

Town of Milton
115 Federal St
Milton, DE 19968



www.milton.delaware.gov
Phone: 302-684-4110
Fax: 302-684-8999

RESOLUTION 2021-008

A RESOLUTION TO REQUEST AN AMENDMENT OF THE CHARTER OF THE TOWN OF MILTON RELATING TO MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS

WHEREAS, the Mayor and Town Council wishes to amend the Charter of The Town of Milton to authorize the Mayor and the Town Council to: (i) exercise the powers given other municipalities as set out in the Municipal Tax Increment Financing Act and the Special Development District Act, (ii) enter into certain contracts without competitive bidding in connection with municipal tax increment financing and special development districts, (iii) collect special ad valorem taxes and special taxes related to the municipal development districts, and (iv) levy special ad valorem taxes, special taxes, and ad valorem taxes in amounts it deems necessary for any municipal tax increment financing and any municipal development districts; and

WHEREAS, to accomplish the above, amendments to Sections 14, 27, 29, and 33 of the Charter have been proposed; and

WHEREAS, on March 23, 2021, the Mayor and Town Council passed Resolution 2021-007, a resolution requesting an amendment of the Charter of the Town of Milton relating to annexation, election registration, enumeration of powers, and referenda; and

WHEREAS, the amendments requested by Resolution 2021-007 have not yet been introduced as a Bill to the General Assembly;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Milton that proposed amendments to Sections 14, 27, 29, and 33 of the Charter of the Town of Milton be requested for passage by the Delaware State Legislature, with additions shown by underline and deletions shown by strike through on the draft Bill attached hereto as Exhibit A and incorporated by reference.

BE IT FURTHER RESOLVED, that the Mayor and Town Council requests that the proposed amendments to Sections 14, 27, 29, and 33 of the Charter be combined with the amendments requested pursuant to Resolution 2021-007, so that there is one draft Bill introduced at the Delaware State Legislature, if such combination is acceptable to the Town's State Senator and Representative, with said combination being reflected in the draft Bill attached hereto as Exhibit B and incorporated by reference.

BE IT FURTHER RESOLVED, that the Town Manager is authorized to forward the original Resolution or a copy thereof, along with the draft Bill for introduction and whatever documentation may be required for the Town's State Senator and Representative, with a request to introduce said Bill to the General Assembly at the soonest possible time in the current Legislative session.

BE IT FURTHER RESOLVED, that the Town Manager or designee is authorized and directed to assist and facilitate the Bill's consideration by the Delaware State Legislature.

SYNOPSIS

The Resolution requests that the Delaware State Legislature amend the Town's Charter relating to authority for municipal tax increment financing and special development districts. The Delaware Code, in Chapters 17 and 18 of Title 22, provides for municipal tax increment financing and special development districts for municipalities with populations in excess of 35,000 people; however, the Legislature has subsequently provided the same authority to other municipalities, including Bridgeville, Georgetown, Laurel, Lewes, Milford, Millsboro, Millville, Seaford, and Smyrna. The Resolution also requests that these proposed amendments to the Charter be combined with the previously requested amendments regarding annexation, election registration, the Town's potable water system, and referenda.

I, THE UNDERSIGNED, Secretary of the Town Council of the Town of Milton, do hereby certify that the above resolution was passed at the meeting of the Town Council, duly called and convened, held on the ____ day of April, 2021, at which a quorum was present and voting throughout and that same is still in full force and effect.

THE TOWN OF MILTON

BY: _____
SECRETARY OF TOWN COUNCIL