

## **ETHICS COMMISSION WAIVER**

**WHEREAS**, pursuant to Wilm.C. § 2-340(c), no city employee or his or her private enterprise shall benefit from or be interested in any contract with the City, nor solicit any contract and shall not enter into any contract with the City; and

**WHEREAS**, pursuant to Wilm.C. § 2-342(a), the Ethics Commission may grant a waiver of the specific prohibitions contained in the City's Code of Conduct upon determining that the literal application of such prohibitions is not necessary to achieve the public purposes set forth in Wilm.C. § 2-339 and would result in the employee suffering an undue hardship; and

**WHEREAS**, the Ethics Commission met at its regular meeting of September 15, 2020, to consider the waiver request of Gerald Wilmore a City employee, who has requested to schedule the gym at the William "Hicks" Anderson Community Center for All City Classic 302; and

**WHEREAS**, Mr. Wilmore founded All City Classic 302, which has its non-profit status pending, to offer an over 35 years old basketball league, promote community, and support youth in Wilmington through free basketball clinics and book, food, and clothing drives; and

**WHEREAS**, Mr. Wilmore is a volunteer for All City Classic 302; and

**WHEREAS**, upon reviewing the request and information provided by Kevin Kelley, Director of Parks and Recreation, the Ethics Commission found a literal application of Wilm.C. § 2-340(c) is not necessary to achieve the public purposes set forth in Wilm.C. § 2-339 and would result in Mr. Wilmore and All City Classic 302 suffering an undue hardship; and

**NOW, THEREFORE, BE IT APPROVED** (by a majority of the members of the Ethics Commission who met at the duly convened meeting of September 15, 2020), that Mr. Wilmore's request for a waiver of the literal application of the prohibitions of Wilm.C. § 2-340(c) is

**HEREBY GRANTED** for the limited purpose of scheduling the gym at Williams “Hicks” Anderson Community Center and entering into related agreements. In negotiating such agreements, Mr. Wilmore may not do so with any subordinates and All City Classic 302 should be offered market terms no better than those received by similarly situated organizations by the Department of Parks and Recreation.

A handwritten signature in blue ink, appearing to read "W.D. Johnston". The signature is fluid and cursive, with a large loop at the end.

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William D. Johnston, Esquire  
City of Wilmington Ethics Commission Chair