



**SALISBURY CITY COUNCIL
WORK SESSION AGENDA**

**JULY 6, 2020
ZOOM MEETING**

- 4:30 p.m. Resolution accepting donation of masks for Salisbury Police Department- Police Chief Barbara Duncan
- 4:35 p.m. Resolution accepting donation of gym flooring for Salisbury Police Department- Officer Barry Tucker
- 4:40 p.m. EDU Incentive Area discussion- Department of Infrastructure & Development Director Amanda Pollack
- 5:00 p.m. Stonegate speed limit- Council discussion
- 5:20 p.m. Ordinance accepting donated match funds for Port Feasibility Study- Grants Manager Deborah Stam
- 5:25 p.m. Council discussion
- 5:30 p.m. Adjournment
- 5:30 p.m. **SPECIAL MEETING – Separate Agenda**

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 3-305(b).*

Join Zoom Meeting
<https://us02web.zoom.us/j/84247981324>
Meeting ID: 842 4798 1324
One tap mobile
+19292056099,,84247981324# US (New York)
+13017158592,,84247981324# US (Germantown)
+13126266799,,84247981324# US (Chicago)



City of
Salisbury
Jacob R. Day, Mayor

June 8, 2020

TO: Julia Glanz
FROM: Chief Barbara Duncan
SUBJECT: Resolution – Donation of Mask

Attached, please find a Resolution to authorize the Salisbury Police Department to accept a donation of 100 face masks Route One Apparel. These mask will be given to members of the Salisbury police Department.

Unless you or the Mayor has further questions, please forward this Resolution to the City Council.



Barbara Duncan
Chief of Police

1 RESOLUTION No. _____
2
3

4 A RESOLUTION OF THE CITY OF SALISBURY TO ACCEPT A DONATION OF
5 ONE HUNDRED MASKS FROM ROUTE ONE APPAREL FOR THE SALISBURY POLICE
6 DEPARTMENT.
7

8 WHEREAS, Route One Apparel has donated 100 face masks further described as 50 masks
9 depicting the Maryland Flag Emblem and 50 face masks depicting the Old Bay food seasoning
10 emblem; and
11

12 WHEREAS, these masks are valued at approximately \$10.00 each for a total of \$1,000.00;
13 and
14

15 WHEREAS, the Maryland Flag emblem masks have been authorized to be worn by
16 Salisbury Police Department employees while on duty; and
17

18 WHEREAS, these masks are not approved for protection against COVID-19, and the
19 wearer will still need to take pre-established safety measures i.e. Social distancing, handwashing,
20 etc., to protect themselves against COVID-19.
21

22 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
23 SALISBURY, MARYLAND that the donation of 100 protective mask having a value of
24 approximately \$1,000.00 is hereby accepted on behalf of Salisbury Police Department.
25

26 THIS RESOLUTION was duly introduced, read, and passed at a meeting of the Council
27 of the City of Salisbury held on _____, 2020, and is to become effective
28 immediately upon adoption.
29

30
31 ATTEST:
32

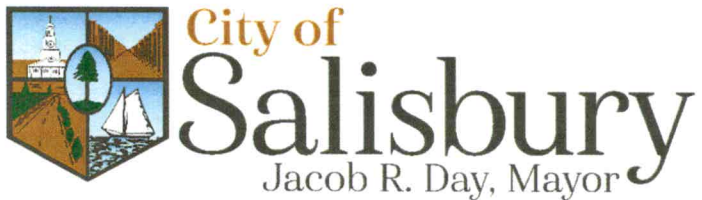
33 _____
34 Kimberly R. Nichols, City Clerk
35

John R. Heath, President
Salisbury City Council
36
37

38 APPROVED BY ME THIS:
39

40 _____ day of _____, 2020
41

42 _____
43 Julia Glanz, City Administrator
44



June 3, 2020

TO: Julia Glanz
FROM: Chief Barbara Duncan
SUBJECT: Resolution – Donation

Attached, please find a Resolution to authorize the Salisbury Police Department to accept a donation of 200 square feet of gym flooring. This flooring will be used in the Salisbury Police Department's Physical Fitness room.

Unless you or the Mayor has further questions, please forward this Resolution to the City Council.

A handwritten signature in black ink, appearing to read "Barbara Duncan", written in a cursive style.

Barbara Duncan
Chief of Police

1 RESOLUTION No. _____

2
3 A RESOLUTION OF THE CITY OF SALISBURY TO ACCEPT A DONATION OF
4 GYM FLOORING FROM B & E FABRICATION, INC FOR THE SALISBURY POLICE
5 DEPARTMENT'S PHYSICAL FITNESS ROOM.
6

7 WHEREAS, the donated gym flooring is further described as 200 feet of gym flooring to
8 be utilized in Salisbury Police Department's Physical Fitness Room; and
9

10 WHEREAS, officers of the Salisbury Police Department need to be physically fit to
11 perform optimally in the line of duty; and
12

13 WHEREAS, the majority of Salisbury Police Officers exercise regularly to maintain their
14 physical fitness.
15

16 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
17 SALISBURY, MARYLAND that the donation of gym flooring having a value of approximately
18 \$500.00 is hereby accepted from B & E Fabrication, Inc., on behalf of Salisbury Police
19 Department.
20

21 THIS RESOLUTION was duly introduced, read and passed at a meeting of the Council of
22 the City of Salisbury held on _____, 2020, and is to become effective
23 immediately upon adoption.
24

25
26 ATTEST:
27

28 _____
29 Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

30
31
32
33 APPROVED BY ME THIS:

34 _____ day of _____, 2020
35
36

37
38 _____
39 Julia Glanz, City Administrator
40



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: June 23, 2020
Re: Comprehensive Connection Charges

AP

Ordinance No. 2258 was adopted on September 23, 2013 and provided for Code Section 13.04.110, which is an EDU Incentive Area to reduce the capacity fees for eligible development and redevelopment in the Downtown Development District, the Central Business District, the Riverfront Redevelopment Area and the Enterprise Zone. The Ordinance provided for a bank of 300 EDUs. The EDU Incentive Area was established for a period of five years which would have expired on September 23, 2018. Resolution No. 2864 extended the EDU Incentive Area for another five years, which will expire on September 23, 2023. To date, 271.54 EDUs have been allocated through this incentive program. The list of resolutions and waivers is attached as Exhibit A. Currently, only 28.46 EDUs are available through this program.

There are considerations to modify the overall comprehensive connection charge code including this incentive program. Since that effort will take months to complete, it is appropriate to discuss the downtown incentive area program and if a short term code change should be made to allow for additional EDUs. To change the incentive area program in the code, an ordinance is required. Since the original legislation included an EDU bank, there should be discussion as to whether the bank should be eliminated and replaced with specific criteria. This would follow the precedence of the affordable housing waiver, which does not have a cap on EDUs and provides for specific criteria for eligibility.

Regarding the status of developments in the downtown area:

- Projects in the planning or design stage that have received waivers include: The Ross, Lot 16/Beer Garden, 500 Riverside and the Powell Building.
- Project located in the downtown districts that are in the planning stage and have not applied for EDU waivers include: Lot 1, Lot 10, Lot 30 and the Marina redevelopment. Lot 1 is projected to include 197 residential units and 10,000 sf of commercial space. The Marina is projected to include 56 residential units, a boathouse and 22,900 sf of commercial space. Developers for Lots 10 and 30 have not submitted concept plans at this time, so the number of EDUs is not known.

Please note that Capacity fees are typically paid for when the water meters are set during the construction phase. Although none of these projects are close to starting construction, receiving a waiver in the design phase helps with project financing since there is a financial commitment from the City to support the project through a fee waiver. Therefore, we expect to see requests from all of these developments as they progress through design.

Attached is Exhibit B which is the text from the current code and lists the requirements for eligibility for the existing program. This is a good starting point for a discussion for new eligibility criteria.

Unless you have further questions, please forward a copy of the memo to the City Council.



Exhibit A: EDU Incentive Area waivers granted to date

Resolution	Res Date	Project	EDU's	Waiver Amount	Expiration Date
2388	4/14/2014	100 North Division Street	6	\$ 21,198.00	complete
2465	12/11/2014	Headquarters Live	5	\$ 17,665.00	complete
2536	8/27/2015	Pohanka (West Gordy Rd/Windsor Dr)	4.8	\$ 16,958.40	complete
2602	3/17/2016	Riverview Commons	5	\$ 17,665.00	complete
2865	8/27/2018	500 Riverside Drive	63	\$ 222,579.00	8/26/2020
2883	11/13/2018	132 E. Main Street (The Ross)	25.66	\$ 90,656.78	11/12/2020
2924	3/11/2019	130 E. Main Street (The Ross)	31.18	\$ 110,158.94	3/10/2021
2925	3/11/2019	100 E. Main Street, Suite 111	14	\$ 49,462.00	complete
2948	5/28/2019	206 E. Market Street (Lot 16 apartments)	37	\$ 130,721.00	5/27/2021
2984	12/9/2019	218 West Main Street (Powell Building)	22	\$ 77,726.00	12/8/2021
2988	1/13/2020	144 E. Main Street (The Ross/Chamber)	35	\$ 123,655.00	1/12/2022
3000	2/10/2020	123 Bateman Street	3.9	\$ 13,778.70	2/9/2022
3042	6/22/2020	206 E. Market Street (Lot 16 apartments and Beer Garden)	19	\$ 67,146.00	6/22/2022
		Total Used to date	271.54	\$ 959,369.82	
		Total Remaining	28.46		



Exhibit B: Existing Code

13.04.110 - EDU Incentive Area.

A. An equivalent dwelling unit (EDU) incentive area is established for a period of five years from the date of final passage of the ordinance. The incentive shall be reevaluated prior to the end of the five-year period. Three hundred (300) EDUs are hereby reallocated from the former Linens of the Week property for use in the EDU incentive area.

B. A developer may submit written documentation to the Director of Infrastructure and Development to establish eligibility for a project within the EDU incentive area if the project meets all of the following criteria:

1. The project location is within one or more of the following areas: Central Business Zoning District; Riverfront Redevelopment Zoning District #1; Riverfront Redevelopment Zoning District #2; Enterprise Zone.
2. The project within an above referenced downtown zoning district constitutes new development or revitalization of an existing building; or a project outside a referenced district but within an enterprise zone which constitutes revitalization of an existing building.
3. The project does not receive a capacity fee waiver for public sponsored or affordable housing.
4. The project complies, or will comply, with all applicable zoning and building code criteria, as confirmed by the Director of Infrastructure and Development.
5. The project complies, or will comply, with all requirements of the Salisbury Historic District Commission, if applicable, as confirmed by the Director of the Housing and Community Development Department.
6. The project is consistent with the adopted comprehensive plan of the city, as confirmed by the City Planner.
7. The project is consistent with the city sustainable community plan, on file with the Maryland Department of Housing and Community Development (DHCD), as confirmed by the director of community development. Particular attention is to be given to the following action plan elements: Supporting existing communities and reducing environmental impacts: Valuing communities and neighborhoods — building upon assets creating and/or enhancing amenities: Enhancing economic competitiveness.
8. The project is consistent with one or more of the following benchmark objectives of a plan for transformation (2012): Increase the number of permanent, living wage jobs in the city; increase the number of downtown housing units and the associated resident population; increase the amount of commercial square footage in the city; effectively remove twenty-five (25) percent of the impervious surface area in the downtown area without reducing existing building footprints.

Finance Department / HCDD

MEMO

To: Keith Cordrey

From: Deborah Stam

**Subject: Ordinance – Budget Amendment – Acceptance / Appropriation
of Donated Funds for the Salisbury Port Feasibility Study**

Date: June 26, 2020

In 2019 the City of Salisbury was awarded grant funds in the amount of \$37,500 from the U.S. Department of Commerce – Economic Development Administration (EDA) for the Salisbury Port Feasibility Study. The City was required to provide matching funds for the project in an amount equal to the grant, for a total project budget of \$75,000.

Two local businesses who are interested in having a port located in Salisbury and are supportive of the Port Feasibility Study project wish to assist the City in this endeavor by providing a portion of the required matching funds. They have provided donations to the project as follows:

- Vane Brothers Companies has provided a donation in the amount of \$1,000
- Chesapeake Shipbuilding Corporation has provided a donation in the amount of \$3,000

Attached is a copy of the award letter for the EDA grant, and a copy of the Special Award Conditions which includes the scope of work, performance measures, and the project budget.

Also attached is an Ordinance approving a budget amendment of the grant fund to appropriate the donated funds that have been awarded for this project.

Please forward this information to the City Council to be placed on their agenda for discussion at the July 6, 2020 work session, first reading at the July 6, 2020 Special Meeting, and second reading / final passage at the July 13, 2020 legislative meeting. Thank you for your assistance.



Deborah J. Stam
Grants Manager
Finance Department / HCDD

Attachments

CC: Olga Butar
Kim Nichols
Diane Carter
Kristine Devine
Laura Soper
Amanda Pollack



UNITED STATES DEPARTMENT OF
COMMERCE
Economic Development Administration
Robert N.C. Nix Sr. Federal Building and U.S.
Courthouse, Room 602
900 Market Street

In reply refer to:
Investment No.: 01-69-14848

DEC 11 3 2005

Mr. Thelonious Williams
Housing and Homelessness Manager
City of Salisbury
125 N Division Street
Salisbury, Maryland 21801-5030

Dear Mr. Williams:

I am pleased to inform you that the Department of Commerce's Economic Development Administration (EDA) has approved your application for a \$37,500 investment for assistance to the City of Salisbury to support the "Salisbury Port Feasibility Study". The total project cost is estimated to be \$75,000 and is funded under EDA's Public Works Program of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C 3121 et seq.).

Enclosed are three signed copies of the Financial Assistance Award. Your agreement to the terms and conditions of the award should be indicated by the signature of your principal official on each of the signed copies of the Financial Assistance Award. Two of the executed copies should be returned to Linda Cruz-Carnall, Regional Director, U.S. Department of Commerce, Economic Development Administration, Philadelphia Regional Office, Robert Nix Building, 900 Market Street, Room 602, Philadelphia, Pennsylvania, 19107. If not signed and returned within 30 days of receipt, EDA may declare the Award null and void. Please do not make any commitments in reliance on this award until you have carefully reviewed and accepted the terms and conditions. Any commitments entered into prior to obtaining the approval of EDA in accordance with its regulations and requirements will be at your own risk.

EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. EDA implements this mission by making strategic investments in the nation's most economically distressed communities that encourage private sector collaboration and creation of higher-skill, higher wage jobs. EDA investments are results driven, embracing the principles of technological innovation, entrepreneurship and regional development.




Page 2 of 2

EDA Investment No.: 01-69-14848

I share your expectations regarding the impact of this investment and look forward to working with you to meet the economic development needs of your community.

Sincerely,



Linda Cruz-Carnall

Regional Director

Enclosures: Form CD-450 Financial Assistance Award (3)
Department of Commerce Financial Assistance Standard Terms and Conditions
EDA Specific Award Conditions

SPECIAL AWARD CONDITIONS
U.S. DEPARTMENT OF COMMERCE
Economic Development Administration (EDA)

NON-CONSTRUCTION PROJECTS: Public Works and Economic Adjustment Assistance Programs under Sections 201 and 209 of the Public Works and Economic Development Act, as amended, 42 U.S.C. §§ 3141 and 3149

Public Works and Economic Adjustment Assistance Programs

Project Title: Salisbury Port Feasibility Study	
Recipient Name: City of Salisbury	Project Number: 01-69-14848

1. This EDA Award supports the work described in the approved final scope of work, which is incorporated by reference into this Award, as the *Authorized Scope of Work*. All work on this project must be consistent with the *Authorized Scope of Work*, unless the Grants Officer has authorized a modification of the scope of work in writing through an amendment memorialized by a fully executed Form CD-451.

The *Authorized Scope of Work* for this project includes: see Exhibit 1

2. The Recipient Contact's name, title, address, and telephone number are:

Mr. Thelonious Williams Housing and Homelessness Manager Phone: 410.341.9550 Email: twilliams@salisbury.md	City of Salisbury 125 N Division Street Salisbury, Maryland 21801-5030
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3. The Grants Officer is authorized to award, amend, suspend, and terminate financial assistance awards. The Grants Officer is:

Linda Cruz-Carnall Regional Director Phone: (215) 597-4603	Economic Development Administration Philadelphia Regional Office Robert N.C. Nix Federal Building 900 Market Street, Room 602 Philadelphia, PA 19107
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4. The Federal Program Officer (Area Director) oversees the programmatic aspects of this Award. The Federal Program Officer is:

Marguerite McGinely Area Director Phone: (215) 597-8822 Email: mmcginely@eda.gov	Economic Development Administration Philadelphia Regional Office Robert N.C. Nix Federal Building 900 Market Street, Room 602 Philadelphia, PA 19107
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5. The EDA Project Officer is responsible for day-to-day administration and liaison with the Recipient and receives all reports and payment requests. The Project Officer is:

Alma Plummer Economic Development Representative Phone: (215) 597-7538 Email: aplummerge@eda.gov	Economic Development Administration Philadelphia Regional Office Robert N.C. Nix Federal Building 900 Market Street, Room 602 Philadelphia, PA 19107
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6. **ADDITIONAL INCLUDED DOCUMENTS:** In addition to the regulations, documents, or authorities incorporated by reference on the *Financial Assistance Award* (Form CD-450), the following additional documents are hereby incorporated by reference into this Award:

- Authorized Scope of Work (Exhibit 1)
- Authorized Staffing Plan (Exhibit 2)
- Authorized Performance Measures (Exhibit 3)
- Instructions on How to Enroll in the Automated Standard Application for Payments (ASAP) System (Exhibit 4)

Should there be a discrepancy among these documents, the Special Award Conditions (this document), including any attachments, shall control.

7. **PROJECT DEVELOPMENT TIME SCHEDULE:** The Recipient agrees to the following Project Development Time Schedule:

Return of Executed Financial Assistance Award.....	due no later than 30 calendar days after receipt of Form CD-450
Submission of Final Project Progress Report.....	25 Months from Date of Award
Authorized Award End Date.....	24 Months from Date of Award
Submission of Final Financial Documents (SF-425)..	Due no later than 90 calendar days from Award End Date

Project Closeout – All project closeout documents, including final financial reports (Form SF-425 or any successor form) and any required program reports, shall be submitted to EDA not more than 90 calendar days after the date the Recipient accepts the completed project from the contractor(s).

The Recipient shall diligently pursue the development of the project so as to ensure completion within this time schedule and shall promptly notify EDA in writing of any event that could substantially delay meeting any of the prescribed time limits for the project as set forth above. The Recipient further acknowledges that failure to meet the development time schedule may result in EDA taking action to terminate the Award in accordance with the regulations set forth at 2 C.F.R. §§ 200.338–200.342, as applicable.

8. PROJECT REPORTING AND FINANCIAL DISBURSEMENTS INSTRUCTIONS:

- a. **AWARD DISBURSEMENTS: Reimbursement basis only.** EDA will make disbursements under this Award on a reimbursement basis only, based on actual costs incurred. EDA will make Award payments using the Department of Treasury's Automated Standard Application for Payments (ASAP) system. The Recipient is required to furnish documentation as required by ASAP including but not limited to Recipient and Requestor Identification Numbers. Complete information concerning the ASAP system may be obtained by visiting www.fms.treas.gov/asap.

In order to receive payments, Recipients must submit a Form SF-270 "Request for Reimbursement" for the applicable period electronically to the Project Officer, who will review and process the request.

Please note that prior to the initial disbursement, the Recipient must complete the attached Form SF-3881 (or any successor form) "ACH Vendor/Miscellaneous Payment Enrollment Form" and submit it to NOAA's Accounting Office by FAX at (301) 528-3675. (FAX is required to secure confidentiality of sensitive information.) The form must be completed by the respective parties (EDA, Recipient Bank, and Recipient) at the start of each new award.

b. REPORTS:

- a. Project Progress Reports: The Recipient shall submit project progress reports to the Project Officer on a quarterly basis for the periods ending **March 31, June 30, September 30, and December 31**, or any portion thereof, until the final disbursement is made by EDA. Reports should be submitted using the approved EDA template, which will be provided by the Project Officer and discussed during the project kick-off meeting. Reports are due no later than 1 month following the end of the quarterly period.

Performance Progress Reports should be submitted to EDA in an electronic format no later than the dates outlined above in a concise, clear format, which outlines the following information in no more than 3-6 pages in length:

- i. Provide a clear, concise overview of the activities undertaken during the Project Period;
- ii. Document accomplishments, benefits, and impacts that the Project and Activities are having. Recipients should note specific outcomes where activities have led to job creation/retention, private investment, increased regional collaboration, engagement with historically excluded groups or regions, enhanced regional capacity, and other positive economic benefits;
- iii. Highlight any upcoming or potential press events or opportunities for collaborative press events to highlight benefits of the EDA investment;
- iv. Compare progress with the project timeline, explaining any departures from the targeted schedule, identifying how these departures are going to be remedied, and projecting the course of work for the next period;
- v. Outline challenges that currently impact or could impact progress on the grant over the next reporting period and identify ways to mitigate this risk; and
- vi. Outline any areas where EDA assistance is needed to support the project or any other key information that would be helpful for your EDA Project Officer to know.

Final Project Reports may be posted on EDA's website, used for promotional materials or policy reviews, or may be otherwise shared. Recipients should not include any copyrighted or other sensitive business information in these reports. There is no specific page limit for Final Project Reports; however, such reports should concisely communicate key project information, and should:

- i. Outline the specific regional need that the project was designed to address and update on progress made during the reporting period that will mitigate need and advance economic development;
 - ii. Provide a high-level overview of the activities undertaken;
 - iii. Detail lessons learned during the project period that may be of assistance to EDA or other communities undertaking similar efforts;
 - iv. Outline the expected and actual economic benefits of the project as the time that the report is written; and
 - v. Any other key information from the relevant project period.
- b. ***Financial Reports:*** The Recipient shall submit a “*Federal Financial Report*” (Form SF-425 or any successor form) on a semi-annual basis for the periods ending **March 31** and **September 30**, or any portion thereof, for the entire project period. Form SF-425 and instructions for completing this form are available at:
<https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>.

A final Form SF-425 must be submitted no more than 90 calendar days after the expiration date of the Award (*i.e.*, the Award End Date specified on the Form CD-450 or a subsequently executed Form CD-451). Final Financial Reports should follow the guidance outlined in the instructions for submitting mid-term financial reports, but should ensure that all fields accurately reflect the total outlays for the entire project period and that all matching funds and program income (if applicable) are fully reported. Determination of the final grant rate and final balances owed to the government will be determined based on the information on the final Form SF-425, so it is imperative that it be submitted in a timely and accurate manner.

9. **ALLOWABLE COSTS AND AUTHORIZED BUDGET:** Total allowable costs will be determined after the final financial documents are submitted in accordance with the applicable authorities specified on the *Financial Assistance Award* (Form CD-450), including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. part 200.

Except as otherwise expressly provided for within these Special Award Conditions, the Federal share of the allowable costs shall be based on the Investment Rate for the Award, as established on the Form CD-450 or any subsequent amendment (Form CD-451). In the event of an underrun in total allowable costs for this project, the Federal share of allowable costs shall be determined by the Investment Rate. The Federal share of total allowable costs shall not exceed the dollar amount specified on the original Award or any subsequent amendments.

Line Item Budget:

- A. Under the terms of the Award, the total approved authorized budget is:

Federal Share (EDA Amount)	\$ 37,500
Non-Federal Matching Share	\$ 37,500
Total Project Cost	\$ 75,000

B. Under the terms of this Award, the total approved line item budget is:

Personnel	\$ 8,891
Fringe Benefits	\$
Equipment	\$
Supplies	\$
Contractual	\$ 66,109
Other	\$
Total Direct Charges	\$
TOTALS	\$ 75,000

10. **MATCHING SHARE:** The Recipient agrees to provide the Recipient's non-Federal Matching Share contribution for eligible project expenses in proportion to the Federal share requested for such project expenses (see 13 C.F.R. § 300.3). By accepting the Award, the Recipient also certifies that the Matching Share of the project costs is committed to the project, is not encumbered in any way that would prevent its use for the project, and will be available as needed for the project.
11. **REFUND CHECKS, INTEREST, OR UNUSED FUNDS:** Treasury has given EDA two options for having payments deposited to EDA's account:
- i. The first is the pay.gov website. This option allows the payee to pay EDA through the internet. The payee will have the option to make a one-time payment or to set up an account to make regular payments.
 - ii. The second is paper check conversion. All checks must include on their face the name of the DOC agency funding the award, the award number, and a description of no more than two words identifying the reason for the check. A copy of the check should be provided to the EDA Project Officer. This option allows the payee to send a check to NOAA's Accounting Office, which processes EDA's accounting functions, at the following address:

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
Finance Office, AOD, EDA Grants
20020 Century Boulevard
Germantown, MD 20874

The accounting staff will scan the checks in to an encrypted file and transfer the file to the Federal Reserve Bank, where the funds will be deposited in EDA's account. While this process will not be an issue with most payees, there are occasionally issues for entities remitting funds to EDA via check. If you are remitting funds to EDA via check, please make note of the following:

- If a check is sent to EDA, it will be converted into an electronic funds transfer by copying the check and using the account information to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will appear on your regular account statement.
- EDA will not return your original check; the original will be destroyed and a copy will be maintained in our office. If the Electronic Funds Transfer (EFT) cannot be processed for technical reasons, the copy will be processed in place of the original check. If the EFT

cannot be completed because of insufficient funds, EDA will charge you a one-time fee of \$25.00, which will be collected by EFT.

12. **PROCUREMENT:** The Recipient agrees that all procurement transactions shall be in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. §§ 200.317–200.326.
13. **STAFFING CHANGES:** In the event of a change in the professional staff positions funded with the EDA grant, the Recipient shall provide the name of the individual selected to fill the position to the Project Officer and a copy of his or her resume within thirty (30) business days of the selection.
14. **NONRELOCATION:** By accepting this Award of financial assistance, the Recipient attests that the EDA-funded project will not be used to induce the relocation or the movement of existing jobs from one Region to another Region by a primary beneficiary of the Award (see 13 C.F.R. § 300.3). In the event that EDA determines that its assistance was used for such purposes, EDA reserves the right to pursue all rights and remedies, including suspension of disbursements, termination of the Award for convenience or cause, and disallowance of any costs attributable, directly or indirectly, to the relocation.

For purposes of ensuring that EDA assistance will not be used for relocation purposes, each applicant must inform EDA of all employers that constitute primary beneficiaries of the project. EDA considers an employer to be a “primary beneficiary” if the applicant estimates that such employer will create or save 100 or more permanent jobs as a result of the investment assistance and specifically names the employer in its application to EDA. In smaller communities, EDA may consider a primary beneficiary to be an employer of 50 or more permanent jobs so identified.

15. **PERFORMANCE MEASURES:** The Recipient agrees to report on program performance measures and program outcomes in such a form and at such intervals as may be prescribed by EDA in compliance with the Government Performance and Results Act (GPRA) of 1993, and the Government Performance and Results Modernization Act of 2010.

Performance measures and reporting requirements that apply to program activities funded by this investment will be provided in a separate GPRA information collection document, if applicable. EDA staff will contact Recipients in writing within a reasonable period prior to the time of submission of the reports with information on how this data should be submitted.

16. **PROHIBITED ACTIVITIES:** It is understood the funds included in Special Award Condition number 9 may not be used for the procurement of food or beverages.
17. **REAFFIRMATION OF APPLICATION:** Recipient acknowledges that Recipient’s application for this Award may have been submitted to the Government and signed by Recipient, or by an authorized representative of Recipient, electronically. Regardless of the means by which Recipient submitted its application to the Government or whether Recipient or an authorized representative of Recipient submitted its application to the Government, the Recipient hereby reaffirms and states that:
 - i. All data in the application and documents submitted with the application are true and correct as of the date the application was submitted and remain true and correct as of the date of this Award;
 - ii. The application was, as of the date of submission and the date of this Award, duly authorized as required by local law by the governing body of the Recipient; and

- iii. Recipient has read, understood, and will comply with all terms of this Award, including the Assurances and Certifications submitted with, or attached to, the application.

The term “application” includes all documentation and any information provided to the Government as part of, and in furtherance to, the request for funding, including submissions made in response to information requested by the Government after submission of the initial application.

18. PARTICIPATION IN CONFERENCES: Participation in a conference(s) is an authorized expense under this Award, as outlined in the approved Scope of Work; however, all conference costs must be reviewed and approved by EDA in writing at least 30 calendar days prior to expenditure. All costs must be allocable, reasonable, allowable, and necessary to support project goals.

19. HOSTING CONFERENCES: Hosting a conference(s) is an authorized expense under this Award, as outlined in the approved Scope of Work; however, all conference costs and key information must be reviewed and approved by EDA in writing at least 30 calendar days prior to expenditure. Recipients should ensure that conferences are organized in a fiscally prudent manner, and that all costs must be allocable, reasonable, allowable, and necessary to support project goals. The use of the DOC or EDA logos on conference materials is expressly prohibited unless authorized in writing by the Grants Officer. Determinations to use the DOC or EDA logo must be made in consultation with the EDA Project Officer, who will secure necessary approvals in accordance with DOC administrative procedures. Recipients should submit requests to use such logos *at a minimum* of 30 calendar days prior to the date such logos are needed for conference purposes.

20. SPECIAL AWARD CONDITION FOR CONFERENCE ADVERTISEMENT SUPPORTED BY GRANTS: *[which by statutory definition means the agency does not have control or substantial involvement in the planning, the agenda or operation of the Conference]*

For the purpose of this Award, a Conference(s) includes conference like activities supported by a Grant, such as roundtables, forums, workshops, etc.

1) In advertising or announcing the Conference the recipient is authorized to:

1. Identify EDA as a “supporter” of the conference.
2. Use the EDA logo, insignia, or name consistent with EDA’s role as a supporter of the conference; provided, however, that at least 20 days prior to such use, the recipient shall provide the following to the EDA Project Officer for review and approval:

- i. A specific description of how and on what specific documents EDA’s logo, insignia, or name, is proposed to be used and details on the location of any symbol denoting EDA compared to the size and proximity of such symbol to the seal, logo, emblem, or banner of other organizations, agencies, businesses, or corporations; and
- ii. A copy of the camera ready art or other visual mock-up that clearly demonstrates where the EDA logo, insignia or name will be placed on visual materials, including electronic media, which shall be representative of the final product that will bear the agency’s logo, insignia or name. The form and color of EDA logo, insignia or name will be consistent with the EDA Branding Style Guide, which will be provided by the EDA Project Officer at time of the Project kick-off meeting. EDA may approve, deny or require changes to the manner or form of the proposed use of EDA’s logo, insignia or name. When acceptable, the Project Officer will approve of the proposed use in writing. Any use of the EDA logo, insignia or name shall be consistent

with the format as approved by EDA and communicated by the Project Officer.

2) In any advertising or announcement of the Conference that is funded from either the EDA grant award or matching funds the recipient is prohibited from:

- A. Characterizing EDA's role as the host, sponsor or partner of the Conference, or any other description implying that the agency is in control of or has substantial involvement in the conference or its agenda, or that the Conference is being undertaken by the recipient principally for the benefit of EDA; and
- B. Using EDA's logo or insignia or in any way connecting EDA with any food, refreshments, travel, or fees provided in connection with the recipient-hosted Conference (this does not preclude the consideration of such expenses by the recipient as allowable costs under the terms of the financial assistance award and applicable OMB cost principals); and
- C. Using the EDA logo or insignia in any manner that, in the opinion of the agency, may be construed as an endorsement or favoritism of the agency or the Department with respect to either the recipient or any other entity or activity associated with the conference (e.g., hotel, conference center, supplier, other business participant, etc.), is in conflict with any trademark right, or otherwise causes embarrassment to the agency or the Department.
- D. Any question regarding description of EDA's role in connection with the Conference shall be promptly referred to the EDA Project Officer in writing as soon as possible, but no less than 45 days prior to the start of the applicable Conference.

EXHIBIT 1

Authorized Scope of Work

The purpose of this study is to assess the economic and physical feasibility of a multi-user port along the Wicomico River with the purpose of increasing the overall import and export tonnage for the Delmarva Peninsula. The proposed scope of work for this study is as follows:

1. Prepare a terrain condition diagram for the area of interest
2. Conduct marine and vehicular traffic counts in the area of interest
3. Conduct a river capacity analysis for existing conditions and proposed development
4. Develop short-, mid-, and long-term recommendations for the study area regarding the proposed facility
5. Develop short-, mid-, and long-term recommendations for surrounding sidewalks, signage, and lighting within the area of study. Where applicable, these recommendations must be ADA compliant
6. Provide approximate cost-estimates (planning level, not engineering cost proposals) to implement the recommendations contained within the first draft of the Plan
7. Analyze the current site to determine feasibility of constructing a multi-user port facility at the area of interest
8. Provide input on how the proposed port and/or river improvements may impact local import tonnage
9. Prepare concept-level plans, design illustrations, and renderings for the facility and other proposed improvements (sidewalks, signage, etc.) for the location
10. Prepare a draft study for the City's Department of Infrastructure and Development (DI&D) to review
11. Present this draft study to DI&D leadership and representatives
12. Revise the draft plan based on comments from City
13. Submit a final study and all necessary files including, but not limited to, resource data, simulations, modeling, plans, illustrations, renderings, tables, and graphics in the native format and PDF version to the City for review
14. The City of Salisbury's Procurement Department will conduct a competitive bid process in order to contract this study. Once the City issues a Notice to Proceed, we expect the project to be completed within nine (9) months.

EXHIBIT 2

Authorized Staffing Plan

POSITION/TITLE	ANNUAL SALARY \$	FEDERAL SHARE \$	GRANTEE SHARE \$	TOTAL \$	Percentage of Time to Project %
Director, Infrastructure & Development	\$102,752	\$0	\$5,137.60	\$5,137.60	5%
Grants Manager	\$71,170	\$0	\$3,558.50	\$3,558.50	5%
Grants Coordinator	\$38,956.06	\$0	\$194.78	\$194.78	.05%
Totals				\$8,891	

EXHIBIT 3

Authorized Performance Measures

The following **Performance Measures** will be monitored and reported (via Semi-Annual, Midpoint and Final Progress Reports) from the Scope of Work. Includes but not limited to the following:

- Leading Metrics:
- Number of public outreach information distribution and coordination
- New public/private regional and state-wide collaborations and partnerships
- Number of sustained, growing or emerging industries targeted
- Number of relative engagements
- Number of companies engaged in the port strategy and policy development
- Universities activities, impact and sustainable programs developed for emerging businesses

- Lagging Metrics:
- Jobs created and retained projections
- Private investment projections

47 BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after the date
48 of its final passage.

49
50 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
51 Salisbury held on the ____ day of July, 2020, and thereafter, a statement of the substance of the
52 Ordinance having been published as required by law, was finally passed by the Council on the
53 ____ day of July, 2020.

54
55 ATTEST:

56
57
58 _____
59 Kimberly R. Nichols
60 City Clerk

John R. Heath, President
Salisbury City Council

61
62
63 APPROVED BY ME THIS:
64
65 _____ day of July, 2020

66
67
68 _____
69 Julia Glanz, City Administrator