



**Fort DuPont Redevelopment and Preservation Corporation
Board of Directors Meeting**

February 14, 2024 9:30 a.m.

Delaware City Fire Hall
815 5th Street
Delaware City DE 19706

AGENDA

1. Call to Order
2. Roll Call
3. Approval of Minutes - Fort DuPont Redevelopment and Preservation Corporation Meeting of December 13, 2023
4. Treasurer's Report
5. Executive Director's Report
6. Committee Reports
 - a. FDRPC Design and Historic Preservation Committee Meeting of September 6, 2023
 - b. FDRPC Land Use Planning Committee Meeting of September 26, 2023
 - c. FDRPC Finance and Audit Committee Meeting of November 13, 2023
 - d. FDRPC Executive Committee Meeting of December 4, 2023
7. Delaware City updates
8. Public comment
9. Recess Into Executive Session {Pursuant to 29 Del. C. §10004(b)(2) Preliminary discussions on site acquisitions for any publicly funded capital improvements, or sales or leases of real property}
10. Actions to be voted upon from Executive Session (if applicable)
11. Next meeting date: March 13, 2024
12. Adjournment

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
BOARD OF DIRECTORS MEETING

The Fort Dupont Redevelopment and Preservation Corporation Board of Directors meeting was held December 13, 2023 at the Delaware City Fire Hall, 815 5th Street, Delaware City, with Chair John McMahon presiding.

CALL TO ORDER

Chair McMahon called the Fort DuPont Redevelopment and Preservation Corporation (FDRPC) Board of Directors meeting to order at 8:33 a.m.

BOARD MEMBERS PRESENT

Mr. David Edgell (Office of State Planning Coordination)
Mr. Doug Eriksen (Delaware City Resident)
Mr. Michael Graci (Fort DuPont Resident)
Senator Spiros Mantzavinos (Chair, Bond Bill Committee) (arrived at 8:43 a.m.)
Ms. Wendy Rogers (Fort DuPont Resident)
Mr. Bert Scoglietti (designee of Controller General of the State of Delaware)
Dr. Courtney Stewart (Office of Management and Budget)

BOARD MEMBERS ABSENT

Mr. Rony Baltazar-Lopez (Secretary of State)
Mr. Kurt Foreman (Delaware Prosperity Partnership)
Secretary Shawn Garvin (Department of Natural Resources and Environmental Control (DNREC))
Mr. Harry Hill (Delaware City Manager)
Representative Sean Matthews (Co-Chair, Bond Bill Committee)

STAFF MEMBERS PRESENT

Mr. Tim Slavin, FDRPC Executive Director
Ms. Janice Moturi, Deputy Director/Controller
Mr. Richard Forsten, Saul Ewing Arnstein and Lehr LLP.
Ms. Pam Scott, Saul Ewing Arnstein and Lehr LLP.

OTHERS PRESENT

Mr. Jeff Flynn of Applied Bank
Mr. Tim Konkus

APPROVAL OF MINUTES – FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION (FDRPC) BOARD MEETING OF NOVEMBER 8, 2023

Mr. Graci moved for approval of the FDRPC Board meeting minutes of November 8, 2023. The motion was seconded by Dr. Stewart and unanimously carried.

TREASURER'S REPORT

Mr. Bert Scoglietti, Treasurer, reviewed the Fort DuPont Redevelopment and Preservation Corporation Budget vs. Actuals: Budget FY 24, P&L Draft 1 – FY24 P&L for July 2023 - June 2024 as of October 31, 2023 and noted the following:

- 4010 State Appropriation – \$775,000 has been drawdown of \$2.25M. The next drawdown, in the amount of approximately \$700,000, is planned for December or January.
- 4400 Sales – This line item represents the sale of a truck.
- 4900 Other Revenue – This line item represents a drawdown from Lennar for expenses.
- 6711 Building 20-PX – This line item reflects the new roof on the PX building.
- 6712 Building 24-Theater – This line item represents remediation work done at the Theater.
- 6716.30 Roads/Utilities – This line item represents payment for the entrance/dip project.
- 6700 Total Improvements – The improvement number of \$455,595 is below the \$1,850,000 budget for various improvements. It was noted that the amount is \$390,000 over what had been reported in September.
- 7105 Lawn Care – Expenses are up as expected in the fall and should trend downward heading into winter.
- 7200 Debt Expense – This line item is up \$20,000 for regular payments on existing loans and an adjustment for the September loan payments.
- 7700 Payroll Expenditures – This line item is tracking well within budget.
- Total Expenses are up approximately \$530,000 over September's reported expenses, with approximately \$400,000 being related to capital projects, of which \$300,000 is related to the entranceway/dip project.

Mr. Eriksen moved for acceptance of the Treasurer's Report, seconded by Mr. Graci and unanimously carried.

EXECUTIVE DIRECTOR'S REPORT

Mr. Tim Slavin, Executive Director, reviewed the Executive Director's Monthly Report For the period November 1, 2023 to November 30, 2023 and noted the following:

Capital Projects

- **Old Elm Avenue** – The Old Elm Avenue project is now complete and that side of the campus is all done and looking very nice. The striping and signage are on hold until warmer weather, and that will be done at the expense of Delaware City. The Memorandum of Understanding to transfer the streets to Delaware City has been requested of their legal counsel.
- **Environmental permitting status:**
 - Operable Unit 10: Brownfield – Brownfield remediation for Operable Unit 10 is complete. There are 13 operable units on the campus and Operable Unit 10 goes through Battery Lane out to the archive building. The environmental covenant has been executed and has been filed with the property deed and will carry with the property in perpetuity.

- Old Battery Lane: Erosion and Sediment Control Permit – The application and all supporting documentation are in and they expect a quick turnaround. When that occurs, they will move very fast on this project to open up that side of the campus and bring water and sewer down portions of Old Battery Lane.
- Branch Canal Revetment – Opening of this project was anticipated this fiscal year and mobilization is still possible; however, it may be later in the fiscal year than originally thought.

Responding to Dr. Stewart, Mr. Slavin stated that the mechanism for reimbursement of the FEMA grant, which is just short of \$900,000, is weekly, monthly, quarterly or by invoice.

- **Other Capital Project Activities:**

- Capital projects are not typically opened when the weather is the worst, especially exterior capital projects. Exteriors have been secured and they are ready for the Old Battery Lane project. A second project that will likely open later in January is the porch replacement on the old duplex on Old Battery Lane and re-mothballing it with the proper boarding up of the windows. They are also looking at the design of possible window and door replacement on the Post Exchange building as well as the brickwork and soffit work.

Two very large capital projects on the horizon are the connection project on Old Battery Lane and the canal bank revetment. There will be a lot of activity once those projects are open and they will be sensitive to coordinating the projects on both sides of the campus.

Other Activities

- **Cultivation** – Cultivation of FDRPC sites continues with bringing people through the sites and measuring their interest. One, if not 2 letters of intent are anticipated on a couple of the properties in the next 30 to 60 days. They have toured the DEMA Bunker, the Governor Bacon building, the Painter building, the Southfield lands, the Bakery, and the office of state surplus property administration building on Old Battery Lane.
- **Announcements** – Mr. Slavin made the following announcements:
 - Terry Buchanan, who has been working with the FDRPC as its communications person as a contractor has decided to take a step away from consulting and focus on her very successful business in Old New Castle. Ms. Buchanan's last day with them will be December 31, 2023. Mr. Slavin thanked Ms. Buchanan for all the help she had given the corporation, as well as him personally, noting that she was very instrumental in making sure they kept things going.
 - At the conclusion of the meeting, Ms. Janice Moturi and Mr. Slavin will be gathering with other FDRPC colleagues at the Christiana Mall for volunteer gift wrapping to benefit UNICEF.
 - FDRPC staff member, Mr. Larry MacLaren, and his wife had their first child, Everly Margaret McLaren, on November 18, 2023.

Mr. Edgell moved for acceptance of the Executive Director's Report, seconded by Mr. Eriksen and unanimously carried.

COMMITTEE REPORTS

FDRPC Finance and Audit Committee Meeting of October 9, 2023

Dr. Stewart moved for acceptance of the FDRPC Finance and Audit Committee Report of October 9, 2023. The motion was seconded by Mr. Graci and unanimously carried.

FDRPC Executive Committee Meeting of October 30, 2023

Dr. Stewart moved for acceptance of the FDRPC Executive Committee Report of October 30, 2023. The motion was seconded by Mr. Graci and unanimously carried.

PROPOSED MEETING SCHEDULE FOR 2024

Mr. Tim Slavin, Executive Director, reviewed the proposed meeting schedule for 2024. He noted that the meeting time was being changed from 8:30 a.m. to 9:30 a.m. to address commuting issues.

Dr. Stewart moved for approval of the Meeting Schedule for 2024, seconded by Mr. Edgell and unanimously carried.

RESOLUTION RECOGNIZING SERVICE OF KEVIN WHITTAKER TO FDRPC

Mr. Tim Slavin, Executive Director, advised members that Mr. Kevin Whittaker resigned from the Board because he no longer met the Delaware City residency conditions of his appointment. Mr. Slavin read the Resolution into the record, as follows:

WHEREAS, Kevin Whittaker has served the Fort DuPont Redevelopment and Preservation Corporation since 2022, and has served with distinction until November 27, 2023; and

WHEREAS, during his years of service to the Fort DuPont Redevelopment and Preservation Corporation he has served in the position of Chair of the Maintenance Committee; and

WHEREAS, throughout his tenure, Kevin Whittaker has displayed a professional approach to his duties and responsibilities as a Board member; and

WHEREAS, the Fort DuPont Redevelopment and Preservation Corporation has benefited from Kevin Whittaker's insight and knowledge and character.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Fort DuPont Redevelopment and Preservation Corporation express their gratitude to Kevin Whittaker for the many hours of public service he gave and express their sincere appreciation to him.

ADOPTED: DECEMBER 13, 2023

Mr. Eriksen moved for adoption of the Resolution, seconded by Mr. Graci and unanimously carried.

REFINANCING OF EXISTING DEBT

Mr. Bert Scoglietti, Treasurer, requested a slight modification to the refinance terms that were approved at the August 9, 2023 Board meeting. He noted that the FDRPC has two outstanding notes with Applied Bank. One note is for the renovation of seven units, including 1303 Officers Row, as well as six duplex units, four on Officers Row and two in the Quartermaster District. The other note is for the renovation of the two duplexes on Old Battery Lane. Those were originally construction and renovation loans that were set to expire in September 2023. In August, the Board accepted the refinance terms and authorized moving forward with Applied Bank.

The Old Battery Lane loan currently has a \$612,000 balance. The Board also authorized a \$273,000 one-time payment to buy down the loan from \$885,000 to the current balance of \$612,000. The second loan currently has a balance of approximately \$870,000. Both loans, prior to refinance, were prime plus either 1.5% or prime plus 2%. The effective interest rate was anywhere between 10 and 10 1/2 percent because of the hikes in interest rates. The terms that the Board approved in August to refinance both of those loans were estimated at 6.75%.

The Board meeting in August was just after the Fed increased rates by 1/4 percent. Working with the bank, they have made adjustments to take those rates from 6.75% to a firm commitment of 7%, so basically a 25-basis point increase. The rest of the terms of the loans remain the same.

Mr. Scoglietti advised that they felt it prudent to bring this item back to the Board to approve the loan refinancing with a slight modification in the terms.

Dr. Stewart moved for approval of the refinancing as presented. The motion was seconded by Mr. Graci and unanimously carried.

BRANCH CANAL OWNERSHIP BRIEFING (MAY RESULT IN AN EXECUTIVE SESSION)

The transfer of ownership of the Branch Canal from the US Army Corps of Engineers (USACOE) to the Fort DuPont Redevelopment and Preservation Corporation (FDRPC) remains pending. The Board of Directors of FDRPC has never formally voted to accept the transfer of the parcel. Options for the Board of Directors range from accepting ownership, to modifying the terms of the transfer, to declining the transfer.

Mr. Tim Slavin, Executive Director, reviewed the Branch Canal memorandum dated December 6, 2023 which included background and context of the 2018 Water Resources and Development Act (WRDA), descriptions of the parcels proposed for transfer, a history of the FDRPC's discussions related to the proposed transfer, risks and mitigations of FDRPC ownership, a timeline and implementation plan, and four options for the Board's consideration.

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.

Mr. Slavin noted that there was a follow up meeting Monday, December 11, 2023 with staff members from the Senate Environmental Public Works Committee and the USACE. The answers he received were as follows:

- 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.

Mr. Slavin advised that he attempted to verify statements in the minutes and reporting and some of the understanding of the parties that the USACE was under the impression that the canal would be transferred to the FDRPC, who would then immediately transfer ownership to the state of Delaware. He stated that he could find nothing in the public record that proves that agreement was reached nor discussed with any certainty. The second was that if the FDRPC were to play a role in this, then Delaware City would accept a shared responsibility for the liability and maintenance costs related to the canal. Mr. Slavin advised that there are no supporting agreements in any of the documentation.

Mr. Slavin noted that the USACE is the owner of the canal and the uplands area, the land on Fort DuPont's side of the canal that is above the boat ramp to the mouth of the river. They have determined that this is surplus property for them and when asked specifically if they needed the uplands area for spoils, they said they have no need for it, otherwise they would not be surplusizing it and they have no projects. The USACE will remain the owner of the canal and the uplands until they have completed either a direct transfer or their normal surplusizing process, which goes through the General Services Administration (GSA) and is likely a very lengthy process that requires the receiving party to take ownership of the canal and the uplands area.

Mr. Slavin outlined Options A-D for Board consideration as follows:

Option A

Await action by Army Corps of Engineers. FDRPC would allow the language of the 2018 WRDA to remain in place and await any further action by the ACOE. This option would likely require some type of decision by the Board at a date to be determined. Per the ACOE schedule, FDRPC would be expected to bear the costs associated with the preparation of the transfer.

Mr. Slavin advised that the time for Option A had passed and, based on the last meeting, this now has the attention of the Senate committee and Senator Carper, chairman of that committee. He noted that the parcels are in Senator Carper's home district and they are prepared to move forward with the transfer

either of the entire parcel, if that is what the Board wishes, or an amended parcel. They would, however, need a signal from the FDRPC.

Option B

Approve the transfer authorized in the 2018 WRDA. FDRPC would accept Parcel one North Branch Canal Area and become owner of the Branch Canal. Per the ACOE schedule, it is estimated that the transfer would be ready for action by ACOE approximately 40 weeks after FDRPC communicates its approval.

Mr. Slavin advised that there is some risk involved with the ownership of the Branch Canal which pushes the corporation beyond its current capacity, both operationally and financially, and would drain resources away from improvement of the land portion of the campus. Ownership of the canal would also present operational and legal issues as they would be responsible for owning a viable waterway 365 days a year. That waterway is used by not only a private business in the Delaware City Marina, but also the state police fire boat, Delaware City fire, fish and wildlife, and the state park has a ferry system. Mr. Slavin noted that they would bear significant liability and maintenance issues with little revenue streams.

Option C

Decline the transfer authorized in the 2018 WRDA. FDRPC would decline the transfer of Parcel two. This would leave the current ownership of Parcel one North Branch Canal Area with ACOE.

Mr. Slavin advised that Option C would put them in a position of waiting for the surplusing process to take place and hope that FDRPC is in a position to own the uplands, but that may not be the case because the GSA surplusing goes through other federal agencies, then state agencies, then local government agencies, then non-profit agencies.

Option D

Modify the parcel to be transferred. Amend Parcel one North Branch Canal Area to a reduced amount of acreage to FDRPC which excludes the Branch Canal. The amended parcel would be the lands on the northeast corner of FDRPC property, bounded by the Branch Canal to the north, the Delaware River to the east, Wingate Road to the west, and the northern edge of the service road to the New Castle County water treatment plant to the south. This may require a legislative solution (through the proposed 2024 WRDA) or may be handled administratively by the ACOE.

Mr. Slavin advised that the preferred option from his point of view was option D, signaling to the USACE that FDRPC wants to amend the parcel for the uplands area. The two very viable reasons to choose Option D are that this land is contiguous to the Fort DuPont campus, is an in holding on the campus that could otherwise slip into ownership by another entity, and the land has been planned for use by the FDRPC since before the Corporation's existence and was a part of the original Sasaki plan. Mr. Slavin stated that the second, and perhaps more important reason, is that they just went through the strategic planning process. They listened to the community and the residents and one of the things that came back was access to the water. They have built out a nice residential community but the people do not have direct access to that water. They have a boat ramp, but what they heard was the people want viewshed access, passive recreational access with walking along the waterfront, a possible kayak launch, and areas of respite where people can sit and view the water. Mr. Slavin noted that it is a wonderful piece of property and FDRPC would do well to take advantage of this opportunity.

Mr. Slavin advised members that Senator Carper is scheduled to visit the campus on Monday, December 18, 2023 to see the uplands area specifically.

Responding to Mr. Scoglietti, Mr. Slavin stated that approximately 7.5 acres of the Branch Canal shoreline to the shoreline of the river to the water treatment facility to the boat ramp would be carved out for the FDRPC. He noted that it contained a large pile of spoils.

Mr. Edgell stated that the perception is that the land is a part of the Fort DuPont campus and it was a surprise to him last year to learn that it was not. He agreed with Option D and asked what action by the Board was necessary. Mr. Edgell stated that he thought there was a great liability to owning the canal and he did not think it was something the Corporation was structured to own. He mentioned that the Land Use Planning Committee has been restarted relook at the master plan and that area was planned to be a Marina in the original plan. Mr. Edgell noted that the land is a benefit to the campus and he would hate to see it under other ownership with a use that was not compatible with the plans for the rest of the campus.

Mr. Forsten reminded members that if another party owned that parcel and went to develop it, they were probably going to have the right to cross Fort DuPont from Route 9 to get to it, otherwise it is landlocked. He stated that there could be several issues when dealing with a third party and recommended that the FDRPC try to get control of the property. Mr. Forsten also recommended, as with the acquisition of any property, doing due diligence.

Responding to Mr. Scoglietti, Mr. Slavin advised that parcel one would be redrawn to just include the bank and the upland area on the Fort DuPont side. The balance of the land of Parcel one would remain with the USACE.

Mr. Slavin noted that a motion in support of an amended parcel would be the necessary next step. He advised that it would be communicated to Senator Carper at the meeting on Monday.

Mr. Tim Konkus, 302 Canal Street, noted that there had been no discussion of the disposal of the spoils site if the FDRPC takes it. He stated that the state uses the spoil site to keep the Delaware City dock downtown dredged and without the site close to that location it will add an awful lot of cash to dispose of those spoils. Mr. Konkus thanked Mr. Slavin for a wonderful presentation on a very complicated issue spanning many years with many involved parties.

Mr. Edgell, referring to the spoils site, asked what the environmental characteristics of the spoils were and what they could be used for. He thought the FDRPC should know before owning them.

Mr. Edgell moved to endorse Option D with the appropriate due diligence. The motion was seconded by Mr. Graci and unanimously carried.

DELAWARE CITY UPDATES

Due to the absence of Mr. Harry Hill, City Manager – Delaware City, no updates were provided.

PUBLIC COMMENT

None.

NEXT MEETING DATE

The next meeting is scheduled for January 10, 2024 at 9:30 a.m.

ADJOURNMENT

Dr. Stewart moved for adjournment, seconded by Mr. Graci and unanimously carried.

Meeting Adjourned at 9:25 a.m.

APPROVED: February 14, 2024

Fort DuPont Redevelopment and Preservation Corporation
Budget vs. Actuals: Budget_FY24_P&L Draft 1 - FY24 P&L
 July 2023 - June 2024

	December - 23			
	Actual	Budget	over Budget	% of Budget
Income				
4005 Carryforward	0.00	300,000.00	\$ (300,000.00)	0.00%
4010 State Appropriation	775,000.00	2,250,000.00	\$ (1,475,000.00)	34.44%
4015 Bike Path Funding	0.00	0.00	\$ -	
4020 Roundabout	0.00	0.00	\$ -	
4100 RENTAL INCOME	115,791.50	159,623.08	\$ (43,831.58)	72.54%
4100-DN DNREC	0.00	10,500.00	\$ (10,500.00)	0.00%
4100-OM OMB	0.00	9,315.00	\$ (9,315.00)	0.00%
4110 SPECIAL EVENT REVENUE	5,550.00	6,600.00	\$ (1,050.00)	84.09%
4130 CAM REVENUE	0.00	0.00	\$ -	
4131 Lawncare - CAM (State Tenants)	0.00	3,200.00	\$ (3,200.00)	0.00%
4132 Snow/Ice - CAM (State Tenants)	0.00	15,000.00	\$ (15,000.00)	0.00%
4133 Community Association	0.00	730.00	\$ (730.00)	0.00%
Total 4130 CAM REVENUE	\$ 0.00	\$ 18,930.00	-\$ 18,930.00	0.00%
4150 TENANT REIMBURSEMENTS	0.00	0.00	0.00	
4151 Utility Reimbursements	43,315.78	126,000.00	\$ (82,684.22)	34.38%
Total 4150 TENANT REIMBURSEMENTS	\$ 43,315.78	\$ 126,000.00	-\$ 82,684.22	34.38%
Total 4100 RENTAL INCOME	\$ 164,657.28	\$ 330,968.08	-\$ 166,310.80	49.75%
4200 REAL ESTATE SALES	230,000.00	1,216,200.00	\$ (986,200.00)	18.91%
4251 Late Payment Fee	0.00	0.00	\$ -	
4300 GRANTS	0.00	0.00	\$ -	
4400 Sales	40,000.00	0.00	\$ 40,000.00	
4430 Services	188,524.22	0.00	\$ 188,524.22	
4500 HTC CREDITS	0.00	185,000.00	\$ (185,000.00)	0.00%
4800 BANK LOANS - BUDGETED PROCEEDS	0.00	0.00	\$ -	
Total Income	\$ 1,398,181.50	\$ 4,282,168.08	-\$ 2,883,986.58	32.65%
Gross Profit	\$ 1,398,181.50	\$ 4,282,168.08	-\$ 2,883,986.58	32.65%

	December - 23			% of Budget
	Actual	Budget	over Budget	
Expenses				
6000 Capital Improvement Expenditure	0.00	0.00	\$ -	
6030 Bank Charges	289.85	1,000.00	\$ (710.15)	28.99%
6300 Construction Expenditures	0.00	0.00	\$ -	
6463 Office Improvements	0.00	0.00	\$ -	
Total 6300 Construction Expenditures	\$ 0.00	\$ 0.00	\$ 0.00	
6400 Building Improvements{77}	0.00	0.00	\$ -	
6409a 09a Doors	0.00	0.00	\$ -	
6409b 09b Painting-Exterior	0.00	0.00	\$ -	
6409c 09c Painting-Interior	0.00	0.00	\$ -	
6412 12 Light Fixtures	0.00	0.00	\$ -	
6417 Supplies & Materials	0.00	0.00	\$ -	
6420 20 General Conditons	0.00	0.00	\$ -	
6456 Permitting	0.00	0.00	\$ -	
Total 6400 Building Improvements{77}	\$ 0.00	\$ 0.00	\$ 0.00	
6460 ENVIRONMENTAL	6,718.50	0.00	6,718.50	
6464 Soil Analysis	1,100.00	0.00	1,100.00	
Total 6460 ENVIRONMENTAL	\$ 7,818.50	\$ 0.00	\$ 7,818.50	
6470 FEASIBILITY STUDIES	0.00	0.00	0.00	
6730 Market Feasibility Study	0.00	0.00	0.00	
Total 6470 FEASIBILITY STUDIES	\$ 0.00	\$ 0.00	\$ 0.00	
6480 SPECIAL EVENT EXPENSES	4,178.54	0.00	\$ 4,178.54	
6500 PROFESSIONAL FEES	9,797.84	0.00	\$ 9,797.84	
6505 Prof Fees - Engineering	348.50	0.00	\$ 348.50	
6505-02 Master Planning	3,003.25	0.00	\$ 3,003.25	
6505-03 Canal District	542.50	0.00	\$ 542.50	
6505-06 Survey	1,503.75	0.00	\$ 1,503.75	
6505-09 Round-a-bout	0.00	0.00	\$ -	
6505-10 Living Shoreline	0.00	0.00	\$ -	
6505-14 Marina Village	550.00	0.00	\$ 550.00	
6505-20 Branch Canal	1,225.25	0.00	\$ 1,225.25	
Total 6505 Prof Fees - Engineering	\$ 7,173.25	\$ 0.00	\$ 7,173.25	
6515 Prof Fees - Architectural	1,687.50	0.00	\$ 1,687.50	
6520R Prof Fees - Legal	59,793.63	240,000.00	\$ (180,206.37)	24.91%
6525R Prof Fees - Accounting	27,705.00	38,196.60	\$ (10,491.60)	72.53%
6545 Roadways/Utilities	304.24	0.00	\$ 304.24	
Total 6500 PROFESSIONAL FEES	\$ 106,461.46	\$ 278,196.60	-\$ 171,735.14	38.27%
6510 DEMOLITION	0.00	0.00	\$ -	
6535 PERMITTING	3,792.85	2,795.78	\$ 997.07	135.66%

	December - 23			
	Actual	Budget	over Budget	% of Budget
6600R FEES - OTHER	0.00	0.00	\$ -	
6606 Permit Fees	0.00	1,418.88	\$ (1,418.88)	0.00%
6610 Bank Fees	273.37	1,838.65	\$ (1,565.28)	14.87%
6620 HTC Fees	0.00	7,668.54	\$ (7,668.54)	0.00%
6625 Bank Charges	10.95	0.00	\$ 10.95	
6627 Applied Bank Fees	13.00	0.00	\$ 13.00	
Total 6625 Bank Charges	\$ 23.95	\$ 0.00	\$ 23.95	
6631 Del City Rental Tax	0.00	1,329.56	\$ (1,329.56)	0.00%
Total 6600R FEES - OTHER	\$ 297.32	\$ 12,255.63	-\$ 11,958.31	2.43%
6700 IMPROVEMENTS	0.00	1,850,000.00	\$ (1,850,000.00)	0.00%
6702 Building 39-1303 Officers Row	1,117.00	0.00	\$ 1,117.00	
6703 Building 43-NCO Duplex	0.00	0.00	\$ -	
6709 Building 24-FDRPC Office	0.00	0.00	\$ -	
6711 Building 20-PX	89,200.00	0.00	\$ 89,200.00	
6712 Building 24-Theater	14,005.00	0.00	\$ 14,005.00	
6713 Building 55-Chapel	17,145.00	0.00	\$ 17,145.00	
6716 Canal District	0.00	0.00	\$ -	
6716.30 Roads/Utilities	298,000.00	0.00	\$ 298,000.00	
Total 6716 Canal District	\$ 298,000.00	\$ 0.00	\$ 298,000.00	
6721 Roundabout	14,344.39	0.00	\$ 14,344.39	
6734 Building 23-Band Barracks	840.00	0.00	\$ 840.00	
6738 Duplexes on OBL	0.00	0.00	\$ -	
6738-02 Building 27	0.00	0.00	\$ -	
Total 6738 Duplexes on OBL	\$ 0.00	\$ 0.00	\$ 0.00	
6740 Building 28-Bakery	5,085.00	0.00	\$ 5,085.00	
6741 Building 30-Stable	10,825.00	0.00	\$ 10,825.00	
6744 Maintenance Shop	1,577.00	0.00	\$ 1,577.00	
6747 Building 19	0.00	0.00	\$ -	
6748 Building 52-Tilton	3,976.00	0.00	\$ 3,976.00	
6749 Pump House	18,460.00	0.00	\$ 18,460.00	
6770 DNREC Maintenance Bldg	1,763.70	0.00	\$ 1,763.70	
Total 6700 IMPROVEMENTS	\$ 476,338.09	\$ 1,850,000.00	-\$ 1,373,661.91	25.75%
6800 SITE UTILITIES	35.00	0.00	\$ 35.00	
6810 Electric	105,188.05	144,000.00	\$ (38,811.95)	73.05%
6815 Gas	-2,044.83	4,400.00	\$ (6,444.83)	-46.47%
6820 Water	4,473.26	14,000.00	\$ (9,526.74)	31.95%
6825 Sewer	3,398.34	20,000.00	\$ (16,601.66)	16.99%
6830 Phone/Internet	0.00	10,200.00	\$ (10,200.00)	0.00%
6835 Trash	1,530.00	0.00	\$ 1,530.00	
Total 6800 SITE UTILITIES	\$ 112,579.82	\$ 192,600.00	-\$ 80,020.18	58.45%

	December - 23				% of Budget
	Actual	Budget	over Budget		
7000 OPERATING EXPENSES	0.00	0.00	\$	-	
7005 Museum	0.00	0.00	\$	-	
7009 Computer Support	6,121.70	0.00	\$	6,121.70	
7010 Office Supplies	16,651.13	12,000.00	\$	4,651.13	138.76%
7015 Taxes & Licenses	253.63	0.00	\$	253.63	
7020 Travel	0.00	1,000.00	\$	(1,000.00)	0.00%
7025 Meals and Entertainment	114.09	1,040.00	\$	(925.91)	10.97%
7030 Utilities - Office	8,229.71	6,700.00	\$	1,529.71	122.83%
7035 Phone/Internet - Office	152.18	0.00	\$	152.18	
7040 Repairs & Maintenance	2,326.00	5,200.00	\$	(2,874.00)	44.73%
7045 Discretionary Expenses	0.00	7,970.00	\$	(7,970.00)	0.00%
7050 Equipment and Furnishings	0.00	5,100.00	\$	(5,100.00)	0.00%
7051 Uniforms	4,067.78	0.00	\$	4,067.78	
Total 7000 OPERATING EXPENSES	\$ 37,916.22	\$ 39,010.00	-\$	1,093.78	97.20%
7100 COMMON AREA MAINTENANCE	25,177.47	0.00	\$	25,177.47	
7105 Lawn Care	84,560.00	113,000.00	\$	(28,440.00)	74.83%
7110 Storm Water Management	0.00	2,200.00	\$	(2,200.00)	0.00%
7115 Pest Control	332.77	3,200.00	\$	(2,867.23)	10.40%
7120 Fire & Security Monitoring	2,792.00	4,600.00	\$	(1,808.00)	60.70%
7125 Snow & Ice Removal	0.00	3,800.00	\$	(3,800.00)	0.00%
7130 Building Repairs & Maintenance	0.00	19,000.00	\$	(19,000.00)	0.00%
7135 Road Repairs	0.00	3,300.00	\$	(3,300.00)	0.00%
7140 Landscaping Maintenance	22,755.05	20,000.00	\$	2,755.05	113.78%
7141 Auto	1,934.26	9,600.00	\$	(7,665.74)	20.15%
7145 Equipment Expense	2,257.37	42,000.00	\$	(39,742.63)	5.37%
7146 Supplies	0.00	5,900.00	\$	(5,900.00)	0.00%
7830 Utilities	3,255.66	17,000.00	\$	(13,744.34)	19.15%
7831 Water & Sewer	0.00	2,200.00	\$	(2,200.00)	0.00%
Total 7830 Utilities	\$ 3,255.66	\$ 19,200.00	-\$	15,944.34	16.96%
Total 7100 COMMON AREA MAINTENANCE	\$ 143,064.58	\$ 245,800.00	-\$	102,735.42	58.20%
7200 DEBT EXPENSE	0.00	0.00	\$	-	
7205 Officers Row - Applied Prin/Int Loan 0380	41,593.20	51,180.00	\$	(9,586.80)	81.27%
7210 DMHEF Repayment	13,889.56	20,834.40	\$	(6,944.84)	66.67%
7215 OBL Duplexes - Applied Prin/Int Loan 0810	36,942.39	72,696.00	\$	(35,753.61)	50.82%
7220 FDRPC RLF Repayment	0.00	0.00	\$	-	
7220 FDRPC RLF Repayment	273,000.00	273,000.00	\$	-	100.00%
7225 DEBT EXPENSE WSFS LOAN	996.74	0.00	\$	996.74	
Total 7200 DEBT EXPENSE	\$ 366,421.89	\$ 417,710.40	-\$	51,288.51	87.72%
7300 Depreciation Expense	0.00	0.00	\$	-	

	December - 23				% of Budget
	Actual	Budget	over Budget		
7500 MARKETING EXPENSES	0.00	0.00	\$ -		
7510 Advertising & Promotion	0.00	24,000.00	\$ (24,000.00)		0.00%
7525 Marketing Collateral	0.00	0.00	\$ -		
7530 Promotional Memberships	0.00	0.00	\$ -		
7540 Stationery & Printing	0.00	0.00	\$ -		
7550 Website & Social Media	10,688.75	20,000.00	\$ (9,311.25)		53.44%
7551 Video	0.00	0.00	\$ -		
7555 Marketing - Other	7,029.95	0.00	\$ 7,029.95		
Total 7500 MARKETING EXPENSES	\$ 17,718.70	\$ 44,000.00	-\$ 26,281.30		40.27%
Total 7740 Salaries & Wages	\$ 284,709.70	\$ 578,172.58	-\$ 293,462.88		49.24%
7750 Payroll Service Fees	1,993.67	2,500.00	\$ (506.33)		79.75%
Total 7700 PAYROLL EXPENDITURES	\$ 366,864.58	\$ 691,170.38	-\$ 324,305.80		53.08%
7850 INSURANCE	-40,388.25	0.00	\$ (40,388.25)		
7851 General Liability	0.00	9,489.00	\$ (9,489.00)		0.00%
7852 Flood Insurance	338.00	0.00	\$ 338.00		
7853 Property	89,460.93	85,080.54	\$ 4,380.39		105.15%
7854 Builder's Risk	0.00	3,229.00	\$ (3,229.00)		0.00%
7855 Workers Comp Insurance	0.00	4,404.00	\$ (4,404.00)		0.00%
7856 Auto	15,361.00	15,361.00	\$ -		100.00%
7857 D & O/ E&O Insurance	8,855.00	12,757.52	\$ (3,902.52)		69.41%
7858 Business Owners	0.00	0.00	\$ -		
7859 Pension & Crime	0.00	1,900.00	\$ (1,900.00)		0.00%
Total 7850 INSURANCE	\$ 73,626.68	\$ 132,221.06	-\$ 58,594.38		55.68%
8000 VALUE OF REAL ESTATE SOLD	0.00	0.00	\$ -		
Administrative Expenses	0.00	417.00	\$ (417.00)		0.00%
Legal Fees - Operating	104.00	0.00	\$ 104.00		
Property Management	0.00	0.00	\$ -		
7880 Repair & Maintenance	0.00	1,717.00	\$ (1,717.00)		0.00%
7890 Payroll	0.00	0.00	\$ -		
7892 Salaries	9,752.64	0.00	\$ 9,752.64		
Total 7890 Payroll	\$ 9,752.64	\$ 0.00	\$ 9,752.64		
7900 Security	0.00	70.00	\$ (70.00)		0.00%
Total Property Management	\$ 9,752.64	\$ 1,787.00	\$ 7,965.64		545.75%
Total Expenses	\$ 1,727,225.72	\$ 3,908,963.85	-\$ 2,181,738.13		44.19%
Net Operating Income	\$ (329,044.22)	\$ 373,204.23	-\$ 702,248.45		-88.17%
Other Expenses					
ASK MY ACCOUNTANT	-5,000.00	0.00	\$ (5,000.00)		
Total Other Expenses	-\$ 5,000.00	\$ 0.00	-\$ 5,000.00		
Net Other Income	\$ 5,000.00	\$ 0.00	\$ 5,000.00		
Net Income	\$ (324,044.22)	\$ 373,204.23	\$ (697,248.45)		-86.83%



Executive Director Monthly Report

For the period October 1, 2023 to January 31, 2024

Our board meeting will be held on February 14, 2024 at 9:30 a.m. at the **Delaware City Fire Hall**. Board packets will be distributed via email (as a pdf attachment).

Capital Projects

- **Marina Village.** FDRPC is continuing due diligence on this project.
- **Branch canal bank revetment and promenade.** FDRPC was notified that project funding has been approved by FEMA. A kick-off meeting for the project is scheduled for February 13, 2024. Mobilization will not occur on the site immediately. There are three (3) open permitting issues: two from the U.S. Army Corps of Engineers (USACE) and one from the Department of Natural Resources and Environmental Control. Upon issuance of the permits, the project will be bid out by FDRPC.
- **Branch canal ownership.** The recommendation passed by the FDRPC Board of Directors for a transfer of a reduced parcel from USACE has been communicated to both USACE and the Senate Environmental and Public Works (EPW) Committee staff. Dialogue between the EPW staff and the USACE has continued.
- **Old Battery Lane (OU-6).** The Environmental Covenant for Operable Unit 7 (OU-6 Old Battery Lane) has been fully executed and recorded. FDRPC is awaiting the Certificate of Completion of Remedy (COCR) to be issued from DNREC. Additionally, a Stormwater and Sediment permit has been issued by DNREC. A mandatory pre-

construction meeting with DNREC and FDRPC is being scheduled to address phasing of the project on Old Battery Lane.

Operations

- **Real estate update.**
 - a. Real Estate for sale
 - 1311 Officers Row (lot) remains listed at \$125,000. An offer of \$120,000 was accepted by FDRPC but later withdrawn by the buyer.
 - b. Leasing: One residential unit is currently vacant.

- **FOIA Officer.** There were no FOIA requests presented for January 2024.

- **FY 23 Audit:** The entrance conference for the financial audit for FY 23 was held on Dec 21, 2023. FDRPC staff has been working closely with the auditors to fulfill requests for documentation.
- **Annual report.** The annual report of FDRPC has been communicated to the Governor's Office and the members of the Legislature. A copy was distributed to the board of directors and placed on the FDRPC website.
- **Website re-design launched.** The re-designed website for FDRPC was launched on February 5, 2024.

Other activities:

DC Juneteenth Committee. Tim Slavin accepted an invitation to serve on a committee to create a Juneteenth celebration in Delaware City. He has agreed to assist with the Financing and Budget Committee.

FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION

Design and Historic Preservation Committee

The FDRPC Design and Historic Preservation Committee meeting was held on September 6, 2023, at 4:00 p.m. via Zoom with the anchor location at the FDRPC Office at 260 Old Elm Avenue, Delaware City, Delaware, with Chair Douglas Eriksen presiding.

BOARD MEMBERS PRESENT

Mr. Douglas Eriksen
Mr. David Turley
Mr. Robert McPherson
Ms. Roberta DeLeo
Ms. Laura Lee

BOARD MEMBERS ABSENT

Ms. Billie Travalini

STAFF MEMBERS PRESENT

Tim Slavin

OTHERS PRESENT

None

APPROVAL OF MINUTES – FDRPC AUDIT AND FINANCE COMMITTEE MEETING OF JULY 25, 2023

Mr. McPherson moved for approval of the FDRPC DHPC meeting minutes of July 25, 2023. The motion was seconded by Ms. DeLeo and unanimously carried.

NEW BUSINESS

Application for approval of fence at 517 Cook Street by Asolde Ford-Gillett

The item was discussed and a motion for approval was made by Mr. McPherson and seconded by Ms. DeLeo. The motion carried unanimously.

OLD BUSINESS

Application for approval of garage at 910 Reynolds Street by Robert McPherson

Mr. McPherson recused himself from a voting role on the issue as he was the applicant.

The item was discussed and a motion for approval was made by Ms. Lee and seconded by Mr. Turley. The motion carried 4-0, with Mr. McPherson recusing himself.

NEXT MEETING DATE

The next meeting is scheduled for September 27, 2023 at 4:00 p.m.

ADJOURNMENT

A motion to adjourn was made by Ms. Lee and seconded by Mr. Turley. The motion was approved unanimously.

Meeting Adjourned at 4:40 p.m.

APPROVED: December 14, 2023

FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION
LAND USE PLANNING COMMITTEE

The Fort DuPont RPC Land Use Planning Committee meeting was held on September 26, 2023 at 4:06 p.m. via Zoom with the anchor location at the Delaware City Community Center, 250 5th Street, Delaware City, with Chair David Edgell presiding.

COMMITTEE MEMBERS PRESENT

Mr. Rony Baltazar-Lopez (Secretary of State) (departed at 4:59 p.m.)
Mr. Tim Konkus (Resident)
Ms. Wendy Rogers (Fort DuPont Resident)

COMMITTEE MEMBERS ABSENT

Ms. Cecily Bedwell (Resident)
Mr. Michael Lutz (Resident)

STAFF MEMBERS PRESENT

Mr. Tim Slavin, FDRPC Executive Director

OTHERS PRESENT

Mr. Michael Tholstrup, Delaware State Parks (DNREC)
Mr. Andy Howard, Hitchcock Design
Ms. Bridget Deatrick, Hitchcock Design

COMMITTEE PURPOSE AND RESPONSIBILITIES

Chair David Edgell welcomed the committee members and noted that their charge was to recount, review and revisit the physical land use master plan of the sites. The committee will be brought up to speed on all the different components of the projects moving forward and strategically assess future opportunities for the land use configuration. Mr. Edgell advised that part of their responsibility would be to question the validity and relevance of the assumptions that founded the original master plan and consider if they are right for the current market and the community's needs. The committee will recommend the appropriate direction for the property, taking into account the current environment and the constraints that the property is under. He advised that the meetings are open to the public, and community participation is encouraged. The committee will share its findings with the public at a later stage.

LAND USE PLANNING COMMITTEE CHARTER

Chair David Edgell reviewed the charter that sets out the committee's responsibilities (Exhibit 1). Members were requested to review it prior to the next meeting, at which time it will be considered for approval. He noted that the committee does not have any decision-making authority or approvals and will only make recommendations to the Fort DuPont Redevelopment and Preservation Corporation's Board of Directors.

REVIEW OF CONCEPTUAL PLAN

Mr. Tim Slavin, Fort DuPont Redevelopment and Preservation Corporation (FDRPC) Executive Director, stated that the conceptual plan (Exhibit 2) was frozen in time just prior to his arrival approximately one year ago. He noted the challenge of consolidating numerous iterations into a unified plan. Mr. Slavin advised that the current situation demands a refresh and emphasized the need to re-evaluate the decisions and assumptions made, keeping in mind the evolving economic and market dynamics, as well as the limitations faced by the corporation. He reviewed the conceptual plan, as follows:

Marina District

At the upper left-hand corner of the plan, there is a parcel that refers to the Marina District, originally designated for Marina operation. The Branch Canal comes in at a diagonal where it meets the Delaware River. That upper portion, where it looks like there is a new Marina, is land that is owned by the US Army Corp of Engineers (USACE). It is not out of the question that the FDRPC could own it, lease it, or help secure the use of it, but it should not be relied upon for planning purposes with the level of detail that they have in the past without the ownership issue being resolved.

Down the middle of the plan, shown in yellow, is proposed new construction of townhouses and condominiums at Marina Village. This is the second phase of housing and they are in the process of getting approvals from the City Council, the Planning Commission and the Board of Adjustment. Other approvals are necessary from DeIDOT and DNREC and the National Park Service, which would release and trade some of the protections that are on that land and place it on other lands on the campus.

Water Treatment Plant

Immediately to the right of the upper left-hand corner is the water treatment plant, represented by a block with circles in it. One of the assumptions was that the plant would eventually move off of the Fort DuPont campus. There has been very little movement in that direction and it should be assumed that the plant will stay where it is.

Canal District

Further down the plan, toward the diagonal cut of water, is the Canal District, which is fully built out except for the lots fronting the Parade Ground. Officers Row is built out except for four vacant lots, all but one of which are sold. That community is seen as a key factor influencing the larger plan due to community expectations regarding amenities.

Parade Ground, Theater, and PX

The Parade Ground is shown in the middle third of the plan and is represented as the large green area. The proposal is to keep it as a flexible open space area with a minimal amount of programming. Moving towards the river are the theater and PX buildings, which will be pivotal for providing amenities.

Old Battery Lane

From the middle of the plan, there is a sharp line from the point in the river which is part of the State Park system. Either side of Old Battery Lane is where some of their acute concern is now. The buildings that are between the Parade Ground and Old Battery Lane necessitate a strategic approach for adaptive reuse.

Undeveloped Land

The large yellow block with an H next to it on the plan is undeveloped land conceptualized as warehousing or light industrial. For the purposes of this exercise, that space is open to reconsideration in light of changing needs and possibilities, keeping in mind that warehousing and light industrial may not be the highest and best use now, 10 years later.

Preservation and Development

Acknowledging the historical significance of the campus and previous demolition of some buildings, efforts will be directed towards preserving the core historic buildings and implementing adaptive

reuse strategies. The potential for residential infill and larger-scale new construction remains feasible in certain areas. Market trends indicate a shift from office spaces to residential units, impacting the initial concept for certain buildings like the Governor Bacon and Painter buildings along the Parade Ground.

Amenities Planning

An original exercise took place with the Hitchcock Group; however, it did not involve a lot of people. Hitchcock was brought back to involve people with presentations and workshops.

Referring to the conceptual plan, Chair Edgell noted that the existing buildings were indicated by blue footprints and the yellow footprints signified proposed future structures, presenting ample opportunities for infill. He clarified that certain sections, like the lots along Officers Row, are designated for residential purposes. Conversely, the area previously intended for warehousing presents an open canvas for considerations during the ongoing planning process.

Mr. Edgell advised that the Marina Village project was currently in the contract phase for the construction of approximately 100 to 128 townhouses. Stressing the corporation's responsibility for obtaining the necessary approvals, he acknowledged the challenges and uncertainties involved in navigating the extensive approval process. These complexities, he noted, should be kept in mind. He also noted the known element of the National Guard area at the bottom right corner, indicating that it will remain unchanged.

HISTORY OF CONCEPTUAL PLAN DEVELOPMENT

Mr. Tim Konkus recalled the early discussions with Sasaki Associates, the original planner for the project about a decade ago. He mentioned the dynamic nature of the meetings held at the Firehouse, where participants from various backgrounds shared their views on the project. Mr. Konkus highlighted the unconstrained nature of these discussions, allowing for a free flow of ideas and suggestions, regardless of their feasibility. He noted that one of the most exciting aspects of the process was the online discussion. It was an open space where everyone could share their thoughts as long as they were socially acceptable. The resulting discussions were very valuable, focusing primarily on the future of the land and people's aspirations for it.

Referring to the plan, Mr. Konkus pointed out the Marina in the upper left corner and noted the absence of the hotel and Convention Center initially proposed for the area extending into the Delaware River. He drew attention to the density of homes near the Lennar development, emphasizing the significant changes over the past decade. He also mentioned an earlier suggestion made during the Sasaki meeting about the possibility of exchanging the 6F land for the Grassdale parcel, which would be a higher and greater value than the 6F land by the river.

Mr. Konkus advised that the envisioned design for the area along Newcastle Avenue, now known as Old Elm Avenue, was inspired by the former military base, The Presidio. He described the original plan for the elegant Gregorian-style multifamily residences with tree lined streets and sidewalks and beautifully manicured gardens, contrasting it with the current denser layout in the new master plan.

SECTION 6(F) OF THE LAND AND WATER CONSERVATION FUND ACT OF 1965

Section 6(f) of the Land and Water Conservation Fund Act of 1965 (LWCF) mandates that any conversion of lands or facilities purchased with funds from the Land and Water Conservation Act for non-recreational purposes must be coordinated with the National Park Service.

Mr. Mike Tholstrup of the Delaware Division of Parks and Recreation explained that, acting as the state liaison for the National Park Service, the Delaware Division of Parks and Recreation manages the transfer of information and internal decision-making processes to ensure the preservation of these lands for outdoor recreational use and to maintain accessible open space for public use.

Mr. Tholstrup noted that while land conversion or relocation is not uncommon, it is a significant process to go through. Over the past 15 years, various proposals or suggestions have been considered by Fort DuPont, but no final decision had been reached regarding the new boundaries or the designation of a new protected area. He mentioned that they have recently been actively communicating with their National Park Service representative, ensuring that they are informed of the potential changes to the map, the rationale behind their decisions, the factors considered in the recreational planning process, the public feedback incorporated, and how it affects the outdoor recreation plan.

Mr. Tholstrup advised that, typically, key concerns revolve around the location of the areas considered for a 6F swap, their current utilization, and whether they are presently utilized as park spaces. He clarified that if an area is already serving as a park space, including it in the protected area would not significantly expand the park's space. Regarding the Parade Ground, he highlighted that although it is maintained as an open space, it is not managed or operated as a park. He mentioned that they are currently undergoing an internal review within DNREC, ensuring that the division director comprehends the implications of the change. Several mapping exercises have been conducted to visualize the potential new boundaries, connectivity, and if the area being identified as the new 6F protected area would function as a park in perpetuity.

Mr. Tholstrup presented a map outlining both the current and proposed 6F protected areas for review.

RECREATION CONCEPTUAL PLAN PRESENTATION – HITCHCOCK DESIGN GROUP

Mr. Andy Howard and Ms. Bridget Dietrich of Hitchcock Design Group presented conceptual plans revised to incorporate community-driven insights, considering both passive and active recreational components. It was noted that this is the second pass at their preliminary concepts. Initially, they designed a plan that was densely focused on active recreation. However, after revisiting their assumptions and engaging with the community at various in-person events, they gained a better understanding of the community's preferences for the size and scope of recreational amenities. These ideas are still in their early stages and the next step is to present them to the community for their feedback, make sure they heard, understood and interpreted the feedback correctly and see what the preference is for a single plan moving forward. The long-term vision is to synthesize these ideas into a unified plan that encompasses various elements. The area of focus spans from the section north of Exchange Road to the peninsula known as Fishing Point.

Referring to the site plan, Ms. Dietrich noted the following:

- Throughout the discussions with community members, a lot of consideration was given to where it was appropriate for high-use, active recreation, quieter, passive recreation that is a little less noisy and busy and where it is appropriate to incorporate different nods to nature appreciation and the sites rich military and social history.
- Expanding beyond the park site, they have begun exploring locations for potential memorials to the Fort's military service, marked in pink to denote seating areas along key locations, largely along the bike trail (highlighted in blue) running atop the levee.

- Spots for nature appreciation have been identified and are indicated by green asterisks and the main active parkland is represented in yellow.
- The area behind the theater and the PX (in orange) has been identified as a potential activation area. Although the current focus remains on the broader development, they are mindful of the possibility of utilizing the PX and theater for public use in the future, thus preserving these spaces for potential recreation and community uses.
- One of the recreation amenities being considered is a dog park, which requires a considerable amount of space. A very brief study was conducted to consider moving the dog park out of the yellow or orange areas (active parkland and potential activation) into the dark blue section of the site (possible alternative dog park at Delaware Avenue and Colter Road). The study took into account the potential impact on the existing active recreation amenities and other amenities being considered for inclusion in the park spaces.

Referring to Concept 1, Mr. Howard and Ms. Dietrich noted the following:

- Concepts have been developed to address accessibility and parking arrangements. People will be walking and riding bikes, some from nearby residences. The aim is to ensure equal pedestrian and vehicular access.
- One concept considers eliminating a through road with the focus on integrating the open space from the Delaware River into the central core area, creating an uninterrupted space. This includes an open lawn space shaped in an oval or circular form, as well as more active recreational features, such as four pickleball courts, a single tennis court, and a full-court basketball court further north.
- Discussions included strategies to attract teenagers and tweens. One of the ideas explored was the concept of American Ninja Warrior, combining elements of fitness and challenge courses catered toward older children and young adults. While this course targets teenagers and tweens, it is open for use by adults, caregivers, and individuals of varying ages. This inclusive approach aligns with the feedback received during the community meetings and survey, emphasizing the need to create a space that accommodates multi-generational activities.
- The playground area is indicated in blue and includes a gazebo for shade and a restroom. To protect the restroom from potential floods, the existing 3- to 4-foot-high levee berm will be used for elevation. The restroom serves both the playground visitors and those on the levee path. Although not depicted, some seating areas are proposed along the levee such as a bench or a bench swing, realizing that the views and the star of the show is the Delaware River.
- The parking off Old Battery Lane currently extends out and over where the proposed levee is located and there is an existing gravel parking lot with signage or a trailhead. Concept 1 proposed bringing the parking inside the levee. Other concepts move parking closer to access the peninsula or the fishing point.
- The large red rectangles denote the existing historic structures within the area. While firm plans for utilizing the structures are yet to be decided, they are ensuring that the buildings are included and having some integration in the design. This integration guarantees that if they were to be repurposed as public gathering spaces or storage for recreational amenities, they would still be incorporated in the park layout without cutting off the park amenities.

- Just south of the designated challenge sports area, represented by a gray, amorphous shape, there is the opportunity for a wheeled plaza to cater to the older age group using scooters, inline skates, and skateboards. While the idea of a skate park is still valuable for many of those activities, they are also exploring the possibility of incorporating pump tracks and other facilities for those learning to ride a bike. This concept can be re-evaluated for need.
- Due to their preliminary nature and the wide-scale view, many other aspects that have been discussed with the community and leadership do not appear on the plans. These include considerations such as natural plantings, a detention basin, accommodations for the existing wetlands on the site, which the engineer is currently evaluating under EPA regulations. Additionally, there are other green initiatives being contemplated like the use of permeable surfaces and a sizable parking lot that could be converted into an overflow area to the north, reinforcing it, or alternatively removing it entirely, except during peak usage times. As the project progresses and the layout is finalized, these additional considerations will be incorporated into the final construction plan.

Referring to Concept 1 - Overlay, Ms. Dietrich advised that this first version shows what it could look like if the dog park were removed off site. The dog park, which would be kept within the recreation amenity, would be approximately 1 acre with a .4-acre area for small dogs and a .6-acre area for the large dogs. This version keeps the recreation very close.

Referring to Concept 2, Mr. Howard noted that the main difference with the second version is that the dog park is located to the south with a drive-through destination to connect Old Battery Lane. It is a meandering drive to help slow vehicles down. The larger parking lots are located on the west side with an alignment with pedestrians to get them across Exchange Road, depending on what happens and gets developed in the open lot area to the west. There is access to the main dog park area which is divided into roughly 1 1/2 acres of an acre for the large dog park and a half acre for the small dog park.

Still referring to Concept 2, Mr. Howard and Ms. Dietrich noted the following:

- The amenities to the north are still the two pickleball courts, one tennis court, lawn games such as a permanent bean bag toss game, or more of a tables and chairs type of area where you could play chess or checkers, or bocce. Then the main area, which would be the play space, the initial concepts are steering away from designs that are overly themed toward the history of the site and the military aspect, but more toward the nature-based aspect and asset of the Delaware River and the birding corridors. A nautical theme for the play equipment might be an option moving forward.
- Instead of full court basketball, this plan considers three half-court basketball which would be more casual pickup games and less formal full court basketball play.
- To the northwest either of two options for the challenge/fitness area could be a mix or variety of the Ninja Warrior Challenge course material and outdoor fitness equipment. A variation that would appeal to the teams through the adults and provide play options that are not just limited to a playground and traditional equipment for the younger children. Both the playground and the challenge/fitness areas have been mapped out with standard sizes and they are confident that these shapes and sizes would fit equipment and be adequate to provide a good range of activity for a playground in the larger of the two circles and the fitness challenge idea in the smaller circle.

- The restrooms are shown along the levee with shelters built in and another small shelter area shown to the side with open lawn that could be used very freely for informal gatherings, rented out for community members, or even used for some official programming.
- This concept depicts the idea that parking can cross the levee and provide trail head parking along Old Battery Lane. The design focuses on ensuring the safety of the bike trail and managing the natural features and water protections close to the shoreline. In order to enhance accessibility to fishing point and the trailheads, especially for those with limited mobility, the plan carefully considers two options: one with vehicular access crossing over to the northern area and the other without.
- It was prefaced that the green areas designated as open lawn are viewed at a conceptual macro level and not everything seen in green is going to be turf or lawn. For the levee and other areas, the incorporation of native plants and rain gardens with native plantings are proposed. Heading north toward the Delaware River, consideration is given to decreasing maintenance, increasing biodiversity, decreasing maintenance, and managing water on site by filtering it with native plants.

NEXT MEETING DATE

The next meeting is scheduled for October 24, 2023 at 4:00 p.m.

Chair Edgell requested that an update on the status of brownfield remediation on the campus be provided.

ADJOURNMENT

By unanimous consent, the meeting adjourned at 5:09 p.m.

Exhibits

Exhibit 1 – Land Use Planning Committee Charter

Exhibit 2 – Fort DuPont Conceptual Plan

APPROVED: January 23, 2024



Charter

1. Committee Name: Land Use Planning Committee

2. Purpose and Objectives: The Land Use Planning Committee of the Fort DuPont Redevelopment and Preservation Corporation (FDRPC) is established to make recommendations to the Board of Directors on the overall development and uses of lands on the Fort DuPont Campus. The committee's primary focus is to recommend a conceptual plan for the campus, including periodic updates as needed.

3. Scope: The committee's scope encompasses all the landholdings of the FDRPC.

4. Responsibilities: The Land Use Planning Committee is responsible for:

- Making recommendations to the Board of Directors on the conceptual plan for the Fort DuPont campus.
- Ensuring that all special conditions on Fort DuPont landholdings are known and communicated in the conceptual plan. This includes, but is not limited to, restrictions, protections, easements, and other legal conveyances which otherwise influence the future use of landholdings owned by FDRPC.

5. Authority: The committee is authorized to solicit public input and comments on land use issues through public meetings, online forums, surveys, or other means it may identify.

6. Membership: The committee shall consist of six (6) members, three (3) of whom shall be members of the Board of Directors. Ex officio non-voting members may be added to the committee at the discretion of the Committee Chair.

7. Chairperson: The committee shall be appointed by the Chair of the Board of Directors. The Committee Chair responsibilities include leading committee meetings, setting agendas, and facilitating communication with the Board of Directors.

8. Meeting Frequency and Quorum: The committee shall meet on a quarterly basis beginning in September 2023, but may meet more frequently if needed. A quorum shall consist of four (4) members of the Committee.

11. Review and Amendment: This charter shall be reviewed periodically by the Board of Directors to ensure its relevance and effectiveness. Proposed amendments to the charter shall be submitted to the Board of Directors.

12. Duration: The committee shall remain in operation at the discretion of the Chair of the Board of Directors.

16. Signatures: By signing below, committee members acknowledge their commitment to the responsibilities outlined in this charter.

[Insert space for signatures and date]

This charter is approved by [Name of Approving Authority] on [Date of Approval].



- LEGEND**
- TRAIL HEAD
 - GENERAL PARKING
 - TRAIL HEAD PARKING
 - A** CANAL DISTRICT (RESIDENTIAL)
 - B** OFFICER & ROW (RESIDENTIAL)
 - C** MIXED / COMMERCIAL MIXED USE
 - D** MARINA VILLAGE DISTRICT (MIXED USE)
 - E** TRASHMEN DISTRICT
 - F** QUARTER MASTER DISTRICT (RESIDENTIAL & RECREATION)
 - G** BATTERY ROW DISTRICT
 - H** REEVES FARM DISTRICT (PUBLIC/PRIVATE SERVICES & MAINTENANCE)
 - I** EXISTING NATIONAL GUARD
 - J** BARRACKS DISTRICT (OFFICES & PROFESSIONAL SERVICES)
 - K** PAVANE GROUNDS
 - L** EXISTING BOAT TRAILER PARKING LOT
 - M** EXISTING PUBLIC BOAT RAMP
 - N** RECREATION AREA
 - O** EXISTING WASTEWATER TREATMENT FACILITY
 - P** REFORESTATION
 - Q** MEADOW
 - R** Tidal Waters / BAW BMP
 - TRAIL OVERLOOK
 - TRAILS / POLYKINETS**
 - EXISTING DELAWARE CITY PROMENADE
 - PROPOSED CANAL DISTRICT PROMENADE
 - PROPOSED INNER / BIKER TRAIL
 - PROPOSED SUPERIOR BOAT SURFACE LOOP TRAILS
 - ASPHALT PAVEMENT
 - STRUCTURES**
 - EXISTING
 - PROPOSED
 - EXISTING NEW CONSTRUCTION



TO FORT DUPONT
 CAMPGROUND
 SEE INSET

MAY 24, 2022

FORT DUPONT REDEVELOPMENT AND PRESERVATION CORPORATION
FINANCE AND AUDIT COMMITTEE

The FDRPC Finance and Audit Committee meeting was held on December 11, 2023, 2023 at 4:04 p.m. via Zoom with the anchor location at the FDRPC Office at 260 Old Elm Avenue, Delaware City, Delaware, with Chair Michael Graci presiding.

BOARD MEMBERS PRESENT

Mr. Michael Graci- Chair
Mr. Bert Scoglietti (FDRPC Treasurer)
Mr. Tim Diliplane

BOARD MEMBERS ABSENT

Dr. Courtney Stewart (Office of Management and Budget)
Ms. Ruth Ann Miller (Controller General of the State of Delaware) connection issues

STAFF MEMBERS PRESENT

Janice Moturi- Deputy Director
Tim Slavin- Executive Director

OTHERS PRESENT

Members of the public: Roberta DeLeo

APPROVAL OF MINUTES – FDRPC FINANCE AND AUDIT COMMITTEE MEETING OF November 13, 2023

Tim Moved for approval of the FDRPC Finance and Audit Committee meeting minutes of November 13, 2023. The motion was seconded and unanimously carried. Bert Abstained from voting.

NEW BUSINESS

1. Monthly Financial report- November
 - o State appropriation/Sales/other revenues
 - o Upcoming Large expenditures
 - o Cash flow
 - o Balances
2. Capital projects update
3. Audit update
4. Budget adjustments
5. Financings/Refinancing's
6. Friends group
7. Investment Accounts

OLD BUSINESS

- 1) Internal audit of utilities
 - a) Reconciliation of past due balances-
 - b) Tenants were given 60 days to bring accounts up to date. Due by 1/1/24.
 - c) Formal notices to tenants on delinquencies sent out.
 - Collections notices sent- responses incoming.
 - d) Collections based of last year audit.
 - Second Notice to be sent out in January
 - e) Future revenue sources
 - a. Officers row- one lot up for sale
- 2) Monthly Financial report- October
 - o Upcoming Large expenditures
 - o Cash flow
 - o Balances
- 3) Capital Projects updates
 - a) The chapel- fixing the doors (Noting that state funding for this project hasn't been fulfilled yet.)
 - b) The PX building -Originally scheduled for FY 25, but there is interest in its use.
 - Doors and windows will preserve the building further
 - Floors (may be something we need to go over pricing) based of if there is interest on the building
 - Monetize real estate-In summary, the outlined components of the real estate monetization plan cover key aspects such as subdivision costs, utility expenses, permitting, financing, and the choice between rental and selling.

RECESS INTO EXECUTIVE SESSION - None

No recess.

RECONVENE

Motion: To come out of executive session

Made by Mr. Diliplane and seconded by Mr. Scogletti

POTENTIAL ACTION TO BE VOTED UPON FROM EXECUTIVE SESSIONES

none

NEXT MEETING DATE

The next meeting is scheduled for January 22, 2023, at 4:00 p.m.

ADJOURNMENT

Motion: to adjourn

Made by Mr. Scogletti and seconded by Mr. Diliplane

Meeting adjourned at 5:01 p.m.

APPROVED: January 22, 2023

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