

Resolution 2018-10

A Resolution Approving a Memorandum of Understanding From The Trustees of The New Castle Common That Obligates The Trust to Undertake Repayment of a Loan Obtained by The City of New Castle

WHEREAS, The Trustees of the New Castle Common, (TNCC), have provided the City of New Castle (the City) with a Memorandum of Understanding (MOU) stating terms for which TNCC will repay a capital expenditures loan to be secured by the City; and

WHEREAS, the terms of the MOU state as follows:

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is made and entered into on this the **10th Day of April 2018** between **TRUSTEES OF THE NEW CASTLE COMMON (TNCC), 201 Delaware Street, New Castle, Delaware 19720** and **CITY OF NEW CASTLE (CITY), 220 Delaware Street, New Castle, Delaware 19720**

WHEREAS, TNCC, a Delaware 501(c)(3) Corporation, and the Board of Trustees have certain assets in ownership and under their sole management and control; and

WHEREAS, CITY, a Delaware Municipal Corporation, is responsible for delivering City services and infrastructure improvements within the municipal boundary.

The parties enter into this Memorandum of Understanding for TNCC to provide certain funding for infrastructure improvements to be undertaken by CITY.

1. CITY will establish a loan, from a regulated state or federal lending institution, for funding that shall be used only for infrastructure improvements within the municipal boundary. TNCC Finance Committee shall review the loan prior to the loan execution.
2. On March 19, 2018, the Board of Trustees voted in the affirmative to award a grant that shall pay the amount of the principal and interest payments of said loan, with limits up to \$56,250 per quarter for up to 40 consecutive quarters beginning in October 2018. TNCC agrees to make such payments upon timely presentation of invoices from the CITY with a copy of the invoice from the lender.
3. CITY shall establish said loan within 90 days of the date of execution of this MOU and begin the infrastructure construction within 120 days of the date of execution of this MOU.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council of the City of New Castle, hereby agrees with the terms offered by the TNCC in the MOU and in reliance thereon will proceed to take such steps as are necessary to apply for infrastructure improvement financing consistent with the terms of TNCC's grant as described above.

Passed this 10th day of April, 2018

Linda Ratchford, City Council President

John A. Di Mondì, Councilperson

Valarie W. Leary, Councilperson

Michael M. Platt, Councilperson

Michael J. Quaranta, Councilperson

Attest:

Brian G. Whitaker, City Clerk