



FORT DUPONT

SHAPED BY HISTORY & ANCHORED IN NATURE

Fort DuPont Redevelopment and Preservation Corporation Executive Committee

January 29, 2023 – 9:30 a.m.

Anchor location:

Fort DuPont Redevelopment and Preservation Corporation Office
260 Old Elm Avenue
Delaware City DE 19706

Link: <https://us06web.zoom.us/j/89858030737?pwd=lib73Tr7qaxChD2sRhMXW5SqWQaPnx.1>

Zoom Meeting ID: 898 5803 0737

Passcode: 725194

AGENDA

1. Call to Order
2. Approval of Minutes - Executive Committee Meeting of December 4, 2023
3. Status of Key Projects
4. Executive Session (if needed)
5. Action Items resulting from Executive Session (if needed)
6. Next Meeting Date: February 26, 2024 at 9:30 a.m.
7. Adjourn

Please note: Pursuant to 29 Del. C 10004(e)(2), this Agenda may be changed to include additional items including executive sessions or to delete items that arise at the time of the meeting.

Potential executive session pursuant to 29 Del. C. 10004(b)(9) (“Personnel matters in which the names, competency and abilities of individuals employees...are discussed.”)

Potential executive session pursuant to 29 Del. C. 10004(b)(2) (“discussions regarding sales or leases of real property) and 29 Del C. 10004 (b)(6) (discussion of the content of documents, excluded from the definition of “public record,” where such discussion may disclose the contents of such documents).

Potential executive session pursuant to 29 Del. C. 1004 (b)(4) (“Strategy sessions, including those involving legal advice or opinion from an attorney-at-law...”) and 29 Del. C. 10004(b)(6) (discussion of the contents of documents, excluded from the definition of “public record,” where such discussion may disclose the contents of such documents.

FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION
EXECUTIVE COMMITTEE MEETING

The FDRPC Executive Committee meeting was held December 4, 2023 via Zoom with the anchor location at the FDRPC office at 260 Old Elm Avenue, Delaware City, Delaware with Chair John McMahon presiding.

CALL TO ORDER

Chair McMahon called the FDRPC Executive Committee meeting to order at 9:31 a.m.

COMMITTEE MEMBERS PRESENT

Ms. Ruth Ann Miller (Controller General of the State of Delaware)
Mr. Bert Scoglietti (FDRPC Treasurer)
Ms. Wendy Rogers (Resident of Fort DuPont)

COMMITTEE MEMBERS ABSENT

Dr. Courtney Stewart (Office of Management and Budget)

STAFF MEMBERS PRESENT

Mr. Tim Slavin, FDRPC Executive Director
Ms. Janice Moturi, FDRPC Deputy Director/Controller

OTHERS PRESENT

None

APPROVAL OF MINUTES – FDRPC EXECUTIVE COMMITTEE MEETING OF OCTOBER 30, 2023

Mr. Scoglietti moved for approval of the October 30, 2023 FDRPC Executive Committee meeting minutes. The motion was seconded by Ms. Rogers and unanimously carried.

STATUS ON KEY PROJECTS

Mr. Tim Slavin, Executive Director of the FDRPC, provided updates on the following key projects:

1311 Officers Row

This property is still on the market and another offer is anticipated.

Real Estate Appraisals

Real estate appraisals have been obtained for five of the FDRPC properties so they have a baseline value of the buildings, minus any improvements that have been made. The properties appraised are the FDRPC office at 260 Old Elm Avenue, 1605 Maple Boulevard, the Post Exchange, the Tilton building/Governor Bacon Hospital and the Painter building.

Minor Subdivision

A minor subdivision of up to three parcels is permitted without going through the major subdivision process. Staff is proceeding with a minor subdivision of 260 Old Elm Avenue, 1605 Maple Boulevard and the Tilton building. Currently, all of the properties from Old Elm Avenue toward the C&D canal are on one large Delmarva Power circuit with one bill for that entire part of the campus. Staff will work with Delmarva Power to subdivide the circuit.

Branch Canal Ownership Issue

Mr. Slavin advised that he reached out to Senator Carper's office and subsequently met with staff members of the Senate Environmental and Public Works Committee, which Senator Carper chairs. This committee develops the Water Resources Development Act language. The initial meeting was to determine if the act was still valid given that the 18-month window had passed; if parcel one and parcel two could be decoupled from a single transaction (the USACE was requiring everything to be done as one transaction); and if it was possible to amend parcel one, the North Branch Canal area, to a smaller amount to exclude the canal. The initial feedback received from the USACE after that meeting was that they would vet those issues, but that if they proceeded with the transfer as is, the timeline to complete that transfer administratively was approximately 40 weeks. During a follow-up meeting, the answers he received were:

- The 2018 Water Resources and Development Act (WRDA) is still valid.
- The parcels can be decoupled from each other so that the transfer of the 5th Street bridge to DelDOT will now proceed on its own and does not need to wait for FDRPC resolution of the issue.
- It is possible to reduce the size of parcel one, the North Branch Canal area, in one of two ways. The preferred way would be administratively through a technical process in the transfer. The second would be to have language inserted in the 2024 Water Resources and Development Act redefining the parcel.

The FDRPC Board has not yet taken a position on whether to accept ownership of the canal and the cost of surveys, title research and preparation of legal documents would be borne by Fort DuPont. Given the high-profile nature of this issue, in particular in Delaware City, there may be a need to brief the community and provide an opportunity for public input.

Fiscal Year 2024 Staff Salary Adjustments

Four staff members will receive a 3% increase as a one-time catch-up payment for the period July 1st through December 31st. The increase will be added to their base pay. This is the second year in a row they will receive 3% increases; however, in the two previous years, staff did not receive any increases. The increase will equal the total of a 6% increase over 4 years. Staff has been alerted that this is the end of the correction period and in the coming years any adjustment to compensation would be less than that and it may not take the form of adjustments to base salary, but may be a one-time bonus that does not go to base salary. Mr. Slavin's salary is set by the FDRPC Board and Janice Moturi's salary for the first year of her employment was set by her contract, which will adjust in April for the terms of her contract.

Communications Consultant

FDRPC's communications consultant, Ms. Terry Buchanan, who has been involved in quite a few things for FDRPC over time, has made the decision to focus on running her weekly newspaper in New Castle and will be ending her FDRPC consultation services at the end of the calendar year. Mr. Slavin has reached out to a couple of colleagues in the communications field to invite proposals for a communications plan for FDRPC to include what the key messages are that align with their strategic plan, what outcomes they

want to achieve, and how they would communicate that messaging. Mr. Slavin stated that, rather than a full-time staff person, it could be an ongoing contracted resource.

FDRPC Board Member Resignation

Mr. Slavin advised members that Mr. Kevin Whittaker resigned from the FDRPC board because he sold his property and he is no longer a resident of Delaware City. The vacancy is being communicated to the appointing authority, Senator Sokola, and they will begin the process of finding a replacement.

Mr. Scoglietti moved for acceptance of the Status on Key Projects. The motion was seconded by Ms. Rogers and unanimously carried.

REQUEST FOR PROPOSALS (RFP) – LEGAL SERVICES

Mr. Tim Slavin, Executive Director of the FDRPC, advised members that the last Request for Proposals (RFP) for legal services was done in 2021. He was uncertain of how the RFP was broadcast or to how many firms, but proposals were received from two firms and an award was made to Saul Ewing in September 2021. Mr. Slavin suggested issuing the RFP in April of 2024, with an award by July 1, 2024. That would provide a three-year window for that first contract.

Mr. Scoglietti noted that the Department of Justice does RFPs for legal services as well, and suggested some of its language might be helpful.

Mr. Slavin noted that the FDRPC has always had just one legal counsel that handles all of its issues, which can be anything from real estate to local government approval issues to HR and this may be a moment where, at Board direction, they may want to make multiple awards for real estate issues, general liability, and operations issues.

NEXT MEETING DATE

The next meeting is scheduled for January 29, 2024 at 9:30 a.m.

ADJOURNMENT

Mr. Scoglietti moved for adjournment, seconded by Ms. Miller and unanimously carried.

Meeting adjourned at 9:48 a.m.

APPROVED: *January 29, 2024