

THE WILMINGTON ETHICS COMMISSION

IN THE MATTER OF ZANTHIA OLIVER

CASE NO. 2022-01

Public Reprimand

On or about April 5, 2023, James H. McMackin, III, Esq. Special Counsel to the Wilmington Ethics Commission, and Respondent Council Member Zanthia Oliver (“Ms. Oliver”), represented by James P. Hall, presented to the Wilmington Ethics Commission (the “Commission”) for its approval an Agreed Disposition to publicly reprimand s. Oliver for her admitted violation of Section 2-340(a)(1) and (f)(2) of the Wilmington City Code.

Whereby, on April 18, 2023, at its regularly scheduled public meeting, the Commission approved the Agreed Disposition.

WHEREFORE, the Wilmington Ethics Commission hereby issues the following Public Reprimand of Council Member Zanthia Oliver for her violation of Section 2-340(a)(1) and (f)(2) of the Wilmington City Code.

Procedural Background

A City of Wilmington (“City”) resident provided the Commission a notarized Complaint (“Complaint”) on April 14, 2022, alleging a violation of City ethics requirements by Ms. Oliver. The Commission on May 10, 2022, voted to refer the matter to the City Solicitor for investigation. Pursuant to the codified Code of Conduct and the Rules of the Wilmington Ethics Commission (the “Commission Rules”), the Solicitor appointed James H. McMackin, III, Esq. as its Special Counsel to investigate the matter. He provided the Commission a Statement of Alleged Violation on February 23, 2023. On February 28, 2023, the Commission considered the Statement of Alleged Violation and voted to proceed with the matter. On or about April 5, 2023, the parties agreed to an Agreed Disposition and submitted it to the Commission. The Commission approved the Agreed Disposition on April 18, 2023.

Findings of Fact

The City’s Community Development and Urban Planning (“CDUP”) Committee met on May 14, 2020. An exhibit to the May 14, 2020 CDUP meeting was a 196-page resolution that identified the beneficiaries of the City’s grants

awarded as part of the City’s fiscal 2021 action plan, to be filed with the U.S. Department of Housing and Urban Development for Fiscal Years 2020-2024 (“Action Plan”). Of this, Our Youth, Inc. was awarded \$200,000.00. Ms. Oliver was present at the CDUP meeting on May 14, 2020. Ms. Oliver was aware at that time that Our Youth, Inc. was intended to be a beneficiary of the Action Plan. On May 28, 2020, City Council authorized legislation approving the Action Plan. Ms. Oliver voted to approve the Action Plan, despite knowing that Our Youth, Inc. was an intended beneficiary of funds pursuant to the Action Plan. Ms. Oliver’s close relative within the meaning of City Code operated Our Youth, Inc. as of 2020.

Nature of Misconduct

Oliver admits that the above stipulated conduct by her constitutes a violation of Section 2-340(a)(1) and (f)(2) of the Wilmington City Code. The former provides, “No ... elected official ... may participate on behalf of the city in the review or disposition of any matter pending before the city in which he or she has a personal or private interest.” The latter provides, “No elected official shall vote for ... legislation affecting any subject matter in which he or she has a personal or private interest. Any such interest shall be disclosed by said elected officer prior to a vote on any such legislation, and elected official shall vote “present” when called upon to vote.”

Public Reprimand

Accordingly, having approved the Agreed Disposition, it is the decision of the Wilmington Ethics Commission to impose a Public Reprimand of Council Member Zanthia Oliver, and Ms. Oliver is hereby reprimanded.

IT IS SO ORDERED BY THE COMMISSION AS A WHOLE on this

18th day of April 2023.

/s/ Faith Meisinger-Petit
Faith Meisinger-Petit
Chair