FY22 pursuant to cash reserve policy
- P.3 – The Enterprise Funds “P&L Style” Report features a new comparative column and four new rows
 - The rightmost column compares current vs prior FYTD periods by revenue and expense lines and subtotals
 - Rows 16 & 17 compare current & prior FYTD periods net surplus by fund
 - Rows 18 & 19 compare actual surplus vs seasonalized budget surplus for the current FYTD period
 - Variance indicators added for quick reference to both P&L reports
- P.4 – The General Fund “P&L Style” Report was created to complement the existing Enterprise Funds P&L Report
 - The new statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary
 - The scaled, common-size columns at right match the prior year comparability goals featured in the Enterprise Fund version of the report, while also putting general fund revenues and expenses in context for the first time in the monthly financial reporting package
 - Rows 19 & 20 allow for a comparison of the current and prior year FYTD periods by major function
 - Rows 21-22 show comparison of actual surplus vs seasonalized budget surplus for the current FYTD period
- P.5-8 – Revenue Report (p.5) & Expenditure Report (p.6-8) will continue to be produced indefinitely as “legacy” reports
- P.10 – Planned Use of ARPA Funding by Category compared to Actual Spending in this Sept upgrade to the report



Financial Reporting Package

As of and For the Period Ended September 30, 2021

Cash & Investment Balance Rollforward

Restricted Cash Reserves Report

Enterprise Funds YTD Revenue & Expenditure Report

General Fund YTD Revenue & Expenditure Report

Legacy Revenue Report with MTD & YTD vs Annual Budget

Legacy Expenditure Report with MTD & YTD vs Annual Budget

Legacy Interservice Department Cost Allocation

Appendix: ARPA Funding Plan vs Actual Expenses

City of Milford, Delaware
Cash and Investment Balance¹ Rollforward
For the Period Ended September 30, 2021

1 **Operating Cash Balances**

Description	Opening Balance (Aug 31, 2021)	Receipts	Interest Earned	Disbursements	Closing Balance (Sep 30, 2021)
General Fund	\$ 2,604,226	\$ 3,231,905	\$ 769	\$ (1,393,806)	\$ 4,443,094 ↑
Electric Fund	3,844,895	2,130,745	1,903	(2,414,217)	3,563,326 ↓
Water Fund	1,679,685	255,887	1,042	(181,312)	1,755,303 ↑
Sewer Fund	485,369	413,095	415	(360,521)	538,358 ↑
Solid Waste Fund	546,398	104,732	76	(100,465)	550,742 ↑
Operating Cash Totals	\$ 9,160,573	\$ 6,136,364	\$ 4,206	\$ (4,450,320)	\$ 10,850,824 ↑

9 **Federal, State and Other Special Purpose Cash Balances**

Description	Opening Balance (Aug 31, 2021)	Receipts ³	Interest Earned	Disbursements ²	Closing Balance (Sep 30, 2021)
General Improvement	\$ 268,098	\$ 58,727	\$ 45	\$ -	\$ 326,870 ↑
Municipal Street Aid (MSA)	624,692	0	87	-	624,779 ↑
Realty Transfer Tax (RTT)	3,922,125	127,680	560	-	4,017,031 ↑
Economic Development	681,714	-	-	-	681,714 →
ARPA Grant Fund	2,946,446	-	-	(16,130)	2,930,316 ↓
Special Purpose Cash Totals	\$ 8,443,076	\$ 186,407	\$ 692	\$ (16,130)	\$ 8,580,710 ↑

17 **Reserve Fund Cash Balances¹**

Description	Opening Balance (Aug 31, 2021)	Receipts	Interest Earned	Disbursements ²	Closing Balance (Sep 30, 2021)
General Fund Capital Reserves	\$ 1,784,957	\$ 216,000	\$ 9	\$ (51,732)	\$ 1,949,234 ↑
Water Fund Capital Reserves	9,225,335	-	59	(18,859)	9,206,535 ↓
Sewer Fund Capital Reserves	3,872,955	-	25	(440)	3,872,539 →
Solid Waste Fund Capital Reserves	71,433	-	1	(149)	71,285 →
Electric Fund Capital Reserves	14,067,825	-	69	(17,801)	14,050,094 ↓
Reserve Fund Cash Totals	\$ 29,022,505	\$ 216,000	\$ 163	\$ (88,981)	\$ 29,149,687 →

25 **Impact Fees and Police/General Facilities Cash Balances**

Description	Opening Balance (Aug 31, 2021)	Receipts ³	Interest Earned	Disbursements	Closing Balance (Sep 30, 2021)
Police & General Gov't Facilities	\$ 510,157	\$ 8,796	\$ -	\$ -	\$ 518,953 ↑
Carlisle Fire Co Permit Fund	410,334	115,932	-	-	526,266 ↑
Water Impact Fee Reserves	4,597,703	30,353	-	-	4,628,055 ↑
Sewer Impact Fee Reserves	2,640,654	16,036	-	-	2,656,690 ↑
Electric Impact Fee Reserves	1,055,590	8,400	-	-	1,063,990 →
Impact Fees & Police/GF Totals	\$ 9,214,437	\$ 179,517	\$ -	\$ -	\$ 9,393,954 ↑

Grand Totals	\$ 55,840,591	\$ 6,718,287	\$ 5,061	\$ (4,555,430)	\$ 57,975,175 ↑
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34 ¹Balances are not indicative of funding availability; see enclosed Restricted Cash Reserves Report for reserve funding commitments
 35 ²Disbursements from General and Water Fund Reserves (lines 19-20) include the Mispillion St Project; Disbursements from Electric Reserves
 (line 23) supported the ongoing Data Security project; ARPA Funding reported separately in Appendix
 36 ³Receipts include a CTF Grant Reimbursement related to the Boys & Girls Club Paving Project (line 11), RTT receipts (line 13) and Bond Bill funding for
 Parks & Rec and Carlisle Fire Co Capital (lines 19 & 28, respectively)

City of Milford, Delaware
Restricted Cash Reserves Report
As of September 30, 2021

General Fund Capital Reserves		Amount
Cash/Investment Balance (9/30/21)	\$	1,949,234
Expected Contributions & Interest		658,818
Restricted Funds:		
Vehicle & Equipment Replacement		(324,100)
Building Upgrades		(286,076)
Parking Enhancements		(200,000)
Parkland, Trails & Recreation		(606,595)
2020 Combined Utilities		(22,396)
OpEx Support (Tax R/A & PD R/M)		(497,000)
Support Policy with RTT ¹		2,000,000
Draft Reserve (MCR) Policy ²		(1,236,356)
Equipment Replacement Reserve ²		(764,100)
Uncommitted Reserve Balance	\$	671,430

Electric Fund Capital Reserves		Amount
Cash/Investment Balance (9/30/21)	\$	14,050,094*
Expected Contributions & Interest		1,999,956
Restricted Funds:		
Electric Vehicles & Equipment		(96,026)
Lighting & System Improvements		(593,628)
Traffic Signal Upgrades		(350,000)
Citywide Projects		(878,194)*
Early Redemption of Bond (1/1/22)		(4,060,000)
Draft Reserve (MCR) Policy ³		(6,345,238)
Equipment Replacement Reserve ³		(85,400)
Uncommitted Reserve Balance	\$	3,641,564

Water Fund Capital Reserves		Amount
Cash/Investment Balance (9/30/21)	\$	9,206,535
Expected Contributions & Interest		608,180
Restricted Funds:		
Vehicle & Equipment Replacement		(201,953)
Streets 2020 Utility Engineering (Move		(122,765)
SE Second Street - Lead Gooseneck		(2,554)
Milford Business Campus		(6,500,000)
Draft Reserve (MCR) Policy ³		(2,695,121)
Equipment Replacement Reserve ³		(201,953)
Uncommitted Reserve Balance	\$	90,369

Solid Waste Reserves		Amount
Cash/Investment Balance (9/30/21)	\$	71,285
Expected Contributions & Interest		218,783
Restricted Funds:		
Draft Reserve (MCR) Policy ⁴		-
Equipment Replacement Reserve ⁴		(290,068)
Uncommitted Reserve Balance	\$	-

Sewer Fund Capital Reserves		Amount
Cash/Investment Balance (9/30/21)	\$	3,872,539
Expected Contributions & Interest		78,281
Restricted Funds:		
Sewer Vehicles & Equipment		(169,503)
Citywide Projects & Engineering		(29,256)
Utility Engineering		(231)
Draft Reserve (MCR) Policy ³		(3,327,000)
Equipment Replacement Reserve ³		(235,000)
Uncommitted Reserve Balance	\$	189,831

MSA & RTT Reserves		Amount
RTT Balance (9/30/21)		4,017,031
MSA Balance (9/30/21)		624,779
MSA & RTT Est Receipts thru FY22:		814,617
MSA: Street & Bridge Improvements		(415,958)
RTT: Transfer to Police Dept		(300,000)
RTT: Sidewalk Project Funding		(140,000)
MSA & RTT: Mispillion Street Group		(490,440)
MSA & RTT: 2020 Combined Utilities		(407,566)
RTT: Support GF Policies ¹		(2,000,000)
RTT: Draft Reserve Policy ⁵		(1,041,454)
Uncommitted Reserve Balance	\$	661,009

¹Approved GF Reserve Policies permit support from an eligible funding source; portion of RTT balance pledged to support GF Reserves for foreseeable future

²Approved GF Reserve Policies recommend MCR of 45 days OpEx & Equip Repl Res minimum of 110% of upcoming CIP budget

³Approved Reserve Policies split Minimum Cash Req'd from COS study into new MCR & Equip Repl Reserve (20% of CIP)

⁴Solid Waste Reserves initiated in FY22 with seed funding from interfund loan forgiveness. Through at least FY23, 100% of balance will be reserved for purchase of new vehicle per FY22-26 approved CIP

⁵Approved Reserve Policies recommend dynamic MCR based on average of trailing-three-year RTT receipts

*UPDATED 11/8/2021

City of Milford, Delaware
Enterprise Funds: Statement of Revenues & Expenditures
For the YTD Period Ended September 30, 2021 vs Prior FYTD & Current Budget (in thousands)

Enterprise Funds Profit & Loss (P&L) Statement		Electric	Water	Sewer	Solid Waste	Total	FY22 Total (as % of Rev)	FY21 Total (as % of Rev)
1	Operating Revenue	\$ 6,985	\$ 811	\$ 1,272	\$ 362	\$ 9,430	100.0%	100.0%
2	Cost of Revenue ¹	(4,881)	(76)	(654)	(102)	(5,713)	-60.6%	-59.1%
3	Gross Margin	2,104	735	618	260	3,717	39.4%	40.9%
4	Operating Expenses							
5	Operations & Maintenance	(582)	(239)	(211)	(160)	(1,191)	-12.6%	-12.8%
6	Personnel	(211)	(70)	(69)	(57)	(407)	-4.3%	-4.5%
7	Total Operating Expenses	(793)	(309)	(280)	(216)	(1,598)	-16.9%	-17.3%
8	Operating Income	\$ 1,311	\$ 426	\$ 338	\$ 44	\$ 2,118	22.5%	23.6%
9	Non-Operating Revenue (Expense)	13	3	1	0	18	0.2%	0.1%
10	Surplus (Deficit) for debt service & capital	1,323	429	339	44	2,136	22.7%	23.7%
11	Debt Service - Principal & Interest	-	(136)	(40)	-	(177)	-1.9%	-1.6%
12	Capital Spending / Contributions from (to) Reserves	(4)	-	(59)	-	(64)	-0.7%	-0.4%
13	Surplus (deficit) available for transfers	1,319	293	240	44	1,896	20.1%	21.7%
14	Transfers Out	(625)	(75)	-	-	(700)	-7.4%	-6.5%
15	Net Surplus (Deficit) - FYTD through Sep 2021	\$ 694	\$ 218	\$ 240	\$ 44	\$ 1,196	12.7%	15.2%
16	Net Surplus (Deficit) - FYTD through Sep 2020	\$ 905	\$ 353	\$ 198	\$ (2)	\$ 1,454	15.2%	
17	Current vs Prior - Favorable (Unfavorable)	↓ \$ (211)	↓ \$ (135)	↑ \$ 42	↑ \$ 46	↓ \$ (258)	-2.5%	
18	Net Surplus (Deficit) - Current FYTD Budget	\$ 91	\$ 26	\$ 23	\$ 15	\$ 156	1.7%	
19	Current vs Budget - Favorable (Unfavorable)	↑ \$ 603	↑ \$ 192	↑ \$ 216	↑ \$ 29	↑ \$ 1,040	11.0%	

¹Cost of Revenue reported in the electric fund reflects wholesale cost of power and serves as an ideal revenue offset to arrive at gross margin. Cost of revenue in the water, sewer and solid waste funds are estimated based on a limited set of known, direct inputs to the cost of providing the utility services billed. Aside from Kent County sewer treatment charges, costs of revenue in the water, sewer and solid waste funds are likely understated.

UPDATED 11/8/2021

City of Milford, Delaware

General Fund: Statement of Revenues & Expenditures¹

For the YTD Period Ended September 30, 2021 vs Prior FYTD & Current Budget (in thousands)

General Fund Sources and Uses of Funding	Admin & Council	Public Safety	Parks & Rec	Planning & All Other	Total	FY22 Total <i>(as % of Rev)</i>	FY21 Total ³ <i>(as % of Rev)</i>
Sources of Funding:							
Real Estate (Property) Taxes	\$ 4,664	\$ -	\$ -	\$ -	\$ 4,664	77.5%	69.7%
Permits, Licensing & Franchise Fees	43	-	-	64	107	1.8%	2.5%
Fines, Fees & Misc Revenue	4	149	-	-	153	2.5%	5.9%
General Revenue Subtotal	4,711	149	0	64	4,924	81.8%	78.0%
Utility Transfers & Cost Allocation	984	-	-	-	984	16.3%	14.4%
Grant Revenue	-	11	-	-	11	0.2%	2.1%
Application of Reserve Balances	-	100	-	-	100	1.7%	5.6%
General Fund Operating Support	984	111	0	0	1,095	18.2%	22.0%
Total Sources of Funding	\$ 5,695	\$ 260	\$ -	\$ 64	\$ 6,019	100.0%	100.0%
Uses of Funding:							
Operations & Maintenance	265	194	152	114	725	12.0%	21.3%
Personnel	277	964	102	140	1,484	24.6%	31.9%
Total Operating Expenses²	542	1,158	254	255	2,209	36.7%	53.2%
Surplus (Deficit) for Debt Svc & Capital	\$ 5,152	\$ (898)	\$ (254)	\$ (191)	\$ 3,810	63.3%	46.8%
Debt Service - Principal & Interest	-	-	-	-	-	0.0%	0.0%
Capital Spending / Transfers from (to) Reserves	-	-	-	-	-	0.0%	4.6%
Net Surplus (Deficit) - FYTD through Sep 2021	\$ 5,152	\$ (898)	\$ (254)	\$ (191)	\$ 3,810	63.3%	42.2%
Net Surplus (Deficit) - FYTD through Sep 2020³	\$ 3,877	\$ (683)	\$ (155)	\$ (480)	\$ 2,559	42.2%	
<i>Current vs Prior - Favorable (Unfavorable)</i>	↑ \$ 1,275	↓ \$ (214)	→ \$ (99)	↑ \$ 289	↑ \$ 1,251	21.1%	
Net Surplus (Deficit) - Current FYTD Budget⁴	\$ 5,353	\$ (1,356)	\$ (254)	\$ (234)	\$ 3,509	59.3%	
<i>Current vs Budget - Favorable (Unfavorable)</i>	↓ \$ (200)	↑ \$ 459	→ \$ 0	→ \$ 43	↑ \$ 301	4.0%	

¹This Statement presents the same general fund financial performance available in the legacy Revenue and Expenditure Reports in a one-page consolidated executive summary. The common size reporting (two rightmost columns) benefits readers in two ways; first, each line is scaled with total revenue to add context, and second, the common size format is comparable across fiscal years and budgets. This report should be considered a working draft that will be improved over time to improve its usefulness to readers.

²The General Fund Operating Expenses totaling \$2.2 million reported in row 14 ties to the legacy expenditure report in row 58.

³This format presents expenditures in the context of funding sources while comparing subtotals (rightmost column) and the net surplus (deficit) to the prior YTD period (rows 19 & 20)

⁴In addition, the net surplus (deficit) may be compared to the current FYTD Seasonalized budget (lines 21 & 22).

UPDATED 11/8/2021

City of Milford, Delaware
 Legacy Revenue Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended September 30, 2021

25.0% of Year Elapsed

Account / Function	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget
General Fund:				
Economic Development Fund	\$ 105,860	\$ -	\$ -	0.0%
General Fund Reserves	1,967,500	-	-	0.0%
ARPA Funding - Operating Support	568,233	11,105	11,105	2.0%
Realty Transfer Tax - Police	400,000	33,333	100,000	25.0%
Real Estate Tax	4,770,043	3,798	4,663,641	97.8%
Business License	72,000	1,130	4,625	6.4%
Rental License	103,000	1,600	3,475	3.4%
Building Permits	316,300	17,671	32,718	10.3%
Planning & Zoning	52,200	2,100	19,200	36.8%
Grasscutting Revenue	16,000	1,333	4,000	25.0%
Police Revenues	431,500	134,072	148,983	34.5%
Misc. Revenues	418,111	15,504	49,704	11.9%
Transfers In	3,835,178	378,013	984,040	25.7%
Total General Fund Revenue	\$ 13,055,925	\$ 599,659	\$ 6,021,491	46.1%
Enterprise Funds:				
Water Fund Revenues	\$ 2,824,888	\$ 280,316	\$ 817,282	28.9%
Sewer Fund Revenues	2,893,047	252,117	721,806	24.9%
Kent County Sewer	1,974,629	187,295	551,118	27.9%
Solid Waste Fund Revenues	1,479,370	121,332	362,640	24.5%
Electric Fund Revenues	25,250,410	2,421,498	6,994,260	27.7%
Total Enterprise Fund Revenue	\$ 34,422,344	\$ 3,262,558	\$ 9,447,106	27.4%
Other Enterprise Expense	-	(3,727)	(24,409)	
Other Enterprise Revenue	-	4,350	13,705	
Total General & Enterprise Fund Revenue	\$ 47,478,269	\$ 3,862,840	\$ 15,457,893	32.6%

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended September 30, 2021

25.0% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
General Fund					
City Administration					
Personnel	\$ 715,791	\$ 53,281	\$ 138,075	19.3%	\$ 577,716
Operation & Maintenance (O&M)	492,929	16,072	36,023	7.3%	456,906
Capital	230,000	-	-	0.0%	230,000
Subtotal: City Administration	1,438,720	69,353	174,098	12.1%	1,264,622
Planning & Zoning; Code					
Personnel	493,285	30,622	79,814	16.2%	413,471
O&M	138,135	8,685	40,859	29.6%	97,276
Capital	-	-	-	-	-
Subtotal: Planning & Zoning; Code	631,420	39,307	120,673	19.1%	510,747
Council					
Personnel	35,934	1,981	6,750	18.8%	29,184
Legal	35,000	-	-	0.0%	35,000
City Hall Building Expense	17,424	1,452	4,356	25.0%	13,068
Insurance	25,745	-	5,129	19.9%	20,616
Christmas Decorations	5,000	-	-	0.0%	5,000
Council Expense	35,000	777	10,378	29.7%	24,622
Employee Recognition	28,000	70	80	0.3%	27,920
Codification	15,000	-	3,397	22.6%	11,603
Carlisle Fire Company	140,000	-	-	0.0%	140,000
Museum	30,000	30,000	30,000	100.0%	-
Downtown Milford, Inc.	45,860	-	-	0.0%	45,860
Milford Public Library	25,000	-	-	0.0%	25,000
Transcription Service	15,000	-	-	0.0%	15,000
Armory Expenses	23,600	13,608	17,439	73.9%	6,161
Vehicle & Equipment Repl	6,500	-	-	0.0%	6,500
Resident Survey	18,500	-	17,300	93.5%	1,200
Election - Wages	6,000	-	-	0.0%	6,000
Election - Supplies	2,800	-	-	0.0%	2,800
Community Festivals	60,000	-	-	0.0%	60,000
Subtotal: Council	570,363	47,888	94,829	16.6%	475,534

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended September 30, 2021

25.0% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Finance					
Personnel	456,230	28,337	74,042	16.2%	382,188
O&M	49,970	2,512	11,012	22.0%	38,958
Capital	-	-	-		-
Subtotal: Finance	506,200	30,849	85,054	16.8%	421,146
Information Technology					
Personnel	382,258	23,532	58,386	15.3%	323,872
O&M	228,241	10,988	129,912	56.9%	98,329
Capital	96,400	-	-	0.0%	96,400
Subtotal: Information Technology	706,899	34,520	188,298	26.6%	518,601
Police Department					
Personnel	5,129,212	355,958	964,145	18.8%	4,165,067
O&M	974,498	36,869	193,630	19.9%	780,868
Capital	108,100	-	-	0.0%	108,100
Subtotal: Police Department	6,211,810	392,827	1,157,775	18.6%	5,054,035
Streets & Grounds Division					
Personnel	382,587	21,666	60,498	15.8%	322,089
O&M	508,931	27,829	73,532	14.4%	435,399
Capital	73,000	-	-	0.0%	73,000
Subtotal: Streets & Grounds Division	964,518	49,495	134,030	13.9%	830,488
Parks & Recreation					
Personnel	589,633	40,554	101,805	17.3%	487,828
O&M	473,362	43,002	152,198	32.2%	321,164
Capital	963,000	-	-	0.0%	963,000
Subtotal: Parks & Recreation	2,025,995	83,556	254,003	12.5%	1,771,992
Total General Fund Expenditures	\$ 13,055,925	\$ 747,795	\$ 2,208,760	16.9%	\$ 10,847,165

City of Milford, Delaware
 Legacy Expenditure Report: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended September 30, 2021

25.0% of Year Elapsed

Fund / Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Enterprise Funds:					
Water Division					
Personnel	\$ 328,260	\$ 25,349	\$ 70,344	21.4%	\$ 257,916
O&M	1,644,327	89,462	314,558	19.1%	1,329,769
Transfer to General Fund	300,000	25,000	75,000	25.0%	225,000
Capital	187,028	47,486	47,776	25.5%	139,252
Debt Service	365,273	46,500	136,137	37.3%	229,136
Subtotal: Water Division	2,824,888	233,797	643,815	22.8%	2,181,073
Sewer Division					
Personnel	\$ 319,977	24,720	68,558	21.4%	251,419
O&M	1,993,116	81,660	313,984	15.8%	1,679,132
Capital	168,528	346	786	0.5%	167,742
Debt Service	411,426	7,960	40,378	9.8%	371,048
Subtotal: Sewer Division (excl. Kent County)	2,893,047	114,686	423,706	14.6%	2,469,341
Kent County Sewer	1,974,629	187,251	550,915	27.9%	1,423,714
Subtotal: Sewer Division (Comprehensive)	4,867,676	301,937	974,621	20.0%	3,893,055
Solid Waste Division					
Personnel	334,276	25,169	56,659	16.9%	277,617
O&M	1,086,019	112,015	261,866	24.1%	824,153
Capital	59,075	-	-	0.0%	59,075
Subtotal: Solid Waste Division	1,479,370	137,184	318,525	21.5%	1,160,845
Subtotal: Water, Sewer & Solid Waste	9,171,934	672,918	1,936,961	21.1%	7,234,973
Electric Division					
Personnel	1,275,540	85,926	211,202	16.6%	1,064,338
O&M	2,759,848	183,462	581,710	21.1%	2,178,138
Transfer to General Fund	2,500,000	208,333	625,000	25.0%	1,875,000
Capital	1,549,021	-	4,189	0.3%	1,544,832
Debt Service	321,615	-	-	0.0%	321,615
Subtotal: Electric Division (excl. Power)	8,406,024	477,721	1,422,101	16.9%	6,983,923
Power Purchased	16,844,386	1,429,394	4,881,403	29.0%	11,962,983
Subtotal: Electric Division (Comprehensive)	25,250,410	1,907,115	6,303,504	25.0%	18,946,906
Total Enterprise Fund Expenditures	\$ 34,422,344	\$ 2,580,033	\$ 8,240,465	23.9%	\$ 26,181,879
Grand Total Operating Budget	\$ 47,478,269	\$ 3,327,828	\$ 10,449,225	22.0%	\$ 37,029,044

City of Milford, Delaware
 Legacy Interservice Department Expenditures: MTD and YTD Actual vs Annual Budget
 For the YTD Period Ended September 30, 2021

25.0% of Year Elapsed

Account / Divisional Groupings	FY'22 Budget, as Approved	MTD Actual	YTD Actual	YTD Actual as % of Annual Budget	Unexpended Balance
Interservice Departments					
Garage					
Personnel	\$ 123,933	\$ 6,680	\$ 17,896	14.4%	\$ 106,037
Operation & Maintenance (O&M)	120,813	12,363	25,163	20.8%	95,650
Capital	-	-	-		-
Subtotal: Garage	244,746	19,043	43,059	17.6%	201,687
Public Works					
Personnel	750,563	53,666	150,359	20.0%	600,204
O&M	293,510	14,462	47,324	16.1%	246,186
Capital	-	-	-		-
Subtotal: Public Works	1,044,073	68,128	197,683	18.9%	846,390
Tech Services					
Personnel	271,033	25,381	61,970	22.9%	209,063
O&M	472,729	36,444	98,003	20.7%	374,726
Capital	-	-	-		-
Subtotal: Tech Services	743,762	61,825	159,973	21.5%	583,789
Billing & Collections					
Personnel	632,304	41,625	119,624	18.9%	512,680
O&M	644,405	12,287	53,151	8.2%	591,254
Capital	-	-	-		-
Subtotal: Billing & Collections	1,276,709	53,912	172,775	13.5%	1,103,934
City Hall Cost Allocation					
O&M	45,000	3,798	11,555	25.7%	33,445
Capital	-	94,792	94,792		(94,792)
Subtotal: City Hall Cost Allocation	45,000	98,590	106,347	236.3%	(61,347)
Interdepartmental Cost Allocation	\$ (3,354,290)	\$ (301,498)	\$ (679,837)	20.3%	\$ (2,674,453)
Net Interdepartmental Costs¹	\$ -	\$ -	\$ -		\$ -

¹All costs reported here are allocated to and entirely funded by the various departments that use the services provided internally by these shared departments.

Appendix: Planned Use of Funding by Category vs Spending
American Rescue Plan Act of 2021 ("ARPA")

<i>Actual Spending by Category through</i>					
ARPA Eligibility Categories	Planned	8/31/2021	9/30/2021	10/31/2021	Notes
COVID-19 Health Impact					
Air Quality & Ventilation	\$ 147,450			-	
Behavioral Health Care	170,000	-	11,105	20,394	Behavioral Health Care Initiative
Operational Facilities	50,000			-	
COVID-19 Mitigation	1,676	598	598	598	Vaccination Incentive; COVID test kits
Administering COVID-19 Response	225,830			-	
COVID-19 Economic Impact					
Assistance to Community (Annual)	324,460	-	-	45,860	DMI Funding
Assistance to Community & Households	256,929			46,500	MHDC Affordability Grant
Rehiring Public Safety Staff	340,220			-	
Rehiring Critical Ops Staff	272,172			-	
Aid Tourism Recovery	27,392			7,845	Signage / Banner Upgrade
Parks & Rec Programming	2,625	2,625	2,625	2,625	Signage cost share with DMI
Infrastructure					
Water Quality	3,048,582	175,456	178,829	382,080	Mispyllion St Project; NE Front St Water Line Replacement
Flood/Pollution Control	724,600	31,076	32,665	63,565	4th St Drainage & Mispyllion St Project
Improve Resilience to Disasters	310,000			-	
Improve Wastewater Treatment	238,184	8,429	8,493	8,630	Sewer component of Mispyllion St Project
Revenue Recovery					
Public Safety Operations	89,011			-	
Parks & Rec Programming	97,000			-	
Economic Development	7,762			-	
Grand Total	\$ 6,333,893	\$ 218,184	\$ 234,315	\$ 578,096	



Sussex County Association of Towns

37 The Circle, Georgetown, Delaware 19947

S.C.A.T. Dinner for Wednesday, December 1, 2021

Town of Bethany Beach

Town of Bethel

Town of Blades

Town of Bridgeville

Town of Dagsboro

Town of Delmar

Town of Dewey Beach

Town of Ellendale

Town of Fenwick Island

Town of Frankford

Town of Georgetown

Town of Greenwood

Town of Henlopen Acres

Town of Laurel

City of Lewes

City of Milford

Town of Millsboro

Town of Millville

Town of Milton

Town of Ocean View

City of Rehoboth Beach

City of Seaford

Town of Selbyville

Town of Slaughter Beach

Town of South Bethany

Sussex County Council

LOCATION: Victoria's Restaurant @ Boardwalk Plaza hotel
2 Olive Avenue
Rehoboth Beach, DE 19971

TIME: 5:30 pm - 6:30 pm – Cash Bar
6:30 pm – Guest Seating
6:45 pm - Dinner

HOST: City of Rehoboth Beach

SPEAKER: Holiday Party (no speaker)

COST: \$65.00 per person

MENU: - Basket of Warm Bread and Butter
- Caesar Salad
- Filet Mignon coupled with Petite Crab Cake, Bearnaise Sauce
- Roasted Fingerling Potatoes
- Asparagus
- Carrot Cake
- Freshly brewed Coffee, Decaffeinated, Hot Tea, Iced Tea

****SEATING IS LIMITED TO 60 PEOPLE**

RSVP AS SOON AS POSSIBLE**

Face masks must be worn unless sitting at your table

**For reservations, please contact Margaret Carson at
(302) 227-4641 or by email: mcarson@cityofrehoboth.com**

Please make checks payable to **City of Rehoboth Beach**

Mail to: City of Rehoboth Beach

Attn: Margaret Carson

229 Rehoboth Avenue

Rehoboth Beach, DE 19971

Reminder: S.C.A.T. Steering Committee Breakfast

Friday, December 3, 2021 at 9AM

Location: First State Community Action Agency

308 North Railroad Avenue, Georgetown, DE 19947

RSVP to Kristen Dabrowski kdabrowski@georgetowndel.com



Executive Director's Message

This year commemorates the 400th anniversary of the first Thanksgiving in America. In fall of 1621, colonists gathered with the native Wampanoag society at Plymouth Plantation, Massachusetts to give thanks for a bountiful harvest. Over 100 pilgrims made the perilous journey aboard the Mayflower to escape religious persecution in Europe. Yet, only half the group survived a harsh winter where disease and hunger ravaged the colony. If not for the indigenous people, who taught the Pilgrims how to plant and harvest native crops, the remaining colonists may have perished.

Although our living conditions can't be compared to that of the Pilgrims, we've all experienced an incredibly tough year. Local governments faced unprecedented challenges brought on by the COVID-19 pandemic, civil unrest, and natural disasters. Still, Thanksgiving is the season to reflect and express gratitude.

I'm thankful for our essential workers, healthcare providers, and heroes who put their health and lives on the line during the pandemic. I'm grateful for the life-saving COVID-19 vaccine, and that a vaccine is now approved to safeguard the health of [children ages 5 – 11](#).

With the passage of the American Rescue Plan Act (ARPA), local governments can appreciate resources to recover and rebuild stronger, and more equitable economies. Non-entitlement unit (NEU) municipalities in Delaware, who voluntarily opted in, are also now receiving shared ARPA legal resources thanks to the Office of Delaware Governor John Carney and the Delaware Office of State Treasurer. We're also thankful for Friday's passage of the Infrastructure Investment and Jobs Act, resulting from the bipartisan work of Congress and President Biden.



MARK A. WHITFIELD, CITY MANAGER
201 South Walnut Street
Milford, DE 19963

PHONE 302.422.1111
FAX 302.424.3553
www.cityofmilford.com

To: City Council and Mayor
From: Mark A. Whitfield, City Manager
Subject: Opioid Settlement Agreement
Date: November 5, 2021

As part of the settlement agreement with pharmaceutical distributors of opioids, the State of Delaware agreed to participate in the settlement. The settlement will realize about \$100 million to the State. The money must be used for activities and costs associated with the opioid use epidemic.

The settlement also identifies 10 political subdivisions in the state that are eligible to participate, including the City of Milford. Mayor Campbell and I have already expressed the City's interest in participating. The City of Milford will be eligible for 2.1% of the settlement amount, or approximately \$2.1 million.

RECOMMENDATION: Staff recommends City Council authorize the Mayor and/or City Manager to execute all agreements and documents pertaining to the Opioid Settlement Agreement.

Remediating Opioids Across Delaware through State-Municipal Abatement Partnership (“ROADS MAP”) Agreement

State-Subdivision Agreement Pursuant to the Opioid Settlement Agreements for the State of Delaware

This Remediating Opioids Across Delaware through State-Municipal Abatement Partnership Agreement is entered into between and among the State of Delaware, *ex rel.* Kathleen Jennings, Attorney General (the “**State**”) and each Eligible Subdivision that has executed this Agreement. This ROADS MAP Agreement shall be effective only upon the occurrence of both (i) S.B. 166 (as defined below) being signed by the Governor and (ii) the earlier of October 31, 2021 or the last date on which the last Eligible Subdivision becomes a Party.

WHEREAS, the people of the State of Delaware and Delaware communities have been harmed by the opioid epidemic, which was caused, in part, by certain manufacturers of opioids, pharmaceutical distributors and pharmacies (collectively, “**Opioids Defendants**”);

WHEREAS, the State and certain Delaware subdivisions are engaged in litigation seeking to hold certain Opioids Defendants accountable for the damage they have caused;

WHEREAS, the State and the Eligible Subdivisions share a common desire to abate and alleviate the impacts of the Opioids Defendants’ misconduct through the State of Delaware in a coordinated and expeditious manner;

WHEREAS, upon satisfaction of the terms of each of the Settlement Agreements, each will become binding on all Settling States, Participating Subdivisions, and other settling entities party thereto;

WHEREAS, each Settlement Agreement encourages or allows that each Settling State and its respective subdivisions to enter into a State-Subdivision Agreement in order to direct allocation of their portion of the Settlement Fund;

WHEREAS, the 151st Delaware General Assembly has passed Senate Bill No. 166 as amended by Senate Amendment No. 1, 83 Del. Laws ch. ___ “An Act To Amend Title 16 Of The Delaware Code And The Laws Of Delaware Relating To The Distribution Of Funds From The Prescription Opioid Impact Fee And Court Settlements” (“**S.B. 166**”), which amends Title 16 of the Delaware Code and the Laws of Delaware relating to the distribution of funds from opioid settlements;

WHEREAS, in order to maximize the amount of settlement funds available to Delaware and to ensure a nimble stakeholder-informed process to distribute such funds on a statewide basis, S.B. 166 established the Prescription Opioid Settlement Fund to “hold all monies collected by the State and its subdivisions as a result of the terms of statewide opioid

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settlement agreements, judgments, or other recoveries in connection with a defendant's actual or alleged liability for contributing to the opioid crisis in Delaware;”

WHEREAS, each Settlement Agreement, together with this ROADS MAP Agreement, is a “statewide opioid settlement agreement” as defined by S.B. 166;

WHEREAS, S.B. 166 established the Prescription Opioid Settlement Distribution Commission to distribute the Prescription Opioid Settlement Fund;

WHEREAS, pursuant to S.B. 166, money in the Prescription Opioid Settlement Fund may not be used to supplant existing state or local government funding and must be used for activities in 1 of the following categories:

1. For services that remediate the harm caused by opioids.
2. To reduce harm caused by opioids.
3. Consistent with the terms of the settlement, judgment, or other source of monies.

WHEREAS, each Settlement Agreement requires that monies set aside for abatement be used for Opioid Remediation, which is defined as “care, treatment, and other programs and expenditures . . . designed to (1) address the misuse and abuse of opioid products, (2) treat or mitigate opioid use or related disorders, or (3) mitigate other alleged effects of, including on those injured as a result of, the opioid epidemic,” and attaches an Exhibit E that provides a non-exhaustive list of expenditures that qualify as being paid for Opioid Remediation, in addition to reasonable related administrative expenses;

WHEREAS, the State and the Participating Delaware Subdivisions enter into this ROADS MAP Agreement with the intent to participate in each Settlement Agreement and have this ROADS MAP Agreement be a “State-Subdivision Agreement” as contemplated by each of the Settlement Agreements (and, in the case of a bankruptcy plan or other Settlement Agreement that uses “Statewide Abatement Agreement” or other similar term to refer to an agreed-upon allocation for opioid abatement funds, the State and the Participating Delaware Subdivisions intend this ROADS MAP Agreement to be a Statewide Abatement Agreement or such other similar term);

WHEREAS, the State and certain litigating Eligible Subdivisions have hired outside counsel with respect to their claims against Opioid Defendants and such counsel may be entitled to attorneys’ fees as a result of the finalization of one or both Settlement Agreements;

WHEREAS, it is the intent of the State and those litigating Eligible Subdivisions that their respective outside counsel seek payment of appropriate attorneys’ fees directly from the State Outside Counsel Fee Fund and the Attorney Fee Fund, as appropriate, each as established pursuant to the relevant Exhibits of the Settlement Agreements, which in turn shall help ensure that the entire Settlement Fund in Delaware is available for Opioid Remediation;

WHEREAS, in order to ensure that outside counsel for litigating Eligible Subdivisions are eligible for fee awards from the Contingency Fee Fund, a *de minimis* amount of settlement

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monies from each Settlement Agreement shall be allocated to the litigating Eligible Subdivisions;

WHEREAS, this ROADS MAP Agreement together with each Settlement Agreement provides the framework for how the settlement funds received by Delaware may be allocated and used to remediate the harm caused by the opioid crisis throughout Delaware;

WHEREAS, the Prescription Opioid Settlement Distribution Commission must comply with all applicable terms of each Settlement Agreement and this ROADS MAP Agreement when disbursing monies derived from such settlements.

NOW, THEREFORE, the State and the Participating Delaware Subdivisions hereby agree as follows:

1) Definitions

a) As used in this Agreement:

i) **“Distributor Settlement Agreement”** means that certain settlement agreement dated as of July 21, 2021 setting forth the terms of settlement between and among McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation, on the one hand, and certain Settling States and certain Participating Subdivisions on the other hand.

ii) **“Eligible Subdivision”** means each of:

- (1) Kent County
- (2) Sussex County
- (3) New Castle County
- (4) City of Dover
- (5) City of Seaford
- (6) City of Newark
- (7) Town of Middletown
- (8) City of Milford
- (9) Town of Smyrna
- (10) City of Wilmington

iii) **“J&J Settlement Agreement”** means that certain settlement agreement dated as of July 21, 2021 setting forth the terms of settlement between and among Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc.,

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and Janssen Pharmaceutica, Inc., on the one hand, and certain Settling States and certain Participating Subdivisions on the other hand.

- iv) **“Local Government Committee”** means the committee of the same name established by S.B. 166.
- v) **“Non-Participating Subdivision”** means an Eligible Subdivision that is not a Participating Subdivision.
- vi) **“Participating Delaware Subdivision”** means each Eligible Subdivisions that that is both (i) a signatory to this ROADS MAP Agreement and (ii) a Participating Subdivision as defined in each Settlement Agreement.
- vii) **“Parties”** means the State and each Eligible Subdivision that is a signatory to this ROADS MAP Agreement.
- viii) **“Prescription Opioid Impact Fund”** means the fund of the same name established by S.B. 166.
- ix) **“Prescription Opioid Settlement Fund”** means the fund of the same name established by S.B. 166.
- x) **“Prescription Opioid Settlement Distribution Commission”** means the commission of the same name established by S.B. 166.
- xi) **“ROADS MAP Agreement”** means this Remediating Opioids Across Delaware through State-Municipal Abatement Partnership Agreement, which is a State-Subdivision Agreement as contemplated by and defined in each Settlement Agreement.
- xii) **“Settlement Agreements”** means the Distributor Settlement Agreement, the J&J Settlement Agreement, and any similar agreement (including consent judgments or consent decrees filed or unfiled), entered into after the date of this Agreement, by, between, or among one or more opioid manufacturers, pharmaceutical distributors, or pharmacies, or an affiliate, agent, consultant, or advisor of an opioid manufacturer, pharmaceutical distributor, or pharmacy, relating to the manufacture, distribution, or sale of opioids, in which both the State and an Eligible Subdivision is eligible to directly receive funds under the agreement.

In addition to the foregoing, upon confirmation of the plan in any bankruptcy proceeding for which the State will receive a payment or distribution in connection with claims similar to those released in the Settlement Agreements, which shall include both *In re: Purdue Pharma L.P., et al.*, No. 19-23649 (RDD) (Bankr. S.D. N.Y.) and *In re: Mallinckrodt PLC, et al.*, No. 20-12522 (JTD) (Bankr. D. Del.), such confirmed plan will also become a Settlement Agreement hereunder for purposes of Section 3(c) of this ROADS MAP Agreement.

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- xiii) “**State**” means the State of Delaware, *ex. rel.* Kathleen Jennings, Attorney General
- b) Capitalized terms used and not otherwise defined herein have the meaning given to them in the Settlement Agreements.

2) Participating Delaware Subdivisions

- a) Each Eligible Subdivision may become a Participating Delaware Subdivision by (i) executing this ROADS MAP Agreement and (ii) taking the necessary steps under each Settlement Agreement to become a Participating Subdivision. While it is the intent to have all Eligible Subdivisions become Participating Delaware Subdivisions by October 31, 2021, an Eligible Subdivision shall not be precluded from becoming a Participating Delaware Subdivision by taking the foregoing steps after October 31, 2021, so long as both steps are completed prior to the date to become a Participating Subdivision under each Settlement Agreement.
- b) The Local Government Committee shall include each Participating Delaware Subdivision as a member of such committee, unless and until such Participating Delaware Subdivision gives written notice to the Chair of the Local Government Committee that it resigns as a member of such committee.
- c) As contemplated by S.B. 166, the Local Government Committee shall provide recommendations to the Prescription Opioid Settlement Distribution Commission regarding the distribution of money from the Prescription Opioid Settlement Fund and the Prescription Opioid Impact Fund.
- d) A Non-Participating Delaware Subdivision is ineligible to be a member of the Prescription Opioid Settlement Distribution Commission or any committee or subcommittee thereof.

3) Allocation

- a) As set forth in both the Distributor Settlement Agreement and the J&J Settlement Agreement, the Settlement Fund shall be comprised of an Abatement Accounts Fund, a State Fund, and a Subdivision Fund for each Settling State.
- b) Further to paragraph V.D.1 of the Distributor Settlement Agreement and paragraph VI.D.1 of the J&J Settlement Agreement, which each contemplate the reallocation and distribution within Delaware’s account of amounts contained in the Settlement Fund sub-funds per a State-Subdivision Agreement:
 - i) Amounts allocated to the State Fund for Delaware shall be reallocated to the Abatement Accounts Fund for Delaware.
 - ii) Amounts allocated to the Subdivision Fund for Delaware shall be reallocated to the Abatement Accounts Fund for Delaware, *except that* four dollars (\$4.00) from the first relevant payment under each Settlement Agreement shall be held back from such

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reallocation and allocated instead 25% to each litigating Eligible Subdivision (*i.e.*, Kent County, Sussex County, City of Dover, and City of Seaford), such that each litigating Eligible Subdivision retains a one dollar (\$1.00) direct allocation under each Settlement Agreement and allows their respective outside counsel to be eligible for attorneys' fee awards from the Contingency Fee Fund.

- c) The Abatement Accounts Fund for Delaware (which after the reallocations set forth above shall contain 100% of the amounts contained in the Settlement Fund within Delaware's account, less the four dollars (\$4.00) held back pursuant to paragraph (3)(b)(ii), above), along with any other amounts distributed to Delaware under the Settlement Agreements for purposes of opioid abatement, shall be disbursed to the Prescription Opioid Settlement Fund.
- d) As set forth in paragraph VII.H of each of the Distributor Settlement Agreement and the J&J Settlement Agreement, Non-Participating Delaware Subdivisions shall not directly receive any portion of any base or incentive payments, including from the State Fund and direct distributions from the Abatement Accounts Fund. This shall not prevent the Prescription Opioid Settlement Distribution Commission from funding Opioid Remediation that indirectly benefits a Non-Participating Subdivision.

4) Amendments

- a) The Parties agree to make such amendments as necessary to implement the intent of this Agreement.
- b) This Agreement may be amended by written agreement of the Parties.

ACCEPTED AND AGREED TO BY THE UNDERSIGNED:

State of Delaware ex. rel. Kathleen Jennings, Attorney General



By: Owen Lefkon, Deputy Attorney General

Date: September 17, 2021



KATHLEEN JENNINGS
Attorney General

DEPARTMENT OF JUSTICE
NEW CASTLE COUNTY
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

FRAUD DIVISION (302) 577-8400
FAX (302) 577-6499

TO LOCAL POLITICAL SUBDIVISIONS:
IMPORTANT INFORMATION ABOUT THE NATIONAL OPIOID SETTLEMENT.
SUBDIVISIONS MUST SUBMIT SIGNED DOCUMENTATION TO PARTICIPATE.
THE DEADLINE FOR PARTICIPATION TO MAXIMIZE SETTLEMENT BENEFITS IS JANUARY 2, 2022.

If your subdivision is represented by an attorney with respect to opioid claims, please immediately contact them.

After years of negotiations, two proposed nationwide settlement agreements (“Settlements”) have been reached that would resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen (“Distributors”), and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson (collectively, “Janssen”).

The proposed Settlements require the Distributors and Janssen to pay billions of dollars to abate the opioid epidemic. Specifically, the Settlements require the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis.

The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states’ and subdivisions’ lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids.

Each of the proposed Settlements has two key participation steps. First, each state decides whether to participate in the Settlement. Delaware has joined both Settlements. Second, the subdivisions within each participating state must then decide whether to participate in the Settlements. Generally, the more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds, even if the subdivision’s state is settling and other participating subdivisions are sharing in settlement funds.

This letter is part of the formal notice required by the Settlements.

WHY IS YOUR SUBDIVISION RECEIVING THIS NOTICE?

You are receiving this letter because Delaware has elected to participate in both of the two national Settlements against (1) the Distributors, and (2) Janssen, and your subdivision may participate in the Settlements. This notice is being sent directly to subdivisions and also to attorneys for subdivisions that we understand are litigating against these companies. If you are represented by an attorney with respect to opioid claims, please immediately contact them. Please note that there is no need for subdivisions to be represented by an attorney or to have filed a lawsuit to participate in the Settlements.

WHERE CAN YOU FIND MORE INFORMATION?

This letter is intended to provide a brief overview of the Settlements. Detailed information about the Settlements may be found at: <https://nationalopioidsettlement.com/>. This national settlement website also includes links to information about how the Settlements are being implemented in your state and how settlement funds will be allocated within your state. This website will be supplemented as additional documents are created. **You may also obtain Delaware-specific information by reaching out to the Delaware Attorney General's designated contact, Deputy Attorney General Owen Lefkon, at owen.lefkon@delaware.gov.**

HOW DO YOU PARTICIPATE IN THE SETTLEMENTS?

You must go to the national settlement website to register to receive in the coming weeks and months the documentation your subdivision will need to participate in the Settlements (if your subdivision is eligible). All required documentation must be executed and submitted electronically through the website and must be executed using the "DocuSign" service. As part of the registration process, your subdivision will need to identify, and provide the email address for, the individual who will be authorized to sign formal and binding documents on behalf of your subdivision.

Your unique Subdivision Identification Number to use to register is: 3SYA9J

HOW WILL SETTLEMENT FUNDS BE ALLOCATED IN EACH STATE?

The settlement funds are first divided among the participating states according to a formula developed by the Attorneys General that considers population and the severity of harm caused by the opioid epidemic in each participating state. Each state's share of the abatement funds is then further allocated within each state according to agreement between the state and its subdivisions, applicable state allocation legislation, or, in the absence of these, the default provisions in the agreements.

Many states, including Delaware, have or are in the process of reaching an agreement on how to allocate abatement funds within the states. Allocation agreements/legislation and other information about Delaware's allocation agreement or legislation can be found on the national settlement website. The allocation section of the website will be supplemented as more intra-state allocation arrangements are finalized. In Delaware, the relevant documents are:

- Senate Bill 166; and
- The "Remediating Opioids Across Delaware through State-Municipal Abatement Partnership" (ROADS MAP) Agreement.

You may also obtain copies of these Delaware-specific documents by reaching out to the Delaware Attorney General's designated contact, Deputy Attorney General Owen Lefkon, at owen.lefkon@delaware.gov.

In reviewing allocation information, please note that while all subdivisions may participate in the Settlements, the proposed State-Subdivision Agreement for Delaware (known as the ROADS MAP Agreement) contemplates that subdivisions will not receive direct payments; instead all abatement funds from the Settlements will be placed in the Prescription Opioid Settlement Fund which shall be overseen by stakeholders statewide, including eligible subdivisions. However, participation by all eligible subdivisions will help maximize the amount of abatement funds being paid in the Settlements, which will be disbursed to communities around Delaware by the Prescription Opioid Settlement Distribution Commission created by Senate Bill 166.

Any questions concerning the status or terms of the state-subdivision agreement, allocation statute, and/or statutory trust in your state, if applicable, can be directed to the Attorney General's Office.

You may be contacted by the Delaware Attorney General's Office with additional information regarding the allocation of settlement funds in Delaware. Subdivisions with representation can expect information from their attorneys as well. We encourage you to review all materials and to follow up with any questions. The terms of these Settlements are complex. We want to be sure you have all the information you need to make your participation decision.

WHY YOU SHOULD PARTICIPATE

A vast majority of states have joined the Settlements, and attorneys for many subdivisions have already announced support for them. For example, the Plaintiffs' Executive Committee, charged with leading the litigation on behalf of more than 3,000 cities, counties and others against the opioid industry, and consolidated in the national multi-district litigation ("MDL") pending before Judge Dan Aaron Polster in the Northern District of Ohio, recommends participation in these Settlements.

Subdivision participation is strongly encouraged, for the following reasons:

First, the amounts to be paid under the Settlements, while insufficient to abate the epidemic fully, will allow state and local governments to commence with meaningful change designed to curb opioid addiction, overdose and death;

Second, time is of the essence. The opioid epidemic continues to devastate communities around the country and it is critical that the funds begin to flow to allow governments to address the epidemic in their communities *as soon as possible*;

Third, if there is not sufficient subdivision participation in these proposed Settlements, the Settlements will not be finalized, the important business practice changes will not be implemented, the billions of dollars in abatement funds will not flow to communities, and more than 3,000 cases may be sent back to their home courts for trial, which will take many years;

Fourth, the extent of participation also will determine how much money each state and its subdivisions will receive because approximately half of the abatement funds are in the form of "incentive payments," *i.e.*, the higher the participation of subdivisions in a state, the greater the amount of settlement funds that flow into that state;

Fifth, you know first-hand the effects of the opioid epidemic on your community. Funds from these Settlements will be used to commence abatement of the crisis and provide relief to your citizens while litigation and settlement discussions proceed against numerous other defendants in the opioid industry; and

Sixth, because pills do not respect boundaries, the opioid epidemic is a national crisis that needs a national solution.

NEXT STEPS

These Settlements require that you take affirmative steps to "opt in" to the Settlements. If you do not act, you will not contribute to reaching the participation thresholds that will deliver the maximum amount of abatement funds to your state. Under Delaware's ROADS MAP Agreement, if you do not participate you will also be ineligible to be a member of the Prescription Opioid Settlement Distribution Commission created by Senate Bill 166.

First, register your subdivision on the national settlement website so that information and documents required to participate can be sent to you. You will need the email address of the person who will be authorized to sign on behalf of your subdivision. This is the only action item needed at this time.

Second, have your authorizing person(s) or body begin to review the materials on the websites concerning the settlement agreement terms, allocation and other matters. Develop a list of questions for your counsel or the Attorney General's Office. In the very near future, your subdivision will need to begin the process of deciding whether to participate in the proposed Settlements, and subdivisions are encouraged to work through this process well before the January 2, 2022 deadline to be an initial participating subdivision. Again, the Attorney General's Office, your counsel, and other contacts within the state are available to discuss the specifics of the Settlements within your state, and we encourage you to discuss the terms and benefits of the Settlements with them.

Third, monitor your email for further communications, which will include a Participation Agreement, the ROADS MAP Agreement, Release, (where applicable) a model Resolution, and instructions on executing using DocuSign.

We urge you to view the national settlement website at your earliest convenience. Information and documents regarding the national Settlements and your state allocation can be found on the settlement website at <https://nationalopioidsettlement.com/>.

If you have any questions, please reach out to your counsel or to the Delaware Attorney General's designated contact, Deputy Attorney General Owen Lefkon, at owen.lefkon@delaware.gov or by phone at (302) 683-8888.

Postal Service: Please do not mark barcode
NPD CK-220-632
Mark Whitfield City Manager
201 South Walnut Street
Milford, DE 19963

122810017819



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NPD

National Opioids Settlements
P.O. Box 43196
Providence, RI 02940-3196

EXHIBIT E

List of Opioid Remediation Uses

**Schedule A
Core Strategies**

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“*Core Strategies*”).¹⁴

- A. **NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES**
1. Expand training for first responders, schools, community support groups and families; and
 2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.
- B. **MEDICATION-ASSISTED TREATMENT (“MAT”) DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT**
1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
 2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
 3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
 4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

¹⁴ As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

C. **PREGNANT & POSTPARTUM WOMEN**

1. Expand Screening, Brief Intervention, and Referral to Treatment (“*SBIRT*”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“*OUD*”) and other Substance Use Disorder (“*SUD*”)/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with OUD, including housing, transportation, job placement/training, and childcare.

D. **EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME (“*NAS*”)**

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. **EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES**

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. **TREATMENT FOR INCARCERATED POPULATION**

1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. **PREVENTION PROGRAMS**

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. **EXPANDING SYRINGE SERVICE PROGRAMS**

1. Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.

I. **EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE**

Schedule B
Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (“*OUD*”) and any co-occurring Substance Use Disorder or Mental Health (“*SUD/MH*”) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:¹⁵

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (“*MAT*”) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“*ASAM*”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“*OTPs*”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

¹⁵ As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("*DATA 2000*") to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Disseminate of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication–Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.

14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (“*PAAR*”);
 2. Active outreach strategies such as the Drug Abuse Response Team (“*DART*”) model;
 3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (“*LEAD*”) model;
 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.

4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (“CTI”), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (“NAS”), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.

5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.
6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("PDMPs"), including, but not limited to, improvements that:

1. Increase the number of prescribers using PDMPs;
 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
 3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
 7. Increasing electronic prescribing to prevent diversion or forgery.
 8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (“SAMHSA”).
7. Engaging non-profits and faith-based communities as systems to support prevention.

8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.

7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment

intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

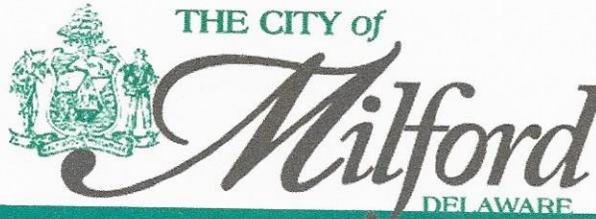
Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.

4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g., Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (“ADAM”) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.



OFFICE OF THE CHIEF OF POLICE
KENNETH L. BROWN
kenneth.brown@cj.state.de.us



400 NE Front Street
Milford Delaware 19963
302.422.8081 Fax 302.424.2330

TO: Mayor and Members of City Council
FROM: Kenneth L. Brown, Chief of Police
DATE: November 3, 2021
RE: Take-Home Car Program Proposal

I am requesting the Milford City Council authorize the purchase of 15 Ford Hybrid Police Interceptors including equipment which is listed on the attached Excel spreadsheet. In addition, I am also requesting to include \$13,704.12 for additional equipment needed for the two new police vehicles already approved in the Police Department's FY22 Budget.

The total for this project would equal to \$883,551.27 and I understand this proposal is eligible through the American Rescue Plan Act (ARPA).

This Take-Home Car Program would also add an additional \$26,154.60 per year to our existing Axon Camera Annual Contract for 4 years.

new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Fire Extinguisher- ABC 5LBS
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Door unlock Kit with case
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Active Shooter kit (includes level 3 armour)
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Forcible Entry kit (Rescue)
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	First Aid Kit
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Water Rescue Rope
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Storage Box
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	regular Flares
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	Leg Irons
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	extra Cuff's (one)
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	evidence collection Kit
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	5 traffic cones (full size)
new	\$ 38,963.00	\$ 5,437.75	\$ 850.00	\$ 1,538.50	\$ 4,987.00	\$ 900.00	\$ 5,313.56	\$ 57,989.81	
15 cars creates one spare								\$883,551.27	Total
Total	\$584,445.00	\$81,566.25	\$12,750.00	\$26,154.50	\$74,805.00	\$13,500.00	\$90,330.52	\$883,551.27	Total cross Check
Recurring monthly fee for Modem		\$764.25							
Recurring AXON Annual FEE		\$26,154.50 each year x 4 yrs							
Axon costs spread over 4 yrs per proposal. This is in addition to the current recurring costs with two years remaining on that contract.									

CITY OF MILFORD
NOTICE OF PUBLIC HEARING

Planning Commission Hearing: Tuesday, November 16, 2021 @ 7:00 PM
City Council Hearing: Monday, November 22, 2021 @ 7:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by the City of Milford Planning Commission and City Council, with action scheduled to occur on the date(s) and time(s) so indicated:

ORDINANCE 2021-23

KD Properties, LLC for a Conditional Use
0.27 +/- acres of land located along the West side of
N. Washington Street between NE Sixth Street and NE Seventh Street
Comprehensive Plan Designation: Low Density Residential
Zoning District: R-2 (Residential District)
Present Use: Vacant
Proposed Use: Single-family Semi-detached
Tax Parcel: MD-16-183.06-03-31.02

WHEREAS, 230-10(C)(1) states “single-family semidetached dwellings” are considered a conditional use subject to approval from City Council; and

WHEREAS, the applicant is constructing a single-family semi-detached dwelling on the above referenced parcel; and

WHEREAS, the City of Milford Planning Commission considered the application during their regular meeting on Tuesday, November 16, 2021, at which time interested parties publicly commented on the application; and

WHEREAS, Milford City Council held a Public Hearing on Monday, November 22, 2021, allowing for additional public comment after which the majority of City Council voted to approve the Conditional Use by adopting this ordinance; and

WHEREAS, the notice as required by Chapter 230, was published in the Milford Beacon on October 27, 2021, and provided to property owners within 200 feet of the subject parcel; and

WHEREAS, this ordinance becomes effective ten days following the date of its adoption by City Council.

NOW, THEREFORE, the City of Milford hereby ordains as follows:

Section 1. Upon adoption of this ordinance, a conditional use permit is hereby granted to KD Properties, LLC to allow a single-family semi-detached dwelling on the west side of North Washington Street as described herein.

Section 2. Construction shall commence within one year of the date of issuance of the permit, otherwise the conditional use becomes void.

Section 3. Dates.

City Council Introduction: Monday, November 8, 2021

Planning Commission Review & Public Hearing: Tuesday, November 16, 2021

City Council Public Hearing: Monday, November 22, 2021

For additional information, please contact Rob Pierce in the Planning & Economic Development Department either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

10.20.2021

Advertised: *Milford Beacon 101321*

CITY OF MILFORD
NOTICE OF PUBLIC HEARINGS

Planning Commission Hearing: Tuesday, November 16, 2021 @ 7:00 PM
City Council Hearing: Monday, November 22, 2021 @ 7:00 PM

NOTICE IS HEREBY GIVEN that the following Ordinance is currently under review by Milford Planning Commission and City Council, with action scheduled to occur on the date(s) so indicated:

ORDINANCE 2021-24

Application of Atlantic Self Storage Associates, LLC for the Final Minor Subdivision/Lot Line Adjustment of 5.4 +/- acres of land located in an I-1 (Limited Industrial) District, along the south and west side of E. Masten Circle, addressed as 851 and 861 E. Masten Circle. Present and Proposed Land Use is Self Storage & Vacant Land.
Tax Map & Parcel MD-16-183.00-01-07.00 (2.6 acres) and MD-16-183.00-01-08.00 (2.8 acres)

WHEREAS, the owners of the property as above described herein have petitioned the City of Milford for a Final Minor Subdivision/Lot Line Adjustment; and

WHEREAS, the City of Milford Planning Commission will consider the application at a Public Hearing to allow for public comment on November 16, 2021; and

WHEREAS, Milford City Council will hold a Public Hearing on November 22, 2021 to allow for public comment and further review of the ordinance at which time a final determination is expected.

NOW THEREFORE BE IT RESOLVED, by the City of Milford:

In accordance with Chapter 200 of the City of Milford Code, the City Council hereby finds and determines, as follows:

- Section 1. The Final Minor Subdivision Plan is consistent with the objectives, policies, general land uses and programs in the City of Milford Comprehensive Plan, Subdivision and Zoning Codes, in that it establishes obligations and conditions for the implementation of the Atlantic Self Storage, LLC Project;
- Section 2. The Final Minor Subdivision Plan is in conformity with public convenience, general welfare and good land use practice;
- Section 3. The Final Minor Subdivision Plan will not be detrimental to the public health, safety and general welfare of this community;
- Section 4. The Final Minor Subdivision Plan will not adversely affect the orderly development of adjacent properties and will maintain the preservation of property values.
- Section 5. Dates.
City Council Introduction: November 8, 2021
Planning Commission Review & Public Hearing: November 16, 2021
City Council Public Hearing: November 22, 2021
Effective: Ten Days Following Adoption by City Council

For additional information, please contact Rob Pierce in the Planning & Economic Development Department either by e-mail at RPierce@milford-de.gov or by calling 302.424.8396.

Advertised: Delaware State News 10/27/21

PARKS & RECREATION DEPARTMENT
207 Franklin Street
Milford, DE 19963



PHONE 302.422.1104
FAX 302.422.0409
www.cityofmilford.com

TO: Mayor and City Council
FROM: Brad Dennehy-Parks and Recreation Director
DATE: November 8th, 2021
RE: Approval of Resolution 2021-14

Additional recreational opportunities have been approved by Council as part of the FY2022-26 Capital improvement plan (CIP). Included in this plan is the construction of a new playground and pickleball courts alongside the Mispillion river in Memorial park.

Since the initial presentation to Council and approved CIP plan in May 2021, partial bond bill funding from the State has been authorized for this project. Also, an Outdoor Recreation and Trails program grant was applied for with the Department of Natural Resources (DNREC). Initially the City of Milford applied for a \$150,000 grant from DNREC, however upon review DNREC is authorizing \$175,000 contingent upon the City of Milford matching at least one third of the grant \$58,334 from General fund reserves.

In order to secure the grant funding from DNREC a resolution from Council is required. In consultation with the Finance Director Staff recommend Council approve the enclosed resolution, which satisfies the DNREC grant requirement.

The City's matching pledge will be met with General Fund (GF) Reserves already authorized by Council in the FY22 budget for the purpose identified in the resolution. Further, by coupling the acceptance of this grant with the FY22 bond bill funding for open space, the City can advance a consolidated open space, playground and pickleball courts project into this fiscal year while reducing CIP spending in FY22 and FY23. 100% of the savings consists of GF reserves.

Please see the attached table for a cost breakdown.

City of Milford, Delaware
FY22-26 Capital Improvement Plan (CIP): Revision Detail - Selected Projects 213-215

FIGURE 1

VERSION: INITIAL COUNCIL PRESENTATION

	A	B	C	D	E	F	G
Fund/ Dept	Project	Funding Source	FY20-21 Appv	YTD Spent	Bal Rem	FY22 (Plan)	FY23 (Plan)
213	Pickleball Courts	General Fund Reserves	-	-	-	-	150,000
214	Park & Open Land Acquisition	General Fund Reserves	-	-	-	-	250,000
215	Downtown Playground	General Fund Reserves	-	-	-	-	200,000
	SUBTOTAL: SELECTED PROJECTS		\$ -	\$ -	\$ -	\$ -	\$ 600,000

VERSION: COUNCIL APPROVED CIP PLAN - MAY 10, 2021

	A	B	C	D	E	F	G
Fund/ Dept	Project	Funding Source	FY20-21 Appv	YTD Spent	Bal Rem	FY22 (Plan)	FY23 (Plan)
213	Pickleball Courts	General Fund Reserves	-	-	-	150,000	
214	Park & Open Land Acquisition	General Fund Reserves	-	-	-	250,000	250,000
215	Downtown Playground	General Fund Reserves	-	-	-	200,000	
	SUBTOTAL: SELECTED PROJECTS		\$ -	\$ -	\$ -	\$ 600,000	\$ 250,000

VERSION: COUNCIL APPROVED BUDGET - JUNE 14, 2021

	A	B	C	D	E	F	G
Fund/ Dept	Project	Funding Source	FY20-21 Appv	YTD Spent	Bal Rem	FY22 (Plan)	FY23 (Plan)
213	Pickleball Courts	General Fund Reserves	-	-	-	150,000	
214	Park & Open Land Acquisition	General Fund Reserves	-	-	-	250,000	250,000
215	Downtown Playground	General Fund Reserves	-	-	-	50,000	150,000
	SUBTOTAL: SELECTED PROJECTS		\$ -	\$ -	\$ -	\$ 450,000	\$ 400,000

VERSION: GRANT FUNDING RECOMMENDATION NOVEMBER 8, 2021

	A	B	C	D	E	F	G	
Fund/ Dept	Project	Funding Source	FY20-21 Appv	YTD Spent	Bal Rem	FY22 (Plan)	FY23 (Plan)	
213	Pickleball Courts	General Fund Reserves	-	-	-	150,000		
214	Park & Open Land Acquisition	General Fund Reserves	-	-	-	250,000	250,000	
215	Downtown Playground	General Fund Reserves	-	-	-	150,000	-	
	Combined Project Subtotal					550,000		
	Less: Bond Bill Funding					(216,000)		
	Less: DNREC Funding					(175,000)		
	NET PROJ SUBTOTAL & PROOF OF MATCH		\$ -	\$ -	\$ -	\$ 159,000	\$ 250,000	
	<i>General Fund Reserve Savings</i>						\$ 291,000	\$ 150,000

City of Milford



Resolution 2021-14

Approving City of Milford Outdoor Recreation, Parks and Trails (ORPT) Grant Application Milford Mispillion River Playground and Pickleball Courts

WHEREAS, since its establishment in 1974, Milford Parks and Recreation has set out to promote community recreation with an emphasis on using the Mispillion River for water-related recreation; and

WHEREAS, threading its way through the heart of the City, the Mispillion Riverwalk (“Riverwalk”) offers numerous recreational opportunities to both visitors and residents alike while aiding in the revitalization of Milford’s downtown; and

WHEREAS, in its *Press Play: Vision 2023* Strategic Plan for Community Services, City Council identified two primary goals – “Promote a Healthy Community with Recreational Activities Provided by the City...” and “[Attract] Tourism to Milford” – the latter of which specifically identified among its objectives “develop more river-based activities, in order to bring in more visitors and provide residents with more recreational options;” and

WHEREAS, additional active recreation has been identified as part of the FY2022-26 Capital Improvement Plan (“CIP”) approved by City Council, specifically the construction of a new playground and pickleball courts to be located alongside the Mispillion Riverwalk in Memorial Park; and

WHEREAS, the City of Milford applied to the Delaware Department of Natural Resources and Environmental Control for funding related to the design, engineering, and construction of a new playground and pickleball courts in the amount of \$150,000 from the Delaware Land & Water Conservation Trust Fund; and

WHEREAS, the Grant Review Committee reviewed and evaluated applications and is recommending funding of \$175,000 contingent upon the City of Milford providing matching funds of at least one-third of the grant award; and

WHEREAS, upon the recommendation of the City’s Finance Director and City Manager, the City Council of the City of Milford hereby agrees to contribute matching funds of at least \$58,334 from the General Fund Reserves; and

WHEREAS, the City Council designates the City Manager, or his/her designee, to manage the project and coordinate ORPT requirements for reporting and reimbursement purposes; and

WHEREAS, the City understands such improvements funded through the ORPT Grant program will remain in outdoor recreation uses in perpetuity.

NOW, THEREFORE, BE IT RESOLVED, that on the 8th of November, 2021, Milford City Council, by majority vote, authorize the ORPT Grant Funding Application Milford Mispillion River Playground and Pickleball Courts and matching funds of \$58,334 from General Fund Reserves for the design, engineering, and construction of a new playground and pickleball courts; and

BE IT FURTHER RESOLVED, it is agreed that the City of Milford shall abide by all requirements of the ORPT Grant Program for reimbursements and stewardship responsibilities.

Arthur J Campbell, Mayor of Milford

Attest:

Teresa K. Hudson, City Clerk

City of Milford, DE
Investment Policy Statement



Dated November 13, 2012

UPDATE DRAFT

As Revised September 10, 2021 and November 5, 2021

1.0 **Governing Authority**

It is the policy of the City of Milford to invest public funds under its control in a manner that will provide the highest investment return consistent with the maximum safety of principal, while meeting cash flow needs of the City. The investment program shall conform to all state and local statutes governing the investment of public funds. In the event of a conflict, state and local statutes will prevail.

2.0 **Scope**

This Investment Policy Statement (the "Policy") applies to all financial assets of the City of Milford for which the City retains direct or indirect daily control. Funds for which the City has retained outside investment advisory, fund management and/or brokerage services shall also be governed by this Policy. Bond proceeds shall be governed by the Trust Indenture and related obligation documented in connection with the debt issuance, subject to Internal Revenue Service (IRS) regulations. Police and Firefighter Pension assets, Municipal Employee / Civilian Pension assets, employee-directed post-retirement benefit funds and other pension assets beyond the City's control are not subject to the provisions of this Policy.

The City's investable funds may be segregated into three distinct categories:

2.1 **Liquidity**

The City's operating cash balances, Equipment Replacement Reserves (ERR) for assets being replaced in the current budget year, reserves restricted for capital projects being undertaken in the current budget year, and any component of the City's Minimum Cash Requirement (MCR) related to operating cash are included in the City's Liquidity investment group. The Liquidity investment group is limited to commercial checking and savings deposit accounts (subject to collateral considerations) and those investments specified in sections 8.1, 8.2, 8.3, 8.5, 8.6 and 8.9 provided that the investments are convertible to cash within one (1) business day.

2.2 **Intermediate**

The City's ERR and MCR restricted for asset replacement and capital projects scheduled at least one year in advance constitute the City's Intermediate investment group. The Intermediate investment group is eligible for investment in investments specified in all sections of paragraph 8.0, provided that the average duration is no longer than three (3) years and investments are convertible to cash within three (3) business days. Commercial checking and savings deposit accounts (subject to collateral considerations) are also permissible for this investment group.

2.3 **Growth**

The City's unrestricted cash not required for operations or intermediate capital requirements, the non-operating component of any MCR, and any cash restricted for a purpose at least three (3) years into the future comprise the City's Growth investment group. The Growth investment group is eligible for investment in investments specified in all sections of paragraph 8.0, provided that the average duration is no longer than five (5) years and investments are convertible to cash within five (5) business days. Commercial checking and savings deposit accounts (subject to collateral considerations) are also permissible for this investment group.

3.0 Objectives

The primary objectives of the City of Milford's investment activities, in order of importance shall be:

3.1 Safety

Preservation of principal is the foremost objective of the investment program. To attain this objective, funds shall be diversified among securities of high credit quality and liquidity, so that risk of loss of principal is minimized.

3.2 Liquidity

The City's investments shall be made for such periods as to enable the City to meet all operating requirements that may be scheduled or reasonably anticipated.

3.3 Return on Investments

A goal of the investment program shall be to maximize investment return within the constraints of Sections 3.1 and 3.2.

4.0 Delegation of Authority

Authority to manage the City of Milford's investment program is derived from this Policy, which is approved by City Council. The Finance Director shall be the administrator of all City funds.

The Finance Director shall:

- 1) Review this Policy annually and recommend changes, if any, to City Council;
- 2) Be charged with implementing the Policy, and may delegate authority to act pursuant to this Policy to an investment advisor, fund manager, brokerage firm, or other third-party agent authorized to trade securities (the "advisor"). The Finance Director shall be responsible for all investment transactions and shall establish controls to oversee the activities of any investment advisors.
- 3) Ensure that records of the City's investment activities are retained for a minimum of ten years or the time required by an applicable regulatory authority.

5.0 Prudence, Ethics and Conflicts of Interest

Any official of the City or investment advisor empowered to make investments on behalf of the City of Milford shall comply with the following:

5.1 "Prudent Person" Rule

Investment decisions shall be made with the judgment and care which persons of reasonable intelligence, under circumstances prevailing at the time the investment is made, would exercise in the management of their own investments assuming that their objectives are those shown in Section 3.0 of this policy.

5.2 Ethics and Conflict of Interest

The delegate authorized to make City investments shall act at all times in an ethical manner, and shall not engage in activity that could impair or be perceived to impair their ability to make impartial investment decisions. They shall disclose to the Mayor and City Council any material interests in financial institutions with which the City has financial dealings,

and which may be related to the performance of the investment program. Employees and officers shall refrain from undertaking personal investment transactions with the same individual(s) with whom business is conducted on behalf of the City.

6.0 Authorized Institutions and Dealers

All broker/dealers that desire to become qualified for investment transactions with the City shall meet the following:

1. Primary dealers and regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule)
2. Capital of at least \$25,000,000 or capital of \$5,000,000 for firms incorporated in the State of Delaware
3. Registered as a dealer under the Securities Exchange Act of 1934
4. Member of the Financial Industry Regulatory Authority (FINRA)
5. Registered to sell securities in the State of Delaware
6. Engaged in the business of effecting transactions in U.S. government, federal agency, and corporate securities for at least five (5) consecutive years

To the extent the City utilizes the services of an outside Investment Advisor, it shall be the responsibility of the Investment Advisor to maintain an approved list of brokers.

7.0 Safekeeping and Custody

To ensure that securities are deposited in an eligible financial institution prior to the release of funds, all trades of marketable securities will be executed using the delivery vs. payment ("DVP") method.

Further, all securities will be held by an independent third-party custodian, in the name of the City of Milford, and evidenced by safekeeping receipts in the City's name. The custodian shall provide daily confirmation of securities held as well as a monthly transactions and holdings report. Fixed income securities must be reported at both the historical cost plus or minus accretion or amortization, respectively, and at market value quoted by an independent securities pricing service.

8.0 Authorized Investments and Trading of Securities

The Finance Director or authorized investment adviser may invest only in the types of securities listed below. The maximum stated maturity of any security shall be limited to 10 years at time of purchase, unless otherwise stated. For Agency mortgage-backed securities, the maximum maturity shall be defined as the weighted average life ("WAL"). WAL is a convention that estimates the expected weighted amount of time, in years, for the principal amount of an issue to be fully paid. For this sector, WAL shall be limited to 10 years, measured at the original purchase date, provided by Bloomberg Financial Markets or another independent pricing/research firm.

8.1 United States Government Securities

Marketable securities issued by the U.S. Government and -supported by the full faith and credit of the U.-S. Treasury either by statute or an opinion of the attorney general of the United States. Up to 100% of the portfolio may be invested in this sector.

8.2 Government Agency Securities

Debt securities issued by government-sponsored enterprises ("GSE"), federal agencies, and federal financing banks; the maximum stated maturity of any investment in this sector shall be limited to 10 years at time of purchase. Up to ~~1~~100% of the portfolio may be invested in this sector.

8.3 Certificates of Deposit and Time Deposits

8.3.1 Domestic Institutions: Issued or endorsed by a domestic bank, or a savings and loan association, organized and supervised under the laws of the United States and denominated in U.S. dollars; provided, however, that deposits are fully insured or guaranteed by the Federal Deposit Insurance Corporation ("FDIC").

If not insured by the FDIC:

- The banking institution must have assets of not less than \$5 billion; and Issuers must have a short-term rating of A-1 by Standard & Poor's and P1 by Moody's and a long-term rating of AA by Standard & Poor's or Aa by Moody's.

The maximum stated maturity of any investment in this sector shall be limited to 5 years at time of purchase. This sector shall not exceed 25% of the total portfolio. No single issuer shall exceed 5% of the City's portfolio.

8.3.2 Delaware-Domiciled Institutions: Issued by or endorsed by any bank or savings association domiciled in the State of Delaware and organized and supervised under federal or State of Delaware banking laws which does not meet the requirements of Section 8.3.1 hereto; provided, however, that:

- For each of the latest two years, the bank or association has had a return on total average assets of 0.50% or greater and an average capital ratio (defined as total equity capital to total assets) of at least 1 to 20, or the instrument is secured as set forth in Section 8, "Collateralization of City Deposits," hereto; and
- Not more than the lesser of \$10 million or 25% of an issuer's total equity capital may be invested in any one issuer. (Investments due to mature in one business day may be excluded from the computation of this percentage.)
- City Council affirms that, consistent with this Policy, Delaware banks and savings associations should be considered as an eligible source of investment.
- The maximum stated maturity of any investment in this sector shall be limited to 5 years at time of purchase. This sector shall not exceed 20% of the total portfolio. No single issuer shall exceed 5% of the City's portfolio.

8.4 Corporate Debt Instruments

Such instruments include commercial paper bankers' acceptances, and non-convertible senior debt securities (bonds and debentures).

8.4.1 Any such instrument must be issued by a U.S. corporation;

8.4.2 No single issuer shall exceed 5% of the City's portfolio.

- 8.4.3** Commercial Paper shall be limited to a final stated maturity of 270 days. This sector shall not exceed 20% of the total portfolio. Issuers shall be rated at least A-1 by Standard & Poor's and P-1 by Moody's.
- 8.4.4.** Bankers' Acceptances shall be limited to a final maturity of 365 days. This sector shall not exceed 20% of the City's Portfolio. Issuers shall be rated at least A-1 by Standard & Poor's and Pl by Moody's.
- 8.4.5** Corporate bonds and debentures shall be limited to a final stated maturity of 15 years. This sector shall not exceed 50% of the total portfolio. Issuers shall hold a long-term rating of at least BBB+ by S&P, Baa1 by Moody's or BBB+ by Fitch Ratings, though the dollar-weighted average credit rating of the securities invested pursuant to 8.4.5 must exceed the minimum rating at the time of purchase. Rebalancing shall not be automatically required if the dollar-weighted average credit rating of the securities invested pursuant to 8.4.5 fall below minimum rating.

8.5 Repurchase Agreements

The underlying collateral shall consist of U.S. government and/or GSE securities provided, however, that:

- 8.5.1** All repurchase agreements must be governed by a written master repurchase agreement;
- 8.5.2** Agreements will be entered into only with respect to underlying securities in which the investment manager may otherwise invest as described above, and only with a recognized U.S. Government/broker or a bank which meets the requirements set out under paragraph Section 8.3.1 or 8.3.2 above;
- 8.5.3** In the case of repurchase collateral held in book-entry form in the Federal Reserve System, all deliveries of securities must be made, for the transfer thereof, through the Federal Reserve book-entry system to the account designated by the investment manager for such purpose. Securities held in certificated form must be delivered to the investment manager or a custodian as directed by the investment manager.
- 8.5.4** Any collateral employed under this paragraph shall be counted towards the applicable maximum limits set forth within these guidelines for such type of investment, and such collateral shall be valued at market at not less than 103 percent of the maturity value of the agreement and marked-to-the-market as requested by the investment manager.
- 8.5.5** Repurchase agreements shall be limited to a maximum maturity of 90 days from date of purchase. No single issuer shall exceed 25% of the City's portfolio.

8.6 Registered Investment Companies (Money Market Funds)

Money market funds shall not be permitted to invest in or hold securities other than those approved in this Policy. No single fund shall exceed 50% of the City's portfolio. Money market funds shall be rated AAAM by S&P, Aaa-mf by Moody's or AAAMmf by Fitch Ratings. A current prospectus must be obtained before investing in any money market fund, and current holdings reports must be maintained at least each month.

8.7 Mortgage-Backed Securities

Mortgage-backed securities issued by the following: Government National Mortgage Association (GNMA), Federal National Mortgage Association (FNMA) or Federal Home Loan Mortgage Association (FHLMC). This sector shall not exceed 50% of the total portfolio.

8.8 Municipal Obligations

Taxable and tax-exempt securities issued by state and local governments and public authorities in the United States. The maximum stated maturity of any investment in this sector shall be limited to 15 years at time of purchase. This sector shall not exceed 40% of the City's portfolio. No single issuer shall exceed 5% of the City's portfolio. Issuers shall be rated at least BBB+ by S&P, Baa1 by Moody's or BBB+ by Fitch Ratings, though the dollar-weighted average credit rating of the securities invested pursuant to 8.4.5 must exceed the minimum rating at the time of purchase. Rebalancing shall not be automatically required if the dollar-weighted average credit rating of the securities invested pursuant to 8.4.5 fall below minimum rating.

8.9 State of Delaware Investments Pool

Delaware Local Government Investment Pool (DELGIP) (or equivalent): The investment in this pool or its equivalent is permitted in relation to the City's cash flow and the guidelines set forth by the State of Delaware. The investment in this pool will not exceed 75% of the total funds available and will be monitored by the City's Finance Department on a monthly basis.

8.10 Trading Securities

The Finance Director is hereby authorized to sell securities prior to their stated maturity date in the following circumstances:

1. A security with declining credit may be sold prior to its maturity to minimize loss of principal;
2. A security swap may be executed if it would improve the quality, yield, or target duration of the portfolio;
3. Securities may be sold to provide needed liquidity.

8.11 Internal Control on such transactions

8.11.1 An investment report will be made available to the Council on a quarterly basis.

8.11.2 All investment reporting documents will be provided to the independent auditors.

8.11.3 Investment records will be kept by the City for ten (10) years.

8.11.4 The trading shall not involve any hedge, derivatives and/or borrowing funds for trading purposes.

9.0 Collateralization of City Deposits

If the City deposits funds in any financial institution, those funds will be subject to the following collateralization requirements. The financial institution shall:

9.1 Collateralize the City's daily ledger balance(s) if, for any quarter during the most recent eight quarters the bank has not met both of the following two criteria:

- Return on total average assets of 0.50 percent or greater.
- Average capital ratio (total equity to total assets) of 5.00 percent or greater.

9.2 If either criterion in paragraph 8.1 is not satisfied collateral must be pledged and shall consist of one or more of the following securities:

- U.S. Government securities
- U.S. Government agency securities
- Federal Home Loan Board letters of credit

- State of Delaware securities
- Securities of a political subdivision of the State of Delaware with a rating of A3 or better by Moody's, A- or better by S&P or A- or better by Fitch Ratings.

- 9.3** Ensure that the securities pledged as collateral (except for Federal Home Loan Board letters of credit) have a market value equal to or greater than 103 percent of the ledger balance(s) in the account(s) marked to market each day.
- 9.4** Ensure that securities pledged as collateral are housed at the Federal Reserve Bank or a mutually agreed upon third party depository. (The trust department of the winning vendor will not be acceptable.)
- 9.5** Provide reports on a monthly basis to the City Finance Department detailing the collateral pledged.
- 9.6** Provide a Call Report (Consolidated Report of Condition and Income, FFIEC 031) on a quarterly basis to the City Finance Department.

10.0 Policy Considerations

If securities owned by the City are downgraded by either ~~Standard & Poor's or Moody's of the three major credit ratings agencies~~ to a level below the quality required by this Policy, it shall be the City's policy to review the underlying credit situation and make a determination as to whether to sell or retain such securities in the portfolio.

~~If a security is downgraded one grade below the level required by this Policy and matures within 18 months, the security may be held to maturity. The Finance Director may determine to sell the security if it is determined that there is a probability of default prior to maturity.~~

~~If a security is downgraded two grades below the level required by this Policy and matures within 6 months, the security may be held to maturity. The Finance Director may determine to sell the security if it is determined that there is a probability of default prior to maturity.~~

If a security is downgraded more than two grades below the level required by the Policy by at least two of the three major credit ratings agencies, the security shall be sold immediately.

~~If a security is downgraded one grade below the level required by this Policy and matures within 6 months, the security may be held to maturity. The Finance Director may determine to sell the security if it is determined that there is a probability of default prior to maturity.~~

If a decision is made to retain a downgraded security in the portfolio, its presence in the portfolio will be monitored and reported monthly to the Finance Director.

11.0 Internal Controls

The Finance Director is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The Finance Director shall also establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following:

- Control of collusion
- Separation of transaction authority from accounting and recordkeeping

- Custodial safekeeping
- Prohibition of physical delivery securities
- Clear, written delegation of authority to subordinate staff members
- Written confirmation of transactions for investments and wire transfers

12.0 Performance Standards

The City of Milford's investment decisions shall be made with the objective of obtaining a rate of return commensurate with the investment risk constraints and the cash flow needs. On a quarterly basis, the Finance Director shall compare the City's portfolio against the

Merrill Lynch 0-5 Year U.S. Treasury Index or a similar index of U.S. Treasury securities widely referenced in national financial publications, in terms of time-weighted total return and average duration for the period under review.

13.0 Reporting

At the end of each calendar quarter, the Finance Director will make available a report of all quarter-ending investments to the Mayor and City Council. Reports shall include the following:

- Listing of individual securities held as of last day of reporting period, sorted by Sector
- Par, market, and amortized cost values of each security
- Coupon, current yield, and final stated maturity date of each security

14.0 Investment Policy Adoption

The City of Milford's investment policy will be adopted by the City Council after review and recommendation of the Finance Committee. The policy will be reviewed at least once every year by the Finance Committee, which is charged with considering the existing policy and any recommendations to modify the policy. Any modifications to the policy must be approved by the City Council.

ATTACHMENT A

GLOSSARY

AGENCIES: Federal agency securities, otherwise known as "Government Sponsored Enterprises."

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large denomination CD's are typically negotiable.

BANKERS ACCEPTANCE: A short-term credit investment which is created by a non-financial firm and whose payment is guaranteed by a bank.

COLLATERAL: Securities, evidence of deposit or other property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COMMERCIAL PAPER: An unsecured obligation issued by a corporation or bank to finance its short-term credit needs. Maturities typically range from one (1) to 270 days.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official annual report for the City of Milford. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

CORPORATE BONDS: A debt security issued by a corporation based in the United States of America. Such bonds usually have a par value of \$1,000, have a term maturity, and are traded on a major exchange.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns, in an attempt to limit risk.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks vis-a-vis member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, D.C., 12 regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA or FMHM mortgages. The term "passthroughs" is often used to describe Ginnie Mae's.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MORTGAGE-BACKED SECURITIES (MBS): An investment instrument that represents ownership of, and is backed by, an individual interest in a pool of mortgages such as those issued by Ginnie Mae or Freddie Mac. Principal and interest from the individual mortgages is used to pay principal and interest on the MBS.

MUNICIPAL NOTES AND BONDS: Securities issued by a state, city, or local government to finance operations or special projects.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state--the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has

segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: A measure of worth, either at security or aggregate portfolio level, over a period of time. There are many return conventions, including but not limited to yield to maturity at cost, yield to maturity at market, yield to worst, time weighted total return, dollar weighted total return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RP extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money, that is, increasing bank reserves.

REVERSE REPURCHASE AGREEMENT: The purchase of a security by a dealer with the agreement to sell it back to the seller at a fixed price at a later date. Typically used by owners of securities to finance short-term needs without having to liquidate the security.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

TIME DEPOSITS: A savings account or CD held for a fixed term or with the understanding that the customer can withdraw only by giving advanced notice.

TREASURY BILLS: A short-term (less than one year) non-interest-bearing discount security issued by the U.S. Treasury department to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BOND: Long-term U.S. Treasury securities having initial maturities of more than 10 years.

TREASURY NOTES: A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months or one year.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as nonmember broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1: also called net capital rule and net capital ratio.

Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

VARIABLE RATE MASTER DEMAND NOTES: A floating rate security with initial maturities and indexed rates chosen by the investor. The interest rate is adjusted periodically, usually off a standard such as that prevailing on a Treasury Bill or the prime interest rate.

YIELD: The rate of annual income return on an investment, expressed as a percentage.

INCOME YIELD is obtained by dividing the current dollar income by the current market price for the security.

NET YIELD or YIELD TO MATURITY is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

City of Milford



RESOLUTION 2021-23

Adoption of the City of Milford Investment Policy

WHEREAS, it is the policy of the City of Milford to invest public funds under its control in a manner that will provide the highest investment return consistent with the maximum safety of principal, while meeting cash flow needs of the City; and

WHEREAS, the City investment program shall conform to all state and local statutes governing the investment of public funds; and

WHEREAS, the City investment policy is being adopted after the review and recommendation of the Finance Committee;

WHEREAS, the City Finance Committee will, no less than once a year, review the Investment Policy for any required updates and amendments; and

WHEREAS, the City Council has determined that it is appropriate and necessary to create the "Investment Policy for the City of Milford" to bring the policies in line with current financial practices, procedures, and strategies of the City of Milford.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILFORD, DELAWARE, AS FOLLOWS:

Section 1: The City Council hereby adopts and approves the Investment Policy.

Section 2: The City Manager is authorized to take action, provide guidance, and create procedures with the input of the City Finance Director, to ensure the investment program authorized by this Resolution is implemented pursuant to the guidelines set forth in the Investment Policy.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Milford to be affixed this 8th day of November 2021.

Mayor Arthur J. Campbell

Attest:

City Clerk Teresa K. Hudson



The governing body has recessed to Executive Session. The regular meeting will resume shortly.

CITY COUNCIL MEETING



Executive Session
has concluded.
Council has returned to
Open Session