



CITY OF SALISBURY CITY COUNCIL AGENDA

JANUARY 11, 2021

6:00 p.m.

ZOOM MEETING

Times shown for agenda items are estimates only.

- 6:00 p.m. CALL TO ORDER
- 6:01 p.m. WELCOME/ANNOUNCEMENTS
- 6:02 p.m. SILENT MEDITATION
- 6:03 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:04 p.m. CONSENT AGENDA - City Clerk Kimberly Nichols
- November 16, 2020 Work Session Minutes
 - November 23, 2020 Council Meeting Minutes
 - December 7, 2020 Work Session Minutes
 - December 7, 2020 Special Meeting Minutes
 - December 14, 2020 Council Meeting Minutes
 - **Resolution No. 3084**- approving the reappointment of Bryan Raygor to the Salisbury Zoo Commission for the term ending December 2023
 - **Resolution No. 3085**- approving the reappointment of John Wright to the Human Rights Advisory Committee for the term ending December 2022
- 6:07 p.m. AWARD OF BIDS - Procurement Director Jennifer Miller
- Award of Contract(s)
 1. ITB 21-117 Park Plant Flow Meter Replacement
 2. ITB A-21-103 Various LED Replacement Lights
 - Change Order(s)
 1. RFP 19-117 Engineering & Construction Services for Fitzwater Street Lift Station Change Order #2
- 6:15 p.m. PUBLIC HEARINGS - City Attorney Mark Tilghman
- **Ordinance No. 2639**- 2nd reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-102 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.28.020, to allow a Single Family Dwelling Unit in Light Business and Institutional Zones
 - **Ordinance No. 2640**- 2nd reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-102 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.212.030, to allow a Medical Office/Clinic as a permitted use with a Shopping Center

6:25 p.m. ORDINANCES - City Attorney Mark Tilghman

- **Ordinance No. 2633**- 2nd reading- to accept grant funds from the Somerset County Health Department in the amount of \$2,000.00, and to approve a budget amendment to the FY21 Homeless Solutions Program Grant Fund to appropriate funds for Coronavirus Response Hazard Pay
- **Ordinance No. 2634**- 2nd reading- approving an amendment of the City's General Capital Project Fund Budget to reallocate funding for the GOB Roof Project
- **Ordinance No. 2635**- 2nd reading- approving an amendment of the City's Water and Sewer Capital Project Fund Budget to reallocate funding for the Structural Study and the Park Water Treatment Plant Interior Improvements Projects
- **Ordinance No. 2642**- 1st reading- authorizing the Mayor to sign the Supplemental Agreement and Cost Share Agreement and accept a grant from the Maryland Department of Transportation State Highway Administration and approving an amendment of the Grant Fund Budget to allocate said funds for purposes of implementation
- **Ordinance No. 2643**- 1st reading- to create Bicycle Facilities on Wayne Street, Milford Street, Power Street, Avery Street, Bateman Street, West Road, Lake Street, Isabella Street, Delaware Avenue, Cypress Street and West Main Street in accordance with MDMUTCD, Chapter 9, as designated by the 2017 Salisbury Bicycle Network Plan
- **Ordinance No. 2644**- 1st reading- to eliminate 16 parking spaces on Fitzwater Street from Fitzwater Street to the main gate of Chesapeake Shipbuilding approximately 310 feet east in order to prevent traffic crashes and accommodate a previously approved safe bicycle facility on Fitzwater Street
- **Ordinance No. 2645**- 1st reading- to eliminate parking spaces on Power Street, from South Division Street to Wayne Street, and to eliminate the parking spaces on Wayne Street, from Milford Street to Power Street, in order to prevent traffic crashes and accommodate safe bicycle facilities around the East Campus of Salisbury University
- **Ordinance No. 2646**- 1st reading- to eliminate parking spaces on West College Avenue from Lorecrop Drive to Camden Avenue in order to prevent traffic crashes and accommodate a previously approved safe bicycle facility on West College Avenue
- **Ordinance No. 2647**- 1st reading- approving a budget amendment of the City's Special Revenue Fund Budget and to accept and appropriate donated funds from the Bless Our Children Campaign for the Santa's Workshop Program
- **Ordinance No. 2648**- 1st reading- allocation of FY16 Bond proceeds for GOB Roof Improvements and WWTP HVAC
- **Ordinance No. 2649**- 1st reading- allocation of FY18 Bond proceeds for GOB Roof Improvements and (2) dump trucks
- **Ordinance No. 2650**- 1st reading- to authorize the Mayor to enter into a contract with the Salisbury Wicomico Metropolitan Planning Organization for the purpose of accepting grant funds in the amount of \$7,000.00, and to approve a budget amendment to the FY 2021 Grant Fund to appropriate funds for offsetting RFP 21-101 Port Feasibility Study
- **Ordinance No. 2651**- 1st reading- approving an amendment of the City's Water Sewer Capital Project Fund budget to reallocate funding for the Waste Water Treatment Plant HVAC Project

7:20 p.m. PUBLIC COMMENTS

7:25 p.m. COUNCIL COMMENTS

7:30 p.m. ADJOURNMENT

Copies of the agenda items are available for review in the City Clerk's Office, Room 305 – City/County Government Office Building, 410-548-3140 or on the City's website www.salisbury.md. City Council Meetings are conducted in Open Session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b) by vote of the City Council.

NEXT COUNCIL MEETING – JANUARY 25, 2021

- **Resolution No. _** - companion res for reallocation of 2016 bond proceeds
- **Resolution No. _** - companion res for reallocation of 2018 bond proceeds
- **Ordinance No. 2642**- 2nd reading- authorizing the Mayor to sign the Supplemental Agreement and Cost Share Agreement and accept a grant from the Maryland Department of Transportation State Highway Administration and approving an amendment of the Grant Fund Budget to allocate said funds for purposes of implementation
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Join Zoom Meeting

<https://us02web.zoom.us/j/5362772908>

Meeting ID: 536 277 2908

Phone: 1.301.715.8592

CITY OF SALISBURY
WORK SESSION (VIA ZOOM MEETING)
NOVEMBER 16, 2020

Public Officials Present

Council President John “Jack” R. Heath
Councilwoman Angela M. Blake
Councilwoman April Jackson

Council Vice President Muir Boda
Councilwoman Michele Gregory

Public Officials Absent

Mayor Jacob R. Day

In Attendance

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development (DID) Director Amanda Pollack, Deputy Fire Chief James Gladwell, Community Development Director Ron Strickler, City Attorney Mark Tilghman, City Clerk Kimberly Nichols, and members of the Public and press.

On November 2, 2020 the Salisbury City Council convened in a Work Session at 4:30 p.m. via Zoom. The following is a synopsis of the topics discussed:

Ordinance accepting a grant from the Wicomico County Health Department for two commercial floor cleaners

Deputy Chief James Gladwell reported the Wicomico County Health Department (WiCHD) received a direct allocation of funds through the Federal Coronavirus Relief Fund to support medical response expenses related to COVID-19. The Fire Department requested funding to purchase two (2) commercial floor scrubbers and associated battery supplies for Stations One and Two. Station 16 currently has this technology to scrub its floor but was not practical to move the machine from station-to-station based on its size and weight. The scrubbers would help reduce the spread of COVID-19 through the use of chemical extraction of the floors as opposed to using mops and buckets, which do not truly sanitize. The cost of the project was \$14,590.00 and it was approved by the WiCHD.

Council reached unanimous consensus to move forward with accepting the grant.

The Ross Developers Agreement- Department of Infrastructure & Development Director

DID Director Amanda Pollack reported that in January 2020 the Council passed a resolution to accept the Ross Developer’s Agreement. It was agreed that the agreement would be re-visited should there be substantive changes requested by the developer, First Move Properties, LLC.

The changes requested by First Move Properties, as discussed by Ms. Pollack, included:

1. Defining First Move as the owners of the properties.
2. Increased the number of parking permits from 256 to 278.

3. Increased the length of the term of the agreement to eight years.
4. Increasing the length of the renewal term of the agreement to four years.
5. Defining that the price for each parking permit shall be the established Student Rate charged by the City for that fiscal year.
6. Adding a clause for the cancellation of the agreement.
7. Modifying the effective dates of the agreement.

Mr. Boda asked if the City had discussed student parking rates. Ms. Pollack said the Field Operations was heading up the effort by looking at all parking rates in the City.

Council reached unanimous consensus to advance the agreement to the next legislative agenda.

Homeownership Incentive Discussion

Deputy City Administrator introduced two community partners/non-profit organizations, which were currently working in the homeownership field. He thought it would be a crucial component of the City's decisions to not only incorporate one, if not both, of the organizations into some of the City's development/rehab discussions, but to also give Council an understanding of what was currently existing in Salisbury.

Molly Hilligoss, Executive Director of **Habitat for Humanity (HFH)**, presented the "Building Hope" PowerPoint. The following are key points of discussion:

- HFH's Mission- Build communities, homes and hope
- HFH has built 70 homes in Wicomico County and has been a non-profit since 1987
- HFH has "Aging in Place" roof and home repair program which served homeowners aged 62 and older. If the owner is low income and needs assistance, they assist them.
- Retaining homeownership was critical in the City limits
- Currently (7) partner families wished to be future homeowners
- She discussed several projects and plans for 634 E. Church St., 504 Tangier St., 319 Martin St., 321 Martin St., 704 S. Westover St., and 414 Elizabeth St.
- HFH needed more properties to build homes on
- Homeownership in Salisbury was about 30%, possibly less
- Discussed the barriers for renters to become homeowners
- HFH applicants were making difficult choices between home costs and paying for health care, education, nutrition and transportation
- Fewer people can afford to buy. In 2018, the average home sold for \$200,000 in Wicomico County, with the required medium income of \$71,800 to buy the home
- Since HFH did not charge interest, they could sell to families earning about \$27,000
- Discussed requirements to buy a home (credit score, criminal background, ability to purchase electric in their name, etc.) and problems with State and Federal programs
- Discussed the need for multi-generation housing solutions to survive economically
- Discussed how the City of Salisbury could support HFH

Ms. Jackson asked Ms. Hilligoss why HFH never concentrated on the Fitzwater St., Hill St., First and Second St. area on rehabbing homes. Ms. Hilligoss mentioned HFH owned two lots in the

Delaware Ave. area which were in the 100 Year Flood Plain, and she was concerned that low income families would have difficulty affording the Flood Insurance. HFH had other lots that they could build on that did not require Flood Insurance and they were looking for larger lots.

Council thanked Ms. Hilligoss for the information which gave them many things to discuss to make homes more affordable for families in Salisbury.

Cheryl Meadows, Executive Director of Salisbury Neighborhood Housing Services (SNHS), presented the PowerPoint on homeowner incentives. Below are points she discussed:

- SNHS was incorporated in 1994 as a 501 C3 non-profit organization.
- The Mission- to cultivate sustainable neighborhoods with partnerships and lending that inspire self-reliance, growth and optimism
- Goals- increasing and preserving homeownership; reducing neighborhood blight; providing resources for Home Improvement; encouraging private investment by banks; homeowners, commercial users, and landlords; fostering sustainable change through education, training and leadership development; and developing self-sustaining programs
- Homeownership benefits- financial benefits and social stability
- Homeownership challenges- poor credit history, lack of financial literacy and understanding the process, high rent payments causing difficulty to save for down payment, older housing stock expensive to heat/cool, student loan debt, forced to sacrifice quality vs. affordability
- SNHS challenges- low inventory of homes for sale, costs to rehab older homes, historic district regs, finding credit worthy borrowers, lack of flexible funding sources, limited City CDBG funds, expense of lead paint reduction, lack of building lots suitable for CTE houses, and challenges in purchasing foreclosed properties
- Opportunities- current low interest rates, a variety of programs were available to help with down payment/closing costs, SNHS able to adapt to current community needs, strength of NeighborWorks America network of organizations, and potential for new or expanded partnerships
- Educational programs and services offered by SNHS- homebuyer education workshops (group sessions and online classes), free financial fitness workshops, free individual credit and budget counseling, and free foreclosure counseling and intervention
- Discussed loans, homeownership incentives, and programs for existing homeowners.
- Discussed ways the City could help further homeownership opportunities and retention.

Ms. Jackson asked Ms. Meadows why SNHS never concentrated on the Fitzwater St., Hill St., First and Second St. area. Ms. Meadows said that about 20 years ago the decision was made to purchase and rehab the row homes on Fitzwater Street. They could not get consensus from any of the multiple owners to sell. They renovated and sold a property on Second Street and rehabbed some projects from the State Rehab Program on First Street and West Main Street. They were unable to make an impact in the area because of the high concentration of rentals.

Council thanked Ms. Meadows for the presentation and valuable information shared. President Heath suggested Council placing the discussion on another Work Session agenda to prioritize the next steps to take to coordinate the efforts discussed this evening.

124
125 **HORIZON Program**
126

127 Deputy City Administrator Andy Kitzrow reported the memo in the packet detailed the previous
128 discussion held by Council on the HORIZON Program, and reiterated the focus was on the large-
129 scale residential development projects within the HORIZON Zone.

130
131 Council reached unanimous consensus to advance the legislation to legislative agenda.
132

133 **Council Remarks**
134

135 Mr. Boda thanked everyone for the presentations this evening and for their hard work investing
136 in the community. He encouraged everyone to shop local.
137

138 Ms. Jackson asked everyone to continue to be safe, as COVID was spiking. Wash hands, wear
139 masks, and stay 6' away from everyone.
140

141 Ms. Blake thought the presentations were great, and asked everyone to donate blood.
142

143 Ms. Gregory thanked those who sent their well wishes for her son who was in the hospital. She
144 agreed with Ms. Jackson to be safe, wear masks, wash your hands and social distance.
145

146 President Heath concurred with all of the Council's comments.
147

148 Ms. Glanz thanked Council for supporting HORIZONS, and Mses. Meadows and Hilligoss for
149 the thoughtful and informative presentations.
150

151 **Adjournment**
152

153 With no further business to discuss, the Work Session immediately adjourned at 5:47 p.m.
154

155 _____
156 City Clerk
157

158 _____
159 Council President

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (VIA ZOOM MEETING)

NOVEMBER 23, 2020

PUBLIC OFFICIALS PRESENT

*President John “Jack” R. Heath
Councilwoman Angela M. Blake
Councilwoman April Jackson*

*Council Vice-President Muir Boda
Councilwoman Michele Gregory*

PUBLIC OFFICIALS ABSENT

Mayor Jacob R. Day

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development Director Amanda Pollack, Field Operations Director Tom Stevenson, City Attorney Mark Tilghman, City Clerk Kimberly Nichols, members of the press and public.

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. via a Zoom Meeting. Council President John R. Heath called the meeting to order and called for a moment of silent meditation.

PROCLAMATIONS- *presented by City Attorney Julia Glanz*

Colonel Robert W. “Bob” Cook Day

Ms. Glanz presented the “Colonel Robert W. “Bob” Cook Day” proclamation to honor Colonel Robert W. “Bob” Cook for receiving the prestigious 2020 Outstanding Eagle Award from the Del-Mar-Va Council of the Boy Scouts of America. Mr. Cook’s lifetime accomplishments included being an Eagle Scout in 1943; a distinguished Military Officer and decorated Veteran serving in Germany, Europe, Korea, and the Maryland Defense Force; and a community leader since 1967 who has left an indelible mark on youth, families, and community organizations. The Del-Mar-Va Council of the Boy Scouts of America honored Mr. Cook with the 2020 Outstanding Eagle Award during a virtual reception on Thursday, November 12, 2020.

Smart Business Saturday

Ms. Glanz presented the “Small Business Saturday” proclamation and urged all residents to support small businesses and merchants on Small Business Saturday and throughout the year. According to the United States Small Business Administration, 30.7 million small businesses in the United States represent 99.7 percent of all firms with paid employees in the United States, and are responsible for 64.9 percent of net new jobs created from 2000 to 2018. Local businesses create jobs, boost local economies, and preserve local communities.

48
49 Lung Cancer Awareness Month
50

51 *Ms. Glanz presented the proclamation to increase awareness of the need for research in lung*
52 *cancer affecting women and lung cancer health disparities, and encouraged all Citizens to learn*
53 *about lung cancer and early detection through lung cancer screening. Lung cancer is the leading*
54 *cause of cancer death among men and women in the United States, accounting for more deaths*
55 *in Maryland in 2020 than colon cancer, breast cancer, and prostate cancer combined.*
56

57 **ADOPTION OF LEGISLATIVE AGENDA**
58

59 *Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve the legislative*
60 *agenda as presented.*
61

62 **CONSENT AGENDA** – presented by City Clerk Kimberly Nichols
63

64 *The Consent Agenda consisting of the following items was unanimously approved on a motion*
65 *and seconded by Ms. Jackson and Ms. Blake, respectively:*
66

- *October 5, 2020 Work Session Minutes*
- *October 26, 2020 Closed Session Minutes*
- *November 2, 2020 Legislative Session Minutes*

67
68 **AWARD OF BIDS** – presented by Procurement Director Jennifer Miller
69

70 *The Award of Bids, consisting of the following, was unanimously approved on a motion and*
71 *seconded by Ms. Blake and Mr. Boda, respectively:*
72

- *Award of Contract*
 - 1. *ITB A-21-105 Water Meters & Metering Supplies- \$200,000-\$300,000/yr. (est.)*
- *Declaration of Surplus*
 - 1. *Department of Field Operations- Vehicle WM-9- \$0.00*

73
74 **RESOLUTION** – presented by City Administrator Julia Glanz
75

- **Resolution No. 3076-** *to purchase improved real property, located at 519 Delaware Avenue,*
77 *from Twilley Construction, Inc. for use by the Department of Field Operations*
78

79 *Ms. Jackson moved, Ms. Gregory seconded, and the vote was unanimous to approve*
80 *Resolution No. 3076.*
81

- **Resolution No. 3077-** *to purchase improved real property, located at 601 West Isabella*
83 *Street, from Block Investment Group, LLC for use by the Department of Field Operations*
84

85 *Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution*
86 *No. 3077.*
87

- 88 • **Resolution No. 3078**- to purchase improved real property, located at 605 West Isabella
89 Street, from St. Fleur Family Investments, LLC for use by the Department of Field
90 Operations
91

92 Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution
93 No. 3078.
94

- 95 • **Resolution No. 3079**- authorizing the Mayor to enter into an agreement with First Move
96 Properties, LLC for the purchase of parking permits in the Downtown Parking Garage
97

98 Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution
99 No. 3079.
100

- 101 • **Resolution No. 3080**- supporting the implementation of the HORIZON Program to
102 encourage hotel and large-scale residential development and revitalization in the
103 Downtown area of Salisbury
104

105 Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Resolution
106 No. 3080.
107

108 **ORDINANCES** – presented by City Attorney Mark Tilghman
109

- 110 • **Ordinance No. 2629**- 2nd reading- to authorize the Mayor to sign the grant agreements,
111 to accept two grants in the total sum of \$155,565.60 from the Maryland Department of
112 Transportation (MDOT) Maryland Bikeways Program for the design of the Rail Trail,
113 Phase 1 and West College Avenue Bikeway Projects, and to approve an amendment of
114 the FY21 Budget to allocate said funds for purposes of implementation
115

116 Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve
117 Ordinance No. 2629 for second reading.
118

- **Ordinance No. 2630**- 2nd reading- approving a budget amendment of the FY21 General Fund
Budget to appropriate insurance proceeds received in FY21 as part of the payment for vehicle
repair

Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance
No. 2632 for second reading.

- **Ordinance No. 2631**- 1st reading- approving an amendment of the City's General Capital
Project Fund Budget to reallocate funding for the GOB Roof Project

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance
No. 2631 for first reading.

119 **PUBLIC COMMENTS**
120
121

122 Two members of the public provided the following comments:

- Eastern Shore Pipeline has been planned to go through Salisbury's minority neighborhoods.
- Leaders in Annapolis will be voting in 9 days to allow this pipeline.
- Salisbury should research and speak out against the pipeline because when Rt. 50 came through and took out the minority communities in Georgetown.
- The State made the decision and did not include the communities in the conversations.
- Many people were unaware the pipeline was coming through at this time.
- With Salisbury moving forward and addressing issues dealing with racial relations, it was important to pause and consider who the pipeline would affect.
- Natural gas pipelines are dangerous because they blow up.
- Community leaders should speak up and say no to the pipeline.
- Thanked Councilwoman Gregory for speaking out against the pipeline.
- Natural gas and fossil fuels are on the way "out" and Maryland has passed legislation requiring that communities move towards green energy.
- It comes off as a "get rich quick" scheme to the investors of the pipeline, but it would be a long-term disaster for Salisbury.
- Hoped the City Council would speak out against the pipeline before the December 2nd vote.
- The pipeline would threaten water quality, wildlife and the Chesapeake Bay.

ADMINISTRATIVE /COUNCIL COMMENTS

Ms. Glanz offered to prepare a letter speaking out against the pipeline on behalf of the City.

Mr. Boda thanked the speakers for speaking. He wished everyone a Happy Thanksgiving and asked the public to shop local.

Ms. Jackson congratulated Wicomico County NAACP President Elect Bronte Deshield and thanked Mary Ashanti for her many years of service. Reach out to those during Thanksgiving. Wear your masks, social distance, and wash your hands. When you protect yourself, you protect others.

Ms. Blake reported she researched the pipeline and reached out to Delegate Sheree Sample-Hughes. Please shop local this Saturday. If healthy enough please give blood.

Ms. Gregory thanked those for wishing her son well, and was very thankful for the nurses and doctors in Tidal Health. Please keep your family unit small, no extended family gatherings.

President Heath echoed all the aforementioned comments. He said he and his wife were isolating themselves at Thanksgiving for the first time in 52 years. He wished everyone well and to be safe.

ADJOURNMENT

With no further business to discuss, the Legislative Session adjourned at 6:58 p.m.

City Clerk

Council President

CITY OF SALISBURY
WORK SESSION (VIA ZOOM MEETING)
DECEMBER 7, 2020

Public Officials Present

Council President John “Jack” R. Heath
Councilwoman Michele Gregory

Council Vice President Muir Boda
Councilwoman April Jackson

Public Officials Absent

Mayor Jacob R. Day
Councilwoman Angela M. Blake

In Attendance

City Administrator/Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development (DID) Director Amanda Pollack, Finance Director Keith Cordrey, City Planner Anne Roane, Housing & Homelessness Manager Christine Chestnutt, Human Resources Director Jeanne Loyd, Police Chief Barbara Duncan, Police Captain Howard Drewer, Deputy Fire Chief James Gladwell, Community Development Director Ron Strickler, City Attorney Mark Tilghman, and City Clerk Kimberly Nichols.

On December 7, 2020 the Salisbury City Council convened in a Work Session at 4:30 p.m. via Zoom. The following is a synopsis of the topics discussed:

Presentation of FY20 Audit

Finance Director Keith Cordrey reported the City’s revenues exceeded expenditures during FY20 by \$881,074 (New Change in Fund Balances). \$1.6 million was budgeted for use of surplus. Encumbrances were carried forward from the previous year of \$1.2 million. There were ordinances during the year of \$1.4 million. Total favorable variances was \$5.1 million. In Revenue Variances, Debt Proceeds, EMS, and Taxes were large items, as almost a million dollars more were received in taxes. Revenue received less than expected included School Cameras. In Expenditure Variances, the Police had almost a million dollars, and Debt Service had expenditure variances due to how it was structured during FY20.

In the City’s target of (3) month’s minimum in Unassigned Fund Balance, the City was a bit short with \$9.7 million at the end of 2020.

Timothy Sawyer, CPA, CGMA of Barbacane, Thornton & Company provided the auditor’s overview. They issued unmodified or clean audit opinions on governmental activities, business-type activities, each major fund, aggregate remaining fund information, report on internal control over financial reporting and on compliance and over other matters based on an audit of financial statements performed in accordance with government auditing standards.

Mr. Sawyer informed Council the firm tested 40 expenditure transactions and 40 water/sewer billings and noted no issues. They also assisted with the preparation of journal entries necessary to reflect the pension and OPEB liabilities in accordance with GASB 68 and GASB 75.

Council welcomed Barbacane, Thornton & Company back to the City as the auditors and commended the Finance Department for their great efforts and the favorable audit report.

The final audit report would be submitted to the City on Monday, December 14, 2020.

Text Amendment to allow single family dwelling units in the Light Business and Institutional Zones

City Planner Anne Roane reported the text amendment to allow single family dwelling units in the Light Business and Institution Zones was approved by the Planning Commission, which held the first required Public Hearing on October 15, 2020. The second required Public Hearing would be held by City Council. The text amendment was brought to the Planning Commission because of one property located within the Light Business and Institution Zone. It always existed as a single-family residential unit.

Council reached unanimous consensus to advance the text amendment to the next legislative agenda.

Text Amendment to allow medical office/clinics as a permitted use in the Shopping Center Zone

Ms. Roane reported that currently medical offices were not permitted in Shopping Centers. The proposal was approved by the Planning Commission, which held the first required Public Hearing on October 15, 2020. The second required Public Hearing would be held by City Council.

Council reached unanimous consensus to advance the text amendment to the next legislative agenda.

Ordinance accepting grant dollars for ESG for Hazard Pay

Housing & Homelessness Manager Christine Chestnutt informed Council the grant was provided from the Somerset County Health Department for COVID-19 Hazard Pay to support the City of Salisbury's Homeless Services employees for their work during the COVID-19 pandemic. The Somerset Health Department, the pass-through entity which provided the HUD grant, provided the City of Salisbury \$2,000 to be divided between the employees of the Homeless Services team within the Housing and Community Development department. The pay was for the period March 5, 2020 through June 30, 2020.

Council commended Ms. Chestnutt on her wonderful job working with the homeless.

Council reached unanimous consensus to advance the legislation to legislative agenda.

63 **Budget amendment to fund vehicle for SWIFT**

64
65 Fire Chief John Tull reported on the ordinance to authorize the Mayor to enter into a contract
66 with the Wicomico County Health Department for grant funds for \$27,310 to purchase a 2020
67 Subaru Outback to be used for the SWIFT vehicle. The current vehicle being used, a 2006
68 Chevrolet Suburban, was at the end of its life cycle, mechanically unreliable, not easily accessed
69 by patients due to its height, and had poor fuel economy. The new vehicle would provide a lower
70 platform to better facilitate ingress/egress, has numerous built-in safety features to protect both
71 patient and providers, should be mechanically reliable and realize four times the fuel efficiency.

72
73 Council reached unanimous consensus to advance the budget amendment to legislative agenda.

74
75 **Resolution to amend the Employee Handbook to incorporate changes to the 2 weeks' notice**
76 **of resignation**

77
78 Human Resources Director Jeanne Loyd explained the current requirement for employees was to
79 provide two-week's notice in order to leave the City employment in good standing. Now, with
80 COVID-19 and additional opportunities for the City to be exposed to catastrophic incidents
81 during that two-week period, Human Resources wanted to be able to change employees from
82 regular full-time to at-will employees, and to accept resignations effective immediately in lieu of
83 the individual completing the two weeks. New employees were at-will until they came off of
84 probation. She added that when tenured employees provided notice and were not on probation,
85 they would like to be able to move them into a less hazardous job and still pay the two weeks' pay.

86
87 President Heath asked if it only applied to the two weeks following resignation, and Ms. Loyd
88 said it did. Mr. Boda said the change was wise as it could reduce risk, and if there were situations
89 where something malicious could be done, it also reduced that risk.

90
91 Council reached unanimous consensus to advance the handbook change to legislative agenda.

92
93 **Budget amendment to fund Truitt Community Center**

94
95 Deputy City Administrator Andy Kitzrow reported last Spring the Council was approached with
96 a budget amendment for the Truitt Street Community Center where a State Grant was received
97 for \$100,000. Since the past Spring, the State was unresponsive with transferring the funds to the
98 City. The City has incurred monthly rental fees in FY21 of over \$14,000. To expedite the
99 process, the request was to process the budget amendment for \$100,000 from Surplus to settle.

100
101 City Administrator Glanz added the Governor's Office was initially unable to expedite the grant
102 in a timely manner. A second request has been sent and an answer was expected this week. Due
103 to COVID-19, everything had slowed down. Mr. Kitzrow said if the grant payment or agreement
104 came through before the ordinance was presented for final passage, it would not move forward.

105
106 Council reached unanimous consensus to advance the budget amendment to legislative agenda.

107
108 **Budget Amendment – Funding for Air Purifiers and PPE Distribution**

City Administrator Julia Glanz informed the Council the Wicomico County Health Department (WiCHD) received a direct allocation of funds through the Federal Coronavirus Relief Fund (CRF) to help support Emergency medical response expenses related to COVID-19. The City of Salisbury submitted a request for funding to purchase 20 air purifier units to filter and clean air in smaller office spaces and for masks (adult and children), hand sanitizer, and tables and cones, for distribution to the public during outreach events through the Vulnerable Populations Task Force. The total cost of the project was \$26,274.44 and it was approved by the WiCHD.

Council reached unanimous consensus to advance the legislation to legislative agenda.

Ordinance accepting grant dollars from the GOCCP for the purpose of exploring the predictive policing with machine learning project

Police Chief Barbara Duncan told Council that John O'Brien, Assistant Director of IT: GIS worked with a local data scientist on machine learning funded by the Governor's Office of Crime Prevention, Youth, and Victim Services. Out of the \$100,000 grant, \$80,000 would support the work of University of Maryland research professors and support staff to bring the machine learning project forward for additional testing and review, and the remaining \$20,000 would go towards clerical and administrative support for the Police Department.

Council reached unanimous consensus to advance the ordinance to legislative agenda.

SPD Criminal Justice Reform Task Force Presentation

Chief Duncan, joined by Captain Howard Drewer, presented the Salisbury City Criminal Justice Reform Task Force PowerPoint, attached and included as part of the minutes. Over 200 persons were interested in serving on the task force. 26 people were selected to serve from the following: business community, community activists/organizers, neighborhood members, representatives with industry experience, faith leaders, advocates, and post secondary academia. There were 7 Salisbury Police officers serving as resources to the participants. The first meeting was held on September 15, 2020 and facilitated by Michele Ennis, Director of Tri Community Mediation.

Council and Ms. Glanz thanked Chief Duncan and the task force for their hard work and commended Michele Ennis on her facilitation skills. Ms. Ennis stated that it was Tri Community's goal to ensure all of the task force member's voices were heard. They all showed up each time, and as a facilitator, she insisted all of the members were heard from.

Adjournment

At 5:43 p.m., upon the adjournment of the Work Session, President Heath called the Special Meeting to order.

City Clerk

Council President

5 WORKGROUPS

Officer Wellness, Use of Force, Implicit Bias, Mental Health calls for service and *Recruitment and Retention.

- deeper dive into subject matter
- bring back to main TF group
- TF to finalize recommendations to Mayor's Office:
 - policy change,
 - better resources,
 - better or different types training,
 - 24 hour resources to support mental health related issues within the public.

*Recruitment and Retention did not generate enough interest from the group for the purposes of developing under its own committee. Therefore it will be address by the TF as work progresses.

Main TF group has held three meetings (9/15, 10/14 and 11/11) with a fourth one scheduled this week on December 12, 2020 at 6pm. Meetings are conducted via zoom and are open to the public.

The committees meetings held on four separate occasions

10/28/20 Mental Health (communication gap)
10/28/20 Officer Wellness

11/04/20 Use of Force
11/04/20 Implicit Bias

11/25/20 Mental Health
11/25/20 Officer Wellness

12/02/20 Use of Force
12/02/20 Implicit Bias

The December 9th meeting will be the final meeting this year. TF members decided to attend the Citizens Police Academy to obtain additional insight and information.

Citizens Academy scheduled for January 13 through April 7, 2021.

Accomplishments

Mental Health: Upon the conclusion of the October City Council meeting wherein Mobile Crisis presented information to the Council, Salisbury Police established weekly meetings with Mobile Crisis.

Since October 29, 2020 – Salisbury Police Department called Mobile Crisis / Affiliated Sante Group 111 times. 66 calls for service have resulted in a response from Mobile Crisis.

27 calls for service - Mobile Crisis could not respond due to client receiving alternate services, client the services or staffing constraints.

18 calls for service - Mobile Crisis was scheduled to conduct follow ups with the client.

Information Sharing and Developing SPD Internal Cultural Awareness:

TF Community members have now committed to meeting once a week for 12 weeks to gain understanding.

Law Enforcement scheduled ride-a-longs for TF members (suspended due to COVID uptick).

TF members independently purchased reading material SPD assigns for promotional testing.

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING VIA ZOOM

DECEMBER 7, 2020

PUBLIC OFFICIALS PRESENT

*Council President John “Jack” R. Heath
Councilwoman Michele Gregory*

*Council Vice-President Muir Boda
Councilwoman April Jackson*

PUBLIC OFFICIALS ABSENT

*Mayor Jacob R. Day
Councilwoman Angela M. Blake*

IN ATTENDANCE

City Administrator/Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Fire Chief John Tull, Deputy Fire Chief James Gladwell, City Clerk Kimberly Nichols, and City Attorney Mark Tilghman

The City Council convened in a Special Meeting via Zoom on December 7, 2020 following the adjournment of the 4:30 p.m. Work Session. President Heath called the meeting to order at 5:43 p.m. followed by a moment of silent meditation.

ADOPTION OF LEGISLATIVE AGENDA

Mr. Boda moved, Ms. Gregory seconded, and the vote was unanimous (4-0 vote) to approve the Special Meeting agenda as presented.

ORDINANCE – presented by City Attorney Mark Tilghman

- **Ordinance No. 2631**- 2nd reading- - to authorize the Mayor to enter into a contract with the Wicomico County Health Department for the purpose of accepting grant funds in the amount of \$14,590.00, and to approve a budget amendment to the FY 2021 Grant Fund to appropriate these funds for the purchase of two (2) commercial floor cleaners (walk-behind style) and battery supplies

Ms. Jackson moved, Mr. Boda seconded, and the vote was 4-0 to approve Ordinance No. 2631 for first reading.

- **Ordinance No. 2632**- 1st reading- to authorize the Mayor to enter into a contract with the Wicomico County Health Department for the purpose of accepting grant funds in the amount of \$26,274.44, and to approve a Budget Amendment to the FY 2021 Grant Fund to appropriate these funds for the purchase of Air Purifiers and Replacement Filters for use in Small City Office Spaces, and Critical Need COVID-19 Supplies for distribution to

46 *the Public by The Vulnerable Populations Task Force*

47
48 *Ms. Jackson moved, Ms. Gregory seconded, and the vote was 4-0 to approve Ordinance*
49 *No. 2632 for first reading.*

50
51 **ADMINISTRATION AND COUNCIL COMMENTS**

52
53 *City Administrator Glanz thanked Council for their continued support for the City team.*

54
55 *Mr. Boda asked everybody to support local businesses and restaurants during the holiday*
56 *season.*

57
58 *Ms. Jackson said that the City of Salisbury, Wicomico County and the State of Maryland lost a*
59 *great political icon in the death in former Senator Paul Sarbanes. On behalf of the City she*
60 *expressed their heartfelt condolences.*

61
62 *Ms. Gregory reminded the public that COVID-19 still existed and Wicomico County was*
63 *experiencing a huge spike in positive tests in the aftermath of Thanksgiving. She asked those who*
64 *were planning to gather during the upcoming holidays to wear masks and use sanitizer, even*
65 *while visiting in their homes. She implored everyone to not gather this year so we can be here for*
66 *each other next year. She echoed Mr. Boda's request to shop local.*

67
68 *President Heath said former Senator Paul Sarbanes was a great friend of the Eastern Shore and*
69 *Salisbury. On Ms. Blake's behalf, he asked those healthy enough to donate blood as there was*
70 *still a dire need for blood on the Eastern Shore.*

71
72 *With no further business to discuss, the Special Meeting adjourned at 5:56 p.m.*

73
74 _____
75 *City Clerk*

76
77 _____
78 *Council President*

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (VIA ZOOM MEETING)

DECEMBER 14, 2020

PUBLIC OFFICIALS PRESENT

*President John “Jack” R. Heath
Councilwoman Angela M. Blake
Councilwoman April Jackson*

*Council Vice-President Muir Boda
Councilwoman Michele Gregory*

PUBLIC OFFICIALS ABSENT

Mayor Jacob R. Day

IN ATTENDANCE

City Administrator Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development Director Amanda Pollack, Building Official William Holland, Sustainability Coordinator Alyssa Hastings, Finance Director Keith Cordrey, Assistant Director of Finance- Accounting Sandy Green, Ginny Hussey, Claire Otterbein, Brielle McQuiston, City Attorney Mark Tilghman, City Clerk Kimberly Nichols, members of the press and Public.

CITY INVOCATION – PLEDGE OF ALLEGIANCE

The City Council met in regular session at 6:00 p.m. via a Zoom Meeting. Council President John R. Heath called the meeting to order and called for a moment of silent meditation.

PRESENTATIONS- *presented by City Attorney Julia Glanz*

Keith Eagle Day Proclamation- *presented by City Attorney Julia Glanz*

Ms. Glanz presented the “Keith Eagle Day” proclamation to congratulate Keith Eagle on his retirement from PAC14. Mr. Eagle covered and produced the City and County Council meetings for numerous years. He went above and beyond everyone’s expectations and set a standard for meetings that far exceeded PAC14 expectations, and would be truly missed by everyone. He was congratulated and wished an enjoyable and well-deserved retirement.

Certificate of Appreciation to Brielle McQuiston- *presented by City Attorney Julia Glanz and Sustainability Coordinator Alyssa Hastings*

Sustainability Coordinator Alyssa Hastings discussed Ms. McQuiston’s dedication to the City as an intern. She began her internship in the Spring, 2020 and worked with Ms. Hastings for (3) semesters, despite interruptions due to the pandemic. She successfully updated the City of Salisbury’s Greenhouse Gas Emission Inventory. She thanked Ms. McQuiston for her excellent and dedicated work. Ms. Glanz then read the Certificate of Appreciation.

ALICE Report

Ms. Glanz introduced Claire Otterbein from the United Way. Ms. Otterbein presented the 2020 ALICE Report, which stands for Asset Limited Income Constrained Employed. These were the people who worked and were above the poverty level, but were still struggling to make ends meet with their obligations including housing, child care, and health care. This was the third ALICE Report for Maryland. To access the full 2020 MD Report and Benefits Cliff Study, she suggested visiting www.uwles.org/alice . For all State reports and comparisons, www.UnitedforAlice.org .

ADOPTION OF LEGISLATIVE AGENDA

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous to approve the legislative agenda as presented.

CONSENT AGENDA – presented by City Clerk Kimberly Nichols

The Consent Agenda consisting of the following items was unanimously approved on a motion and seconded by Ms. Jackson and Ms. Gregory, respectively:

- November 9, 2020 Council Meeting Minutes
- **Resolution No. 3081**- approving the reappointment of Greg Tyler to the Disability Advisory Committee for the term ending December 2023
- **Resolution No. 3082**- approving the reappointment of Virginia Hussey to the Friends of Poplar Hill Mansion for the term ending November 2023

PRESENTATION OF FY20 AUDIT AND FINANCIAL STATEMENTS – presented by Timothy Sawyer, CPA, CGMA of Barbacane, Thornton & Company

Mr. Sawyer provided the following overview of the audit report:

The City was issued an unmodified or clean audit opinion on all of the opinion units including governmental activities, business type activities, all of the major funds and the aggregate fund information. They gave an unmodified or clean opinion on the City's report on internal control or financial reporting as well as the report on compliance of each major fund and internal control or compliance. There were no findings or compliance issues.

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to accept the FY20 Audit Report.

President Heath congratulated Mr. Cordrey on the excellent report. Mr. Cordrey stated Assistant Directors of Finance Sandy Green and Olga Butar, as well as the entire staff, did outstanding work.

RESOLUTION – presented by City Administrator Julia Glanz

- **Resolution No. 3083**- to update the Employee Handbook by amending Chapter 10 to include additional requirements for an employee to resign in good standing

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Resolution No. 3083.

90
91 **PUBLIC HEARING-** Hall Drive-Long Property Annexation
92

- 93 • **Resolution No. 3065-** proposing the annexation to the City of Salisbury of certain area of
94 land contiguous to and binding upon the Corporate Limit of the City of Salisbury to be
95 known as the “Hall Drive – Long Property Annexation”
96

97 *Ms. Jackson moved and Mr. Boda seconded to approve Resolution No. 3065*
98

99 *Ms. Glanz presented the resolution. President Heath opened the Public Hearing at 6:37*
100 *p.m., and as no one requested to speak, immediately closed the Public Hearing.*
101

102 *Resolution No. 3065 was approved by unanimous vote in favor.*
103

- 104 • **Resolution No. 3066-** to adopt an annexation plan for a certain area of land contiguous to
105 and binding upon the Corporate Limit of the City of Salisbury to be known as the “Hall
106 Drive – Long Property Annexation”
107

108 *Mr. Boda moved and Ms. Jackson seconded to approve Resolution No. 3066.*
109

110 *Ms. Glanz presented the resolution. President Heath opened the Public Hearing at 6:39 p.m., and as*
111 *no one requested to speak, immediately closed the Public Hearing.*
112

113 *Resolution No. 3066 was approved by unanimous vote in favor.*
114

115 **ORDINANCES** – presented by City Attorney Mark Tilghman
116

- 117 • **Ordinance No. 2632-** 2nd reading- to authorize the Mayor to enter into a contract with
118 the Wicomico County Health Department for the purpose of accepting grant funds in
119 the amount of \$26,274.44, and to approve a Budget Amendment to the FY 2021 Grant
120 Fund to appropriate these funds for the purchase of Air Purifiers and Replacement
121 Filters for use in Small City Office Spaces, and Critical Need COVID-19 Supplies for
122 distribution to the Public by The Vulnerable Populations Task Force
123

124 *Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve*
125 *Ordinance No. 2632 for second reading.*
126

- **Ordinance No. 2633-** 1st reading- to accept grant funds from the Somerset County
Health Department in the amount of \$2,000.00, and to approve a budget amendment
to the FY21 Homeless Solutions Program Grant Fund to appropriate funds for Coronavirus
Response Hazard Pay

*Ms. Blake moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance
No. 2632 for first reading.*

- **Ordinance No. 2634-** 1st reading- approving an amendment of the City’s General Capital
Project Fund Budget to reallocate funding for the GOB Roof Project

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2634 for first reading.

- **Ordinance No. 2635-** *1st reading- approving an amendment of the City's Water and Sewer Capital Project Fund Budget to reallocate funding for the Structural Study and the Park Water Treatment Plant Interior Improvements Projects*

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2635 for first reading.

- **Ordinance No. 2636-** *1st reading- approving a budget amendment of the FY2021 General Fund Budget to appropriate funds for the City to purchase property located at 319 Truitt Street from DEVRECO, LLC*

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2636 for first reading.

- **Ordinance No. 2637-** *1st reading- to authorize the Mayor to enter into a contract with the Wicomico County Health Department for the purpose of accepting grant funds in the amount of \$27,310.00, and to approve a budget amendment to the FY2021 Grant Fund to appropriate these funds for the purchase of a 2020 Subaru Outback*

Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2637 for first reading.

- **Ordinance No. 2638-** *1st reading- to authorize the Chief of Police to enter into a MOU with the University, to accept funding from the Governor's Office of Crime Control & Prevention in the amount of \$100,000.00, and to approve a budget amendment of the FY2021 budget to appropriate these grant funds for the purpose of exploring the predictive policing with machine learning project to assist in predicting crime patterns and to ultimately reduce crime in the City of Salisbury*

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance No. 2638 for first reading.

- **Ordinance No. 2639-** *1st reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-102 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.28.020, to allow a Single-Family Dwelling Unit in Light Business and Institutional Zones*

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Ordinance No. 2638 for first reading.

- **Ordinance No. 2640-** *1st reading- pursuant to Chapter 17.228 of Title 17, Zoning of the Salisbury Municipal Code and Section 4-102 of the Land Use Article of the Annotated Code of Maryland for the purpose of amending Section 17.212.030, to allow a Medical Office/Clinic as a permitted use with a Shopping Center*

Mr. Boda moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2640 for first reading.

- **Ordinance No. 2641**- 1st reading- to authorize the Mayor to enter into a contract with the U.S. Department of Housing & Urban Development for the purpose of accepting additional Community Development Block Grant funds associated with the CARES Act in the amount of \$227,905 (CDBG-CV1) and \$244,747 (CDBG-CV3), and to approve a budget amendment to the FY2021 Grant Fund to appropriate these funds for the projects outlined in the 2020 CDBG Action Plan CV1 and CV3 amendments

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2641 for first reading.

PUBLIC COMMENTS

There were no requests for public comments.

COUNCIL COMMENTS

Ms. Glanz thanked Mr. Cordrey and the Finance Team for the excellent audit report.

Mr. Boda thanked the Finance Team for consistently taking care of the citizen's money and reminded everyone to support their local businesses and enjoy the holidays.

Ms. Jackson congratulated the Finance Department. She spoke about Shaun Williams, who recently passed from COVID-19. He was a member of the We Here Car Club, which gave back to the community. She expressed her heartfelt condolences to his family and the car club. She asked everyone to get tested, wear masks, and social distance. Have a merry and safe Christmas.

Ms. Blake appreciated the grants received by the City and asked those healthy enough to please give blood.

Ms. Gregory asked everyone to take COVID-19 seriously and to download the State app to find out if you've been exposed. Wear your masks, wash your hands.

President Heath said he and his wife were isolating themselves at Christmas. He asked everyone to wear their masks and to be safe during the holidays.

ADJOURNMENT

With no further business to discuss, the Legislative Session adjourned at 7:26 p.m.

City Clerk

Council President



MEMORANDUM

To: Julia Glanz, City Administrator
From: Julie English, Administrative Assistant
Subject: Re-appointment to the Salisbury Zoo Commission
Date: January 6, 2021

The following person would like to be re-appointed to the Salisbury Zoo Commission for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Brian Raygor	December 2023

Attached you will find information from Brian Raygor and the resolution necessary for his re-appointment. If approved, this information will be placed on the next City Council meeting agenda for approval. Please let me know if you have any questions.

Attachments

BOARD OF EDUCATION OF WICOMICO COUNTY



DONNA C. HANLIN, Ed.D.
SUPERINTENDENT OF SCHOOLS

P.O. Box 1538
2424 NORTHGATE DRIVE
SALISBURY, MD 21802-1538

410-677-4400
FAX 410-677-4444
www.wcboe.org

DONALD L. FITZGERALD
PRESIDENT
N. EUGENE MALONE, JR.
VICE PRESIDENT
ALLEN C. BROWN, SR.
MICHAEL G. MURRAY
JOHN PALMER
WILLIAM K. TURNER
MARIA A. WALLER

December 7, 2020

The Honorable Jacob Day
Office of the Mayor
City of Salisbury
125 North Division Street
Salisbury, MD 21801

Mr. Day,

It has been my pleasure to serve on the Salisbury Zoo Commission for the past six years. I was recently informed my current term is due to expire in December, 2020. Please allow this letter to serve as my application to serve another term. My resume is attached for your reference.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads 'Brian J. Raygor'.

Brian J. Raygor, Ed.D.

Brian J. Raygor, Ed.D.

7325 Fire Tower Rd | Hebron, MD 21830 | 410-422-9157 | braygor@wcboe.org

Professional Experience

2007-Present

Supervisor of Science | Wicomico County Public Schools | Salisbury, Md

Supervise the district's K-12 Science program. Directly supervise all secondary science teachers, elementary science resource teachers, and high school assessment facilitators. Develop and implement professional development for science teachers, K-12. Develop and manage the district science budget. Write and manage grants to support district science, STEM, and Environmental Literacy initiatives. Selected by MSDE to represent Maryland's Science Supervisors in the national NEXUS for Science Education program (2018-20).

2017-Present

Adjunct Professor | Wilmington University | New Castle, De

Teach courses in the Doctor of Education in Educational Leadership program. Serve on dissertation committees for doctoral candidates.

1994-2007

Biology Teacher/Department Chair | Wicomico County Public Schools | Salisbury, Md

Taught five sections of Honors and non-Honors levels of biology, primarily to ninth and tenth grade students. Served as chair of the School Improvement Team and Science Department. Provided school-level professional development on technology and general instruction techniques.

Awards & Acknowledgments

- Wicomico County Teacher of the Year/Finalist for Maryland State Teacher of the Year
- National Association of Biology Teachers – Outstanding Biology Teacher Award
- President, Maryland Science Supervisor Association
- Presenter at National Science Teacher Association Conference (2014-2020)

Memberships

- National Science Education Leadership Association
- National Science Teacher Association
- Maryland Science Supervisor Association
- Salisbury Zoological Commission (Education Committee)

Certifications

- Maryland State Department of Education: Secondary Education – Biology, Superintendent, Administrator
- National Board for Professional Teaching Standards – Adolescence/Young Adult - Science

Education

- Wilmington University, New Castle, De
- Ed.D. | August, 2016
- Innovation and Leadership
- Dissertation: *Elementary Science Instruction – Analysis of Teacher Self-Efficacy, Teacher Experience, Schedule Structure, Instructional Time, and Student Achievement*
- Salisbury University, Salisbury, Md
- M.Ed. | May 1999
- School Administration
- Edinboro University, Edinboro, Pa
- B.S. | December, 1994
- Biology/Secondary Education

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<u>Name</u>	<u>Term Ending</u>
Brian Raygor	December 2023

ATTEST:

John R. Heath
PRESIDENT, City Council

_____ day of _____, 2021

Julia Glanz, City Administrator, for and at the
direction of Jacob R. Day, Mayor



MEMORANDUM

To: Julia Glanz, City Administrator
From: Julie English, Administrative Assistant
Subject: Re-appointment to the Human Rights Advisory Committee
Date: December 15, 2020

The following person has applied for re-appointment to the Human Rights Advisory Committee for the term ending as indicated:

<u>Name</u>	<u>Term Ending</u>
John Wright	December 2022

Attached you will find information from John Wright and the resolution necessary for his re-appointment. If you approve of this re-appointment, I will forward this information to the City Council so it may be placed on their agenda for the next Council meeting. Please let me know if you have any questions.

Attachments

12/3/20

Dear Ms Acting Mayor and Salisbury City Council-

This letter is to request that I be reappointed to our City's Human Rights Advisory Committee. I've been a member of the Committee since its inception, most recently as Chair. Although I have stepped down as Chair, I still very much feel that the work of the Committee is vital, and would like to continue to serve. As you know, I am the Minister of the Unitarian Universalist Fellowship here in Salisbury, and as such I fulfill one of the "required" positions for the Committee.

If you should have any questions, I can be reached via phone at 410-726-1390, or via e-mail at revjohn3449@gmail.com.

Thank you for your consideration.

Best,

Rev John Wright

E. John Wright
502 Bethel St
Salisbury, MD 21804
john3449@sbcglobal.net
410-377-4660 **cell 410-726-1390**

Education:

BA: University of Delaware

M. Div.: Starr King School for the Ministry (graduated May, 2007)

During my time at seminary, my primary emphasis was on Pastoral Care. To that end, I have taken the following courses: Pastoral Care & Counseling, Ethics for the Care of the Sick, Care for the Caregiver, Aging and the Human Spirit, and Death, Dying and Bereavement as well as classes exploring UU History and Polity, Christianity, Islam and Buddhism.

Experience:

Intern Minister

First Parish/Unitarian-Universalist Church

Milton, Massachusetts

617-698-6329

October, 2006 - June, 2007

As part of that experience, I instituted a Lay Pastoral Care Program for which I developed training materials, recruited and trained volunteers.

Clinical Pastoral Education Residency (4 units)

Alta Bates/Summit Medical Center

Oakland, California

510-204-6730

September, 2005- August, 2006

During the year at Alta Bates/Summit, I served as chaplain for an Oncology unit, a Medical-Surgical unit, two different Intensive Care units, and a Sub-Intensive Care unit, in addition to doing on-call rotations through the Neo-Natal Intensive Care Unit, the OB-GYN Unit, the Emergency Room and all other units of the hospital.

Volunteer Chaplain

Volunteer Chaplaincy Program

Kaiser Permanente

Walnut Creek, California

March, 2005 - June, 2005

Volunteer Coordinator

Home and Hospital Visitors Program

The Center for Attitudinal Healing

Sausalito, California

2004

In addition to matching volunteers with clients, during my time with the Center for Attitudinal Healing I also served as a home visitor to a family whose husband had ALS.

Employment:**(Current)**

Part-time Minister (¼ time)
Unitarian Universalist Fellowship at Salisbury
2812 Old Ocean City Road
Salisbury, Maryland
410-749-0264
March 2009- Present

(Previous)

Sales Associate
WalMart
2702 North Salisbury Boulevard
Salisbury, Maryland 21801
April 2008- April 2016

(Prior to entering seminary)

Supervisor, Member Services Dept
SECU Credit Union
Linthicum, Maryland
1-800-879-SECU
August, 2000 - August, 2003

Member Services Supervisor
HarCo Md Federal Credit Union
Bel Air, Maryland
410-838-9090
May, 1995- August, 2000

Assistant Manager
Nation's Bank/Maryland National Bank
Towson, Maryland
January, 1989- May, 1995

Previous jobs included:

Branch Manager,
Group Health Credit Union
Bellevue, Washington

Nursing Technician,
Wilmington Medical Center
Wilmington, Delaware

Medic
United States Army

My Religious Journey:

Because we are a religious community, I believe that our spiritual journey is as important a part of our personal resume as any other portion. With that in mind, I will include a brief summary of my personal religious history:

Christened and raised as Roman Catholic. Attended Catholic elementary school.

I loved being Catholic, and had every intention of pursuing the Catholic priesthood.

At 19, however, I found the Baha'i Faith, and subsequently was a Baha'i for approximately 15 years.

However, as time went on I found that I was distancing myself more and more from any concept of a personal god, which ultimately necessitating no longer identifying with the Baha'is.

As so often happens, though, I wanted our children to have a liberal religious experience, and began attending East Shore Unitarian in Bellevue Washington in 1983. There I found a true spiritual home, and became a Unitarian Universalist.

1 **RESOLUTION NO. 3085**

2
3 BE IT RESOLVED, by the City of Salisbury, Maryland that the following
4 individual is re-appointed to the Human Rights Advisory Committee, for the term ending
5 as indicated.

6
7

<u>Name</u>	<u>Term Ending</u>
John Wright	December 2022

9

10
11 THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the
12 Council of the City of Salisbury, Maryland held on January_____, 2021.

13
14 ATTEST:

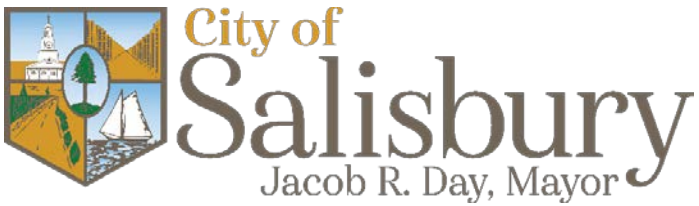
15
16
17 _____
18 Kimberly R. Nichols
19 CITY CLERK

John R. Heath
PRESIDENT, City Council

20
21
22 APPROVED BY ME THIS

23
24 _____ day of _____, 2021
25
26

27 _____
28 Julia Glanz, City Administrator, for and at the
29 direction of Jacob R. Day, Mayor



COUNCIL AGENDA – Department of Procurement

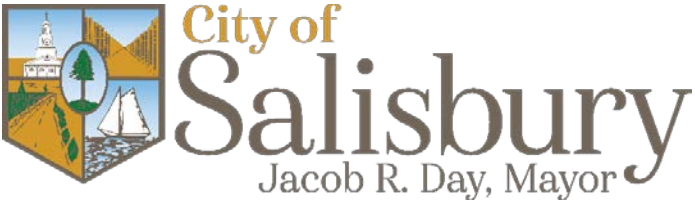
January 11, 2020

Award of Contract(s)

- | | |
|---|--------------------|
| 1. ITB 21-117 Park Plant Flow Meter Replacement | \$ 269,793.00 |
| 2. ITB A-21-103 Various LED Replacement Lights | \$ 218,376.01 est. |

Change Order(s)

- | | |
|---|--------------|
| 1. RFP 19-117
Engineering & Construction Services for Fitzwater Street Lift Station
Change Order #2 | \$ 18,775.00 |
|---|--------------|



To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 11, 2021
Subject: Award of Bids

The Department of Procurement received requests from the Department of Water Works and the Department of Field Operations, respectively, to solicit bids from qualified vendors for the following procurements:

ITB 21-117 Park Plant Flow Meter Replacement

- Scope of Work: Installation of a 16" magnetic flow meter and precast concrete vault at the Park Water Treatment Plant
- Bid date: 11/19/2020
- Bid opening: 12/22/2020
- Total bids received: 8
- Lowest responsive & responsible bidder: Johnston Construction Company (Dover, PA)
- Cost: \$269,793.00
- GL Account(s): 97010-513026-50039 @ \$250,000 and 96113-513026-50039 @ \$19,793.00
- Notes: N/A

ITB A-21-103 Various LED Replacement Lights and Components

- Specifications: Cobra head and decorative LED replacement lights and/or kits
- Bid date: 10/19/2020
- Bid opening: 11/18/2020
- Total bids received: 3
- Lowest responsive & responsible bidder: E.D. Supply Co., Inc. (Salisbury, MD)
- Est. cost: \$218,376.01
- GL Account(s): 98119-513026-43023
- Notes:
 - Indefinite Delivery, Indefinite Quantity contract including a renewal clause (up to two additional 1-yr. terms); orders placed as needed

The City followed required bidding practices by publicly posting all solicitations on the City of Salisbury's Procurement Portal and the State of Maryland's procurement website, eMaryland Marketplace Advantage. The departmental memos provide further details.

The Department of Procurement hereby requests Council's approval to award these contracts to the lowest responsive and responsible bidders as indicated.



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM

To: Jennifer Miller, Director of Procurement
From: Cori Cameron, Director of Water Works
Subject: Recommendation for Awards Contract No. ITB 21-117 Park Plant Flow Meter Replacement
Date: January 4, 2021

Bids for the Park Plant Flow Meter Replacement for the Department of Water Works were opened on December 22, 2020 at 2:30pm for contract number ITB21-117. Eight bidders responded with bids from \$269,793. to \$444,000.

Upon review and evaluation of the bids submitted, the Department recommends the contract be awarded to **Johnston Construction Company** for the amount of \$269,793.

Funds are available in the Water Works Project Accounts#9701-97010-513026-50039 for \$250,000.00 and 9613-96113-513026-50039 \$19,793.00

Please reach out to me with any questions you may have regarding these bid awards.


Cori Cameron, Director



City of
Salisbury
Jacob R. Day, Mayor

To: Jennifer Miller, Director Department of Procurement

From: Billy Lewis, Traffic Systems Manager

Subject: ITB A-21-103 Various LED Replacement Lights and Components Contract

Date: December 3, 2020

Please process the Award of Bids for the ITB A-21-103 Various LED Replacement Lights and Components Contract. The main function of this contract will be to provide materials for LED streetlight conversions throughout the City.

Bids were opened on Wednesday, November 18, 2020 at 2:30 p.m. Three vendors responded as follows to provide the materials to convert streetlights to LED at various street locations within the City Limits of Salisbury, Maryland.

E.D. Supply Co.	\$218,376.01
Capital Electric	\$228,538.38
C.N. Robinson Lighting Supply Co.	\$223,034.00

E.D. Supply Co. has been a reputable vendor for the City of Salisbury and other state and local municipalities for many years. The City of Salisbury has an excellent experience with E.D. Supply Co. and have found their service to be reliable. Contract prices are in line with similar vendor quotes for the City of Salisbury, thereby demonstrating price reasonableness for bid items.

The City of Salisbury, upon review and evaluation of the bid submitted, recommends this contract be awarded to E.D. Supply Co., in the amount of \$218,376.01. The bid submitted by E.D. Supply Co. is financially-feasible and cost-effective.

Funds are available in account number 98119-513026-43023.



City of
Salisbury
Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: January 11, 2021
Subject: Change Order #2 to RFP 19-117
Engineering and Construction Services for Fitzwater Street Lift Station


The Department of Procurement received a request from the Department of Infrastructure & Development to process Change Order #2 in the amount of \$18,775.00 for Request for Proposal (RFP) 19-117. This Change Order provides for additional Engineering and Construction Services to see the construction project through to its anticipated completion in January 2021. The departmental memo and change order are attached for reference.

The Department of Procurement request Council's approval to process Change Order #2 as noted above to the original awarded contractor, George, Miles & Buhr, LLC.



City of Salisbury

Jacob R. Day, Mayor

To: Jennifer Miller, Director of Procurement
From: Amanda H. Pollack, Director of Infrastructure & Development 
Date: December 22, 2020
Re: Contract RFP 19-117 Engineering and Construction Services for Fitzwater Street Lift Station

GMB, LLC was contracted through RFP 19-117 to provide Construction Administration & Inspection Services for Fitzwater Street Lift Station project. The current contract completion date is December 28, 2020. The pump station start up and other critical construction items will not be completed until January 2021, therefore an extension of services is requested. A letter from GMB dated December 21, 2020 is attached.

Change Order No. 2 adds \$18,775.00 in funding for additional Construction Administration and Inspection services and adds 30 days to the contract duration. The contract Final Acceptance date will be extended from December 28 2020 to January 27, 2021. Services provided under this change order include construction administration services, full time inspection services, and close-out services.

Please process Change Order No. 2. This is a Tier 6 change order. Funding in the amount of \$18,775.00 is available in account number 96112-513020-55011.



City of Salisbury

TIER 6 CHANGE ORDER

Original PO \$100,000.01+
Cumulative Increase $\geq 20.01\%$

Contract #: RFP 19-117
Contract Name: Engineering and Construction Services for
Fitzwater Street Lift Station
Change Order #: 2
P.O. #: 2200163
Initiation Date: December 22, 2020
Contract Date: October 29, 2019
Account #: 96112-513020-55011

TO: George, Miles & Buhr, LLC
206 West Main Street
Salisbury, MD 21801

You are directed to make the following changes in this contract:

1. Additional Construction Administration and Inspection Services
2. Increase contract duration by 30 days

Signature of the Contractor indicates their agreement herewith, including any adjustment in the Contract Sum or Contract Time. The terms and conditions of the original contract shall prevail; no other terms and conditions accompanying this charge order shall be valid or enforceable unless specifically acknowledged by written contract amendment issued by the City of Salisbury. Not valid until signed by all parties indicated below.

The original Contract Sum was.....	\$225,300.00
Net change by previously authorized Change Orders.....	\$ 37,550.00
The Contract Sum prior to this Change Order was.....	\$262,850.00
The Contract Sum will be (increased), (decreased), (unchanged) by.....	\$ 18,775.00
The Cumulative Contract Sum including this Change Order will be.....	\$281,625.00
Therefore, the Cumulative Contract Sum will be (increased), (decreased), (unchanged) by....	25%
The Contract Time will be (increased), (decreased), (unchanged) by.....	(30) days or (4) weeks
Therefore, the revised date of Substantial Completion is.....	<u>January 27, 2021</u>
Therefore, the revised date of Final Acceptance is.....	<u>January 27, 2021</u>

AUTHORIZED:

<u>Printed Name</u>	<u>Title</u>	<u>Signature</u>	<u>Date</u>
Amanda Pollack, P.E.	Director of Infrastructure & Development	<i>Amanda H Pollack</i>	12/22/2020
Jennifer Miller, CPPO, CPPB	Director of Procurement		
Keith Cordrey	Director of Finance		
Andy Kitzrow	Deputy City Administrator		
Mark Tilghman, P.A.	City Solicitor		
Julia Glanz	City Administrator		
John R. Heath	President, City Council		

VENDOR ACKNOWLEDGEMENT (Please sign and return two originals):

<u>Printed Name</u>	<u>Title</u>	<u>Signature</u>	<u>Date</u>
James C. Hoageson	Sr. Vice President	<i>James C Hoageson, P.E.</i>	12/22/2020

■ ■ ■ ■

ARCHITECTS
ENGINEERS

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
FAX: 410.548.5790

SALISBURY
BALTIMORE
SEAFORD

www.gmbnet.com

■ ■ ■ ■

JAMES H. WILLEY, JR., PE
PETER A. BOZICK, JR., PE
JUDY A. SCHWARTZ, PE
CHARLES M. O'DONNELL, III, PE
W. BRICE FOXWELL, PE
A. REGGIE MARINER, JR., PE
JAMES C. HOAGESON, PE
STEPHEN L. MARSH, PE
DAVID A. VANDERBEEK, PE
ROLAND E. HOLLAND, PE
JASON M. LYTLE, PE
CHRIS B. DERBYSHIRE, PE
W. MARK GARDOCKY, PE
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, PE

JOHN E. BURNSWORTH, PE
VINCENT A. LUCIANI, PE
ANDREW J. LYONS, JR., PE
W. NICHOLAS LLOYD
AUTUMN J. WILLIS

December 21, 2020

City of Salisbury
Department of Infrastructure and Development
125 N. Division Street, Suite 202
Salisbury, Maryland 21801

Attn: Mr. Richard Baldwin

Re: Engineering Construction Services for Fitzwater Street Lift Station
RFP 19-117
Amendment No. 2

Dear Mr. Baldwin:

George, Miles & Buhr, LLC (GMB) respectfully submits for the City of Salisbury's (CoS) consideration and approval additional Contract Administration and Inspection Services.

GMB is contracted with the CoS for services mentioned above for a term of 420 calendar days commencing on the date of the Contractor's Notice to Proceed, November 4, 2020, and extending until December 28, 2020. As we discussed, it is the desire of GMB and CoS to extend these services. Based on the Contractor's latest construction schedule and the amount of work remaining to complete the lift station, it is our best estimation, at this time, that an additional thirty (30) days of engineering services is necessary at this critical stage of the project.

Accordingly, GMB requests an additional thirty (30) days and additional fee to provide engineering services commencing on December 29, 2020, and extending to January 27, 2021.

Additional Construction Administration:	\$8,375.00
Additional Inspection Services:	\$10,400.00

Total Lump Sum Amendment Request for Engineering Services: **\$18,775.00**

If additional services are requested outside of the timeline established, GMB reserves the right to request additional fee.

GMB appreciates your consideration of Amendment No. 2, and we look forward to continuing working with the City of Salisbury to make this project a success. To avoid any disruption in services, GMB respectfully requests an approved amendment prior to January 12, 2021. Please do not hesitate to contact me with any questions.

Sincerely,

James C. Hoageson, P.E.
Senior Vice President

JCH/slh

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WHEREAS, the ongoing application, administration and enforcement of Title 17, Zoning Salisbury Municipal Code, demonstrates a need for periodic review, evaluation and amendments that will keep Title 17 current; and

WHEREAS, the Mayor and City Council requested that the Salisbury Planning and Development Commission periodically review Title 17 in light of existing procedural practices and input from the City Council and members of the public; and

WHEREAS, a Public Hearing on the proposed amendment was held by the Salisbury Planning and Zoning Commission in accordance with the provisions of Chapter 17.228, of Title 17, of the Salisbury Municipal Code on October 15, 2020; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended as follows:

U. Single Family Detached Dwelling Unit.

37 Explanation:

38
39 * *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*
40 Deleted material from the existing Code is indicated by bold double bracketed [[]]
41 language.
42

43 **AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY,**
44 **MARYLAND**, that this Ordinance shall take effect from and after the date of its final passage, but
45 in no event until ten (10) days after the date of the Council's Public Hearing, and

46 **THE ABOVE ORDINANCE** was introduced and read at a meeting of the Council on the
47 14th day of December 2020, and thereafter, a statement of the substance of the ordinance having
48 been published as required by law, in the meantime, was finally passed by the Council on the 11th
49 day of January, 2021.

50
51 **ATTEST:**

52
53 _____
54 Kimberley R. Nichols
55 City Clerk

John R. Heath, President
Salisbury City Council

56
57 Approved by me this ____ day of _____, 2021.
58
59

60 _____
61 Julia Glanz, City Administrator
62 for and at the direction of
63 Jacob R. Day, Mayor

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WHEREAS, the ongoing application, administration and enforcement of Title 17, Zoning Salisbury Municipal Code, demonstrates a need for periodic review, evaluation and updates that will keep Title 17 current; and

WHEREAS, the Mayor and City Council requested that the Salisbury Planning and Zoning Commission periodically review Title 17 in light of existing procedural practices and input from the City Council and members of the public; and

WHEREAS, a Public Hearing on the proposed amendment was held by the Salisbury Planning and Zoning Commission in accordance with the provisions of Chapter 17.228, of Title 17, Zoning, of the Salisbury Municipal Code on October 15, 2020; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND, that Title 17, Zoning, of the Salisbury Municipal Code is hereby amended as follows:

M. Medical Office/Clinic.

37 Explanation:

38
39 * *ITALICIZED PRINT INDICATES MATERIAL ADDED TO EXISTING LAW.*
40 **Deleted material from the existing Code is indicated by bold double bracketed [[]]**
41 **language.**

42
43 **AND BE IT FURTHER ORDAINED BY THE CITY OF SALISBURY,**
44 **MARYLAND,** that this Ordinance shall take effect from and after the date of its final passage, but
45 in no event until ten (10) days after the date of the Council's Public Hearing, and

46 **THE ABOVE ORDINANCE** was introduced at a meeting of the Council on the 14th day
47 of December 2020, and thereafter, a statement of the substance of the ordinance having been
48 published as required by law, in the meantime, was finally passed by the Council on 11th day of
49 January, 2021.

50
51 **ATTEST:**

52
53 _____
54 Kimberly R. Nichols
55 City Clerk

John R. Heath, President
Salisbury City Council

56
57 Approved by me this

58
59 _____ day of _____, 2021.

60
61
62 _____
63 Julia Glanz, City Administrator
64 for and at the direction of Jacob R. Day, Mayor

ORDINANCE NO. 2633

AN ORDINANCE OF THE CITY OF SALISBURY TO ACCEPT GRANT FUNDS FROM THE SOMERSET COUNTY HEALTH DEPARTMENT IN THE AMOUNT OF \$2,000.00, AND TO APPROVE A BUDGET AMENDMENT TO THE FY21 HOMELESS SOLUTIONS PROGRAM GRANT FUND TO APPROPRIATE FUNDS FOR CORONAVIRUS RESPONSE HAZARD PAY.

WHEREAS, the Somerset County Health Department has awarded the City of Salisbury with Homeless Solutions Program (HSP) grant funding; and

WHEREAS, the purpose of the grant program is to support homeless services, including case management, in the City of Salisbury; and

WHEREAS, the Somerset County Health Department has awarded the City additional funds in the amount of \$2,000.00 to provide hazard bonuses to the City of Salisbury's homeless services department employees; and

WHEREAS, all funds shall be used to provide hazard bonuses to the City of Salisbury's homeless services department employees; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT Mayor Jacob R. Day is hereby authorized to accept funding from the Somerset County Health Department for COVID19 hazard pay in the amount of \$2,000.00.

BE IT FURTHER ORDAINED that the City's Fiscal Year 21 Grant Fund Budget be and hereby is amended as follows:

- 1) Increase FY21 HSP Revenue account (10530-423603-11081) by \$2,000.00
- 2) Increase FY21 HSP Salary Expense account (10530-501001-11081) by \$2,000.00

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

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 14th day of December, 2020, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2021.

Julia Glanz, City Administrator, for and with the authority of
Jacob R. Day, Mayor

ORDINANCE NO. 2634

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S GENERAL CAPITAL PROJECT FUND BUDGET TO REALLOCATE FUNDING FOR THE GOB ROOF PROJECT.

WHEREAS, Schedule B of the FY21 Budget Ordinance authorized the City to reallocate unused funds previously assigned to other capital projects to fund the Government Office Building Roof Project; and

WHEREAS, the Police Communications Project has \$55,400 of available funds previously transferred from the General Fund to be reallocated; and

WHEREAS, the Department of Procurement is seeking to move unused funds from the Police Communications project to the GOB Roof Project to provide the funding for the necessary improvements; and

WHEREAS, appropriations necessary for the roof project funding must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's General Capital Projects Fund Budget be and hereby is amended as follows:

Project Description	Account Description	Account		Amount
Revenues:				
Police Communication	Paygo Previous Year	98017-469313-48033	Decrease	55,400.00
GOB Roof	Paygo Previous Year	98017-469313-43029	Increase	55,400.00
Expenditures:				
Police Communication	Radios	98017-577031-48033	Decrease	55,400.00
GOB Roof	Buildings	98017-577015-43029	Increase	55,400.00

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 14th day of December 2020, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2021.

Julia Glanz, City Administrator, for and at the direction of
Jacob R. Day, Mayor

ORDINANCE NO. 2635

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S WATER AND SEWER CAPITAL PROJECT FUND BUDGET TO REALLOCATE FUNDING FOR THE STRUCTURAL STUDY AND THE PARK WATER TREATMENT PLANT INTERIOR IMPROVEMENTS PROJECTS.

WHEREAS, Schedule B of the City's FY21 Budget Ordinance authorized the City to reallocate unused funds, previously assigned to other capital projects, to fund the Structural Study and the Park Water Treatment Plant Interior Improvement projects; and

WHEREAS, the Scenic Drive Water Main has \$175,000 of available funds, previously transferred from the Water and Sewer Fund, to be reallocated; and

WHEREAS, the Department of Water Works is seeking to move unused funds from the Scenic Drive Water Main project to the Structural Study and the Park Water Treatment Plant Interior Improvement projects to provide the funding for the necessary improvements; and

WHEREAS, appropriations necessary for the park water treatment plant project must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Water and Sewer Capital Projects Fund Budget be and hereby is amended as follows:

Project Description	Account Type	Account Description	Account	Amount
Scenic Drive Water Main	Decrease Revenue	Paygo Previous Year	97030-469314-48014	-75,000.00
Structural Study	Increase Revenue	Paygo Previous Year	97030-469314-55515	75,000.00
Scenic Drive Water Main	Decrease Expenditure	Construction	97030-513026-48014	-75,000.00
Structural Study	Increase Expenditure	Engineering	97030-513020-55515	75,000.00
Scenic Drive Water Main	Decrease Revenue	Paygo Previous Year	97030-469314-48014	-100,000.00
Park Water Treatment Plant interior Improvements	Increase Revenue	Paygo Previous Year	97030-469314-50045	100,000.00
Scenic Drive Water Main	Decrease Expenditure	Construction	97030-513026-48014	-100,000.00
Park Water Treatment Plant interior Improvements	Increase Expenditure	Engineering	97030-513026-50045	100,000.00

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 14th day of December 2020, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of ____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2021.

Julia Glanz, City Administrator, for and at the direction of
Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda H. Pollack, P.E., Director of Infrastructure & Development
Date: December 3, 2020
Re: Budget Amendment – MDOT Grant for Naylor Mill Bridge Design

AP

The Department of Infrastructure & Development is requesting consideration for a budget amendment to accept a grant from the Maryland Department of Transportation (MDOT) State Highway Administration (SHA) for the design of the replacement of the bridge on Naylor Mill Road. Naylor Mill Bridge (WIS-10) has surpassed its design life and is in need of replacement. Funding is available through the SHA Bridge Replacement Fund. The fund has an 80/20 split, where the City is responsible for 20% of the cost.

Attached is the Master Memorandum of Understanding regarding Federal Aid projects between the City and MDOT SHA dated February 1, 2018. Also attached is a Supplemental Agreement dated November 5, 2020 and Cost Sharing Agreement. The Supplemental and Cost Sharing Agreements are specific to the Naylor Mill Bridge replacement project. The total estimated design costs are \$471,382.72. The grant is for \$377,106.18 (80%) and the City match is \$94,276.54 (20%). The design costs include MDOT SHA staff review costs.

The FY20 Budget Ordinance No 2539 included the projected grant amount which was \$280,000.00. Based on the negotiated scope of work and fee, the grant amount has been increased by \$97,106.18 to \$377,106.18. The design scope of work is attached. MDOT SHA is contracting with Jacobs/EBA Joint Venture to perform the design work.

The City's match was included in the FY20 budget and is supplemented by the annual bridge maintenance account. Matching funds are currently available in project accounts 48062 and 42004.

Unless you or the Mayor have further questions, please forward a copy of this memo, the agreement and the ordinance to the City Council.



In Joint Venture

Revised August 18, 2020

~~Revised: May 20, 2020~~

~~October 11, 2019~~

Ms. Kelly Nash, P.E., Contract Manager
Office of Structures
Maryland State Highway Administration
Mail Stop C-203
707 North Calvert Street
Baltimore, Maryland 21202

Attention: Jordan Tacchetti, P.E., Task Manager

Subject: Contract No. BCS 2014-21G
Highway Structures Engineering Services for State and Local Governments
Proposal for Task No. 12 – Naylor Mill Road over Naylor's Pond Stream

Project: Naylor Mill Road over Naylor's Pond Stream, Salisbury, MD

Mr. Tacchetti:

We thank you for the opportunity to provide our services under the MDOT State Highway Administration (MDOT SHA) Contract BCS 2014-21G. As requested, Jacobs is submitting this proposal for engineering services for the replacement of Bridge No. WIS-10001, Naylor Mill Road over Naylor's Pond Stream in Wicomico County, Maryland. Work in this proposal includes preparation of TS&L Review, PI Review, and Foundation Review submittals as described herein.

INTRODUCTION

Naylor Mill Road, in Wicomico County, Maryland, is a two-lane road that travels generally east to west. The road crosses Naylor's Pond Stream over an existing five-span continuous nail-laminated timber slab bridge between Jersey Road and Scenic Drive, about 1.5 miles northwest of the US 50 and US 13 interchange and approximately three miles north of Salisbury.

The bridge was constructed in 1963 and carries two lanes of traffic, one in each direction. The curb-to-curb width is 30'-1" and the overall length is 59'-6". The deck consists of a bituminous wearing surface on top of a nail-laminated timber deck. The substructure consists of timber abutments, wingwalls, and timber pile bents.

The bridge is currently posted at inventory level for 49,000 pounds for Single Unit Vehicles (GVW), and 56,000 pounds for Combination Unit Vehicles (GVW). The prior bridge inspection report indicates that this bridge is in fair/good condition, and the BSR is 34.2. The bridge is inspected on a 12-month cycle due to the condition of the substructure. This rehabilitation will entail a complete bridge replacement.

APPLICABLE SPECIFICATIONS AND CRITERIA

The design for this task will be in accordance with the latest AASHTO and State Highway Administration criteria, standards and practices. All design work will be accomplished in compliance with the Specifications for Consulting Engineers' Services, Volume II, Sections V, VI, VIII and IX, dated April 1986. The following lists major design criteria governing this project.

Standards

Jacobs will perform all work in accordance with but not limited to:

- *SHA Book of Standards for Highway & Incidental Structures*
- *SHA Standard Specifications for Construction and Materials – 2018*
- *SHA Structural Standards Manual*
- *AASHTO, Policy on Geometric Design of Highways and Streets, 2001*
- *AASHTO, LRFD Bridge Design Specifications, Eighth Edition, 2017*
- *Accessibility Policy & Guidelines for Pedestrian Facilities along State Highways, 2010*
- *Maryland MUTCD – 2011 Edition*
- *SHA Highway Drainage Manual*
- *Maryland 2000 Stormwater Design Manual Volumes I and II*
- *Maryland State Highway Administration, Sediment and Stormwater Guidelines and Procedures, February 20, 2015*
- *2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control*
- *SHA CADD Standards and naming convention*
- *City of Salisbury Construction Standards*
- *City of Salisbury Construction & Material Specifications*
- *Wicomico County, Maryland Construction Standards*
- *Maryland Coordinate System (NAD 83/91, NAVD 88)*

WORK TO BE ACCOMPLISHED

The work under this task consists of preliminary engineering for the replacement of the bridge, including preparation of plans, specifications, and construction cost estimates. Our Joint Venture (JV) team will maintain neat and orderly backup calculations and document all necessary design exceptions and waivers.

Jacobs will perform the roadway design, E & S and SWM design, structural design, MOTAA, maintenance of traffic plans, signage and marking plans, Pre-TS&L submittal, TS&L submittal, PI submittal, environmental coordination/NEPA approval, and foundation plans/foundation report submittal. Our JV partner, EBA Engineering, Inc. (EBA), will perform the hydraulic and hydrological studies and scour analysis. Our sub-consultant, Coastal Resources, Inc. (CRI), will perform the wetland delineation and complete the forest conservation waiver and tree permit. Our

sub-consultant, AB Consultants, Inc. (AB), will perform the surveys, coordinate with local utilities, perform soil, roadway, and SWM borings, and prepare and submit geotechnical report for inclusion in the foundation report.

Items of work to be accomplished, as they relate to the major disciplines on this project include:

1. Project Initiation

- a. Jacobs has received the previous condition inspection report, and other information related to the bridge provided by the City of Salisbury Division of Public Works (City). Jacobs will review this information.

2. Field Visits

- a. Using the latest bridge inspection report as a guide, we will perform a field evaluation of the condition of the bridge. This evaluation will focus on conditions noted in the report. Our two-person team will note our observations and take photographs. No special equipment other than waders will be anticipated to perform this work. We will immediately notify the City if any previously unknown or serious defects are found.
- b. We will perform another site visit to investigate existing roadway (2 persons).

3. Roadway Design

- a. Roadway Design: Jacobs will design the roadway from 100 feet east of the bridge to 100 feet west of the bridge. The roadway design includes the typical section, plan layout, superelevation, traffic barriers, profile and cross sections. We will check sight distances. Design exceptions, if any, are to be determined/identified and design exceptions will be prepared for MDOT SHA review and approval during Final Design.
- b. MOTAA: Jacobs will prepare a Maintenance of Traffic Alternative Analysis (MOTAA), in memorandum format.

Collect Data

- 1. Determine the intersections where traffic data is required. This includes traffic counts, accident data, and existing signal timing.
- 2. Access the SHA website and coordinate with the City of Salisbury to obtain traffic data, documenting the latest count dates.
- 3. Determine what traffic data is still required.
- 4. SHA Travel Forecasting will collect and provide all required traffic data.

Prepare MOTAA: This task involves preparing a MOTAA in accordance with “Transportation Management Plans: Guidelines for Development, Implementation and Assessment.” Jacobs will analyze 3 work zone options.

Work Zone Option #1: Full closure of the bridge and detour all traffic onto MD state highways and city roadways. Construction would occur in one (1) stage.

Work Zone Option #2: Reduce Naylor Mill Road to one (1) lane of traffic in each direction. Construction would occur in two (2) stages. Traffic would be shifted, and two-way traffic would operate on one side while the other side is being replaced. The reverse would be done to replace the opposite side.

Work Zone Option #3: Maintain two (2) lanes of traffic in each direction by constructing a temporary roadway and temporary bridge adjacent to the existing structure.

Upon receipt of the traffic data, the preparation of the MOTAA document includes the following steps:

Develop Memo:

The memo, in general, will include:

- Introduction
- Site Location Map
- Text Description of Study Network
- Text Description of Existing Traffic Volumes and Conditions
- Text Description of Travel Times, Delays, and Queue Lengths
- Assessment of Work Zone Impacts
- Evaluation of Mobility Thresholds
- Benefits/Constraints Discussion
- User Cost
- Cost Estimate
- Level of Service Analyses Comparison
- Work Zone Options Table with Text Descriptions
- Summary and Recommendations

Simulation:

Where applicable, Synchro/HCS analysis will be run and a simulation will be performed in order to evaluate the impact of the work zone options. This requires input of the lane configuration, lengths, speed limits, etc. into the software.

Analysis will be done for the existing conditions, then for the 3 separate work zone options. It will be assumed that all (100%) of the impacted traffic volume will pass through the work zone being evaluated.

Figures and Typical Sections:

Jacobs will include generic schematic figures of the work zone layout in accordance with the “Book of Standards” and Manual on Uniform Traffic Control Devices (MUTCD). Jacobs will coordinate with SHA-BDD to develop the Typical Sections for any work zone option that requires staged construction and/or temporary structural support(s).

Cost Estimates

Using the Estimator program, Jacobs will prepare a planning level cost estimate for each work zone option, including costs for the Maintenance of Traffic items and user cost for the particular work zone option.

- c. Maintenance of Traffic Design: The scope of work will include preparing plans for a City-selected detour route and preparing MOT plans in the vicinity of the site. The scope of work for Maintenance of Traffic (MOT) plans is based on up to two (2) major phases at two (2) sheets per phase for a total of 4 sheets. Note that plans will not be prepared for the final phases of work, such as pavement milling and final overlays, landscaping, etc., as these will be summarized and/or delineated as needed in text form using standard references. Our scope of work for MOT includes:
- Prepare base MOT plans at a scale of 1" = 30'.
 - Prepare MOT design consisting of work area shading and temporary traffic control device, layouts, temporary signing layouts, sequence of construction, and typical sections.
 - Prepare and submit preliminary MOT design plans.
 - Our proposal **DOES NOT** include the design of pedestrian or bicycle detour plans or sidewalk/ramps designs required for pedestrian or bicycle MOT.
- d. Signing and Pavement Marking Design: The scope of work for signing and pavement marking design will include the design of regulatory, warning, information, and guide signs and pavement markings within the project limits. Our scope of work for signing and pavement marking design includes:
- Perform a field inventory of existing signing and pavement markings within and 200' beyond the project limits.
 - Prepare base signing design plan sheets, using 1" = 30' scale.
 - Prepare proposed signing and pavement marking design.
 - Prepare and submit preliminary signing and pavement marking design plans.
- e. Drainage, Stormwater Management (SWM), Erosion and Sediment Control (ESC): The roadway is in open section, with exiting slopes draining towards the stream. We do not anticipate designing any drainage structures, outside of SWM facilities.
- i. *Design SWM:* Design the SWM facilities with the input of a licensed landscape

architect and adhere to the accepted standards for the profession concerning aesthetics and site planning. This includes not only planting but also grading, landforms, site layout, safety criteria and choice of materials. The SWM facilities shall integrate well visually with the surrounding environment, developments, communities, roadways, and corridor landscaping. The SWM design must follow the most current MDE Design Standards and Site Development Criteria. We anticipate three locations for SWM facilities.

- ii. *Design ESC:* Design ESC for clearing & grubbing, construction, maintenance of stream flow, and Maintenance of Traffic (MOT) phases. Address MDOT SHA and Plan Review Division (PRD) comments on submittals and provide point by point responses.

For E&S Controls, we will develop & finalize ESC model each phase. Model to cover entire Project and include 1-foot contours for each phase. Reference sensitive environmental resource areas such as wetlands, woodlands, streams, and locations of major diversions and sediment controls. Design of initial (clearing and grubbing) phase linear ESC measures to divert, convey, and filter stormwater runoff. This includes determining drainage areas and developing maps.

Design all other initial phase ESC measures including traps, stone outlet structures, inlet protection, dewatering devices, area stabilization, and construction entrances for the phase. This includes determining drainage areas and developing maps. We will prepare plan sheets to depict the E&S Design. Two (2) full-size hard copies of the plan set will be submitted to the City for submission to Wicomico Soil Conservation District.

- iii. *Stormwater Management (SWM) Concept Report:* Prepare a SWM Concept report and revise until SWM concept report is approved. Assemble developed maps, photos, documents, and computations. Prepare narrative and summary tables. The narrative is to cover Project Description, Methodology, Analysis of Points of Investigation (POIs), ESC narrative and Conclusions. The assembled SWM Concept report will follow the approved format. The analysis will thoroughly discuss the project's quantitative and qualitative SWM requirements, proposed methods of SWM, and provide valid reasons when SWM is not feasible. Provide two (2) hard copies and one (1) electronic copy of the Concept SWM report for each submission.
- f. Maintenance of Stream Flow: Prepare a set of maintenance of stream flow plans to facilitate demolition of the existing bridge and construction of the new bridge. The diversions will convey the two-year peak flows.
- g. Preliminary Review: We anticipate that the following sheets will be required:

- Title Sheet
 - Index Sheet
 - Typical Sections
 - Paving and Miscellaneous Details
 - Superelevation Details
 - Geometry Sheets
 - Roadway Plans (1"=30') (2 sheets)
 - Profiles (2 sheets)
 - Maintenance of Traffic Sheets (3 sheets)
 - Erosion and Sediment Control Sheets (4 sheets)
 - Stormwater Management Sheets (4 sheets)
 - Maintenance of Stream Flow Sheets (12 sheets)
 - Cross sections (10 sheets)
 - TOTAL PLAN AND PROFILE SHEETS (43 sheets)
- h. Review Hydrologic and Hydraulic (H&H) Report: We will review the H&H Report prepared by EBA. Specific items to be reviewed include the determination of flows, and the HEC-RAS model. We will review the basic assumptions and review the model inputs. We will perform a sensitivity analysis to determine the effects of minor changes to the model. We will update the H&H Report, re-submit the H&H Report to MDE for re-approval, address MDE comments and coordinate with MDE.

4. Structures

Jacobs will develop the bridge design and construction documents in accordance with the MDOT SHA Structural Standards Manual and the Office of Structures' Policy and Procedures Manual. We will design the bridge for an HL-93 live loading in accordance with the applicable provisions of the *AASHTO LRFD Bridge Design Specifications*, 8th Edition dated 2017. We will prepare drawings using Microstation V8 software and MD SHA CADD standards, using City of Salisbury standard plan sheet borders.

- a. Pre- TS&L Review: Jacobs will prepare the Pre-TS&L Review submittal, identifying at least two structural alternatives for consideration. Plans for the Pre-TS&L Review will include:
- General Plan and Elevation
 - Typical Sections
 - Abutment and Wing Wall Typical Sections

We will submit the following to City of Salisbury DPW for distribution, review and approval:

- Electronic copy (pdf) of the plans
- Preliminary Engineer's Cost Estimate as a pdf and an Excel worksheet
- Preliminary hydrological and hydraulic computations

- Pre-TS&L Report with recommended scheme
- b. TS&L Review: Jacobs will prepare the TS&L Review submittal. Structural plans for the TS&L Review will include:
- General Plan and Elevation
 - Sequence of Construction and Maintenance of Stream Flow (2 sheets)
 - Typical Section
 - Abutment and Wing Wall Plan and Elevations
 - Abutment and Wing Wall Typical Sections

We will submit the following to City of Salisbury DPW for distribution, review and approval:

- Electronic copy (pdf) of the plans
- Preliminary Engineer's Cost Estimate as a pdf and an Excel worksheet

Jacobs will attend the TS&L Review Meeting, assist City of Salisbury DPW with preparing meeting agenda, discuss the review comments, and prepare the meeting minutes.

In addition to comments made at the TS&L Review Meeting, the MDOT SHA and City of Salisbury DPW shall submit their comments to Jacobs in writing. Jacobs will provide written responses to these review comments to City of Salisbury DPW and the MDOT SHA.

- c. PI Review: After updating the plans per the TS&L review comments, Jacobs will prepare the PI Review submittal. Structural plans for the PI Review will include:
- General Plan and Elevation
 - Sequence of Construction and Maintenance of Stream Flow (2 sheets)
 - Typical Section
 - Abutment and Wing Wall Plan and Elevations
 - Abutment and Wing Wall Typical Sections

We will submit the following to City of Salisbury DPW for distribution, review and approval:

- Electronic copy (pdf) of the plans
- Preliminary Engineer's Cost Estimate as a pdf and an Excel worksheet

Jacobs will attend the PI Field Meeting, assist City of Salisbury DPW with preparing meeting agenda, discuss the review comments, and prepare the meeting minutes.

In addition to comments made at the PI Field Meeting, the MDOT SHA and City of Salisbury DPW shall submit their comments to Jacobs in writing. Jacobs will provide written responses to these review comments to City of Salisbury DPW and the MDOT SHA.

Jacobs will prepare a PI Report for City of Salisbury DPW to review. City of Salisbury DPW will submit this report to the MDOT SHA Office of Structures.

- d. Foundation Review: Upon receipt of the boring and drive test data from our sub-consultant, AB Consultants, Inc., Jacobs will develop a foundation report in accordance with MDOT SHA PPM D-79-17 (4). Plans included in the Foundation Review will include:

- General Plan and Elevation
- Hydrologic and Hydraulic Data Sheet
- Sequence of Construction and Maintenance of Stream Flow (2 sheets)
- Typical Section
- Abutment and Wing Wall Plan and Elevations
- Abutment and Wing Wall Typical Sections
- Boring and Drive Tests

We will submit the following to City of Salisbury DPW for distribution, review and approval:

- Electronic copy (pdf) of the Foundation Review submittal
- Engineer's Cost Estimate as a pdf and an Excel worksheet

5. Geotechnical Investigations

- a. AB will drill the soil test borings for roadway design, SWM facilities, and abutments; and produce a Geotechnical Report. See AB's proposal for a detailed scope of work.

6. Surveys

- a. All survey information available from the City will be given to the Joint Venture team. Our subconsultant, AB Consultants, Inc. (AB), will perform field topographic surveys of the bridge site to provide base plan information and update the existing survey. The survey will include the approach roadways and upstream and downstream of the bridge along Naylor's Pond Stream. See AB's proposal for a detailed scope of work.

7. Utilities

- a. Our sub-consultant, AB, will develop a record of the utilities within the project site. AB will contact the local utility companies including Chesapeake Utilities, Verizon

and Comcast to obtain their records. We will include utility records in our base mapping for the project. See AB's proposal for a detailed scope of work.

8. Environmental

- a. It is anticipated that the National Environmental Policy Act (NEPA) document required for this project should be a Categorical Exclusion (CE). The CE will reflect the preferred alternative to properly reflect the scope, intent and impacts of the project. If it is determined that the environmental impacts would be minimal, a Programmatic Categorical Exclusion would be completed.
- b. Using the Environmental Documentation Process Checklist used by MDOT SHA for local government projects involving federal funding, we will collect the environmental documentation for the project. We will coordinate with the Maryland Department of Natural Resources (DNR) through DNR's Online Trilogy Application. We will also coordinate with the US Fish and Wildlife Service (FWS) using FWS's Information, Planning, and Consultation System (IPaC). If resources are identified within the project area, we would coordinate with DNR and FWS accordingly to avoid impacts to sensitive resources and habitat. All environmental coordination will require letters to be on City of Salisbury letterhead. City of Salisbury will provide Jacobs with City letterhead and will review letters prior to Jacobs submitting the letters. If historic resources are identified within the project area and MHT determines that the project would result in No Adverse Effect to historic resources, Jacobs will complete a *de minimis* impact determination request for concurrence by MHT and approval by FHWA. We will forward responses to our requests to MDOT SHA for inclusion with the CE request. We do not anticipate identifying any adverse effects as part of our work. We expect obtaining NEPA approval once we receive all agency responses.
- c. In addition, we will provide notice and obtain comment from County emergency service providers relative to the project. We will prepare letters and forward them to City Police and Fire and Rescue services. We will discuss any comments with the DPW staff and resolve applicable comments into the construction documents.
- d. Jacobs will also assist City of Salisbury with preparing federal aid documents.

9. Wetland Delineation and Permits

- a. Our sub-consultant, Coastal Resources Inc. (CRI), will conduct a site visit to determine the presence of jurisdictional waters of the U.S., including wetlands. All waters of the U.S., including wetlands, intermittent and perennial streams, and ephemeral channels, within the study area will be flagged with pink "wetland delineation" ribbon using the 1987 Corps of Engineers Wetland Delineation Manual and subsequent regulatory guidance. See CRI's proposal for details.

- b. Jacobs will coordinate with MDE to set up an Agency Pre-Application Meeting/Field Verification if needed. We will attend the meeting along with our sub-consultant, CRI. See CRI's proposal for details.
- c. See CRI's proposal for Joint Permit Application, documentation, and agency coordination; and Roadside Tree Permit details.

10. Plat Preparation

- a. Our sub-consultant, AB, will prepare plats in the area of Naylor Mill Road over Naylors Pond Creek. See AB's scope for details.

11. Hydrologic and Hydraulic (H & H) Study

- a. Our JV Partner, EBA Engineering, Inc. (EBA), will perform the H & H Study and Scour Evaluation. See EBA's scope for details.

12. Meetings

- a. Attend Kick-off Meeting and provide Structures portion of meeting minutes (1 meeting).
- b. Attend MDOT SHA OOS TS&L Meeting and provide meeting minutes (1 meeting). One full size set of paper plots and 7 half-size set of paper plots of the plans will be required for this meeting.
- c. Attend PI Field Meeting and provide Structures portion of meeting minutes to be included in the PI Report (1 meeting).
- d. Attend Team Meetings and provide Structures portion of meeting minutes (1 meetings).
- e. Coordinate between disciplines.

13. Quality Assurance / Quality Control

- We will check the plans, specifications and estimate using our quality control procedures. Before all submittals, we will perform an audit to ensure that all our procedures have been followed.
- Review Subconsultant's work.

**INFORMATION TO BE PROVIDED BY CITY OF SALISBURY AND
MDOT SHA**

The Specifications for Consulting Engineers Services, Volume II, Sections V, VI, VII, VIII, and IX, dated April 1986 describes those services the State Highway Administration will provide for this project.

ASSUMPTIONS AND CLARIFICATIONS

- City of Salisbury will provide available as-built plans and inspection reports for the existing bridge.
- Aesthetic treatments, landscape architecture, and/or bridge renderings and are not included with this task.
- Any additional work beyond the Foundation Review submittal will require a separate Task proposal.

DELIVERABLES AND TENTATIVE SCHEDULE

Submit Draft MOTAA Report	3 months after NTP
Submit Final MOTAA Report	4 months after NTP
Submit Pre-TS&L Review Package	4 months after NTP
Submit TS&L Review Package	6 months after NTP
Submit PI Review Package	8 months after NTP
Submit Foundation Review Package	10 months after NTP
Submit Preliminary Right-of-Way Plats	12 months after NTP
Submit E&S Plans (1 st Submittal)	12 months after NTP

COST AND PRICE SUMMARY

Attached is Jacobs' scope of work, man-hour and cost estimates to perform this work. We request approval in the amount of \$444,559.72 of which \$227,512.59 is allotted to Jacobs, \$36,555.29 for EBA Engineering, Inc., \$162,964.96 for AB Consultants, Inc. (DBE), and \$17,526.87 for Coastal Resources, Inc. (DBE). Please see attached budget for detailed cost breakdown.

DBE PARTICIPATION

AB Consultants, Inc. and Coastal Resources, Inc. will participate in this task as DBEs with 41% of the work.

Ms. Kelly Nash, P.E., Contract Manager
Proposal for Contract No. BCS 2014-21G – Task No. 12
Naylor Mill Road over Naylor's Pond Stream
Revised August 18, 2020
~~Revised: May 20, 2020~~
~~October 11, 2019~~

We appreciate the opportunity to assist you with this important project and look forward to helping you meet your objectives. Should you have any questions, please contact our Contract Manager, John Truscello at john.truscello@jacobs.com, or our Task Manager, Mohamed Ahmed at Mohamed.Ahmed@jacobs.com, or by phone at 410-837-5840.

Very truly yours,

JACOBS/EBA - A Joint Venture



Harriet Levine, P.E.
JV Representative

Attachments: 1) EBA Engineering, Inc. Scope of Services
2) AB Consultants, Inc. Scope of Services
3) Coastal Resources, Inc. Scope of Services

cc: Mike Zimmerman, City of Salisbury Dept. of Infrastructure & Development
Dhruba Biswas, EBA
R. Joseph Burns, EBA

ORDINANCE NO. 2642

AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO SIGN THE SUPPLEMENTAL AGREEMENT AND COST SHARE AGREEMENT AND ACCEPT A GRANT FROM THE MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION AND APPROVING AN AMENDMENT OF THE GRANT FUND BUDGET TO ALLOCATE SAID FUNDS FOR PURPOSES OF IMPLEMENTATION.

WHEREAS, the City of Salisbury executed a Master Memorandum of Understanding with the Maryland Department of Transportation regarding Federal Aid projects on February 1, 2018; and

WHEREAS, the City desires to utilize the Maryland Department of Transportation Memorandum of Understanding to perform design services associated with the Naylor Mill Bridge Replacement Project; and

WHEREAS, the Project will replace aging infrastructure and enhance the safety of the transportation network for the City's residents and visitors; and

WHEREAS, Maryland Department of Transportation has awarded a grant in the amount of \$377,106.18 to provide for the Naylor Mill Bridge design; and

WHEREAS, the City's FY20 Budget Ordinance No 2539 included the projected grant amount of \$280,000.00; and

WHEREAS, the actual grant amount has been increased by \$97,106.18 to \$377,106.18; and

WHEREAS, the City shall accept the grant in form of reimbursements and transfer those funds from the Reimbursement account to the Grant Account.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED that the City Council of the City of Salisbury, Maryland does hereby authorize the Mayor to sign the attached Supplemental Agreement accepting the project term and the attached Cost Share Agreement for the betterment of the City and its residents, and accept the grant of \$377,106.18 from the Maryland Department of Transportation to perform the Naylor Mill Bridge design and further authorizes grant reimbursements to be transferred to the appropriate Grant account.

BE IT FURTHER ORDAINED that the City's Grant Fund Budget be amended as follows:

- 1) Increase the Maryland Department of Transportation Grant Revenue Account (10500-425805-48062) by \$97,106.18
- 2) Increase the Engineering Expense Account (10500-513020-48062) by \$97,106.18

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

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 11th day of January, 2021, and thereafter, a statement of the substance of the

Ordinance having been published as required by law, was finally passed by the Council on the
____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS:

____ day of _____, 2021

Julia Glanz, City Administrator
for and at the direction of
Jacob R. Day, Mayor

MASTER MEMORANDUM OF UNDERSTANDING

**CITY OF SALISBURY
and
MARYLAND DEPARTMENT OF TRANSPORTATION
MDOT SHA HIGHWAY ADMINISTRATION**

**FEDERAL-AID PROJECT
GUIDELINES AND WORKING AGREEMENT**

THIS MASTER MEMORANDUM OF UNDERSTANDING (“MOU”), executed in duplicate, made effective as of the **First (1st) day of FEBRUARY 2018**, by and between the Maryland Department of Transportation State Highway Administration, acting for and on behalf of, the State of Maryland, hereinafter referred to as “**MDOT SHA**”, and “**City of Salisbury**”, Maryland, a body corporate and politic, hereinafter referred to as the “**Local Public Agency**” or “**LPA**”.

WHEREAS, MDOT SHA is responsible for the oversight of and assistance to the LPA for projects financed with Federal funds in accordance with Title 23 U.S.C.; 23 CFR 635.105 which contains regulations (general and permanent rules published in the Federal Register) relating to highways including 2 CFR 200. Regulations based on Civil Rights requirements in Title 49, the Uniform Relocation Assistance and Real Property Policies, the Federal Highway Administration “**FHWA**”, and other Federal laws and regulations set forth procedures whereby services and facilities of LPA may be utilized on Federally-aided projects and requires that an agreement be executed between MDOT SHA and the LPA setting forth the conditions under which any project would be implemented; MDOT SHA determines if the LPA is able to satisfy the requirements of Title 23 U.S.C. 106(g)(4) and therefore be effective in managing Federally-aided projects; and

WHEREAS, the LPA desires to make improvements to roads, bridges, traffic signals, or other highway-related facilities, or to engage in a safety or highway related project, either on and/or off the Federal-aid system of highways; and

WHEREAS, the MDOT SHA has accepted the proposal of the LPA and agrees to assist in the administering and partnering with the LPA as outlined in this MOU and in the Supplemental Agreement (“**SA**”) as they are developed for any selected project(s); and

WHEREAS, the LPA proposes to utilize Federal funds for eligible project activities and agrees to participate in financing the project if the project costs exceed the amount of the Federal aid; and

WHEREAS, the LPA desires to cooperate with the MDOT SHA in carrying out Projects, in accordance with the regulations, policies, and procedures of the FHWA, with the provisions of the MDOT SHA's, USDOT Order 5020.2 dated August 14, 2014 and Stewardship & Oversight Agreement between the MDOT/SHA/FHWA dated May 21, 2015, where applicable.

NOW, THEREFORE, be it understood the MDOT SHA and the LPA do hereby agree as follows:

I. Project Selection

- A. Projects shall be selected by the LPA in cooperation with the MDOT SHA (hereinafter "**Project**"). Grant Programs may require the LPA to apply for funding that is approved and awarded by a Review Committee. For each Project, the parties will jointly develop a SA, which shall include, when applicable, the following:
1. A Detailed scope and objective(s).
 2. Set milestone targets and schedule.
 3. Indicate compliance with the MDOT SHA's monitoring requirements to include monthly progress or status reports which shall be submitted to the designated Office(s) within the MDOT SHA on or about March 1st, June 1st, September 1st, and December 1st of each year until the Project has been closed out.
 4. Outline the Federal and LPA funding amounts and other pertinent financial information.
 5. Establish roles and responsibilities that are tailored to and recognize the LPA's experience and capabilities
 6. Insure timely delivery.
 7. Monthly billing and reimbursement arrangement.
 8. Set forth a timely Project Closeout Date for the LPA to complete all related project closeout activities and reviews.
 9. Set forth a timely Project Agreement End Date (Period of Performance 2 CFR Part 200.309)
 10. The Project Closeout Date and Project Agreement End Date will be determined using the established MDOT SHA project end date procedures.
 11. Outline records and retention requirements
 12. Identifies the LPA's fulltime employee to be in "responsible charge" of the project as defined on the MDOT SHA Development Guide for Local Public Agencies and other Sub-recipients of federal funds.
- B. The LPA Projects must be included in an approved State Transportation Improvement Program (STIP) and, when applicable, an approved Metropolitan Transportation Improvement Program (TIP).

- C. The LPA's pursuant to 23 U.S.C. 106(g)(4) and the MDOT SHA shall be responsible for determining that sub-recipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. The MDOT SHA is also responsible for ensuring compliance with reporting and other requirements applicable to grantees making sub-awards, such as monthly reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, PL 109-282 (as amended by PL 110-252).

II. Procurement of Consultant Services

- A. The LPA shall perform preliminary design (PD) and final design (FD) work under Preliminary Engineering (PE), prepare specification, estimates, contract plans, inspections and/or construction management either with their own forces or by utilizing the services of an approved A/E Consultant in accordance with 23 CFR Part 172.
- B. The LPA shall, prior to initiating procurement of a A/E consultant, request the MDOT SHA approval for procuring an A/E consultant, the contract type, the procurement and payment methods to be used based on the estimated cost, and the award of the A/E consultant contract from the MDOT SHA Office of Procurement through the MDOT SHA Office of Finance Federal Aid Programming Division. If the contract type is an open-end (IDIQ), the LPA shall also request approval of their 2nd Qualification Based Selection (QBS) in awarding of task orders is in compliance with 23 CFR 172.9 (a)(3).
- C. The LPA will use the Development Guide for LPAs and Other Sub-Recipients of Federal Funds for instructions on the procurement and payment methods, and contract types.
- D. The MDOT SHA may allow the following options for obtaining A/E Consultant Services. Each request will be subject to review, availability of services, LPA's ability to manage process as described in Section I.C.

The LPA Consultant Procurement Options:

- 1. The LPA request use of the MDOT SHA open-end contract (IDIQ).
- 2. The LPA procure a project specific contract via the QBS or small purchases method.
- 3. The LPA procure an IDIQ or project specific contract QBS (see section II.B).

III. Preliminary and Final Design

- A. Design Standards:
 - 1. The geometric design standards shall meet FHWA most currently

adopted edition of "A Policy on Geometric Design of Highways and Streets" by American Association of State Highway and Transportation Officials (AASHTO), or as modified with the concurrence of (i) the LPA, and the MDOT SHA for projects exempt from FHWA review, and (ii) the LPA, the MDOT SHA, and FHWA for projects not exempt from FHWA review.

2. Bridge design standards shall be consistent with the current edition of AASHTO Load Resistance Factor Design (LRFD) Bridge Design Specifications.
3. Non-highway projects must conform to the currently accepted standards for the type of work being done, such as architectural standards and/or International Building Code (IBC) (current version).
4. Bicycle and pedestrian facilities funded with Federal funding must conform to design standards in the MDOT's Bicycle Policy & Design Guidelines and Accessibility Guidelines for Pedestrian Facilities along State Highways (current version).
5. All projects must conform to FHWA design standards, specifications and guidelines. Projects within the MDOT SHA right-of-way must conform to the MDOT SHA approved standards where they are more stringent than FHWA requirements as outlined Chapter 9 of the Development Guide for LPA and other Sub-Recipients of Federal Funds. Projects within the Local right of way must meet Local and Federal requirements.
6. The installation of traffic control devices shall meet the warrants and/or guidelines prescribed in the current version of Maryland's Manual on Uniform Traffic Control Devices and Maryland Supplements.
7. The specific design and dimensions shall be determined from said standards using traffic volumes, terrain, and benefit/cost analysis as warranted. Design exceptions shall be cooperatively reviewed and approved by the MDOT SHA, the LPA, and FHWA, for Projects not exempt from FHWA review.
8. The LPA will comply with the Project Design Standards, Guidelines, Policies and Requirements as outlined in Chapter 9 of the Development Guide for Local Public Agencies and Other Sub-Recipients of Federal Funds.

B. Project Plan Development:

1. Preliminary and final design work may be performed by the LPA, the MDOT SHA, or a A / E consultant (23 CFR Part 172),

as agreed to by the LPA and the MDOT SHA (see Section II). PE (preliminary and final design) may be programmed for Federal participation, including surveys, environmental documents, hearings, and permits.

2. LPA will comply with the MDOT SHA approved Book of Standards for Highway & Incidental Structures to develop plans and specifications to the maximum extent practical; and the Standards Specifications for Construction and Materials of the MDOT SHA shall apply unless other MDOT SHA approved specifications are adopted.
3. The appropriate MDOT SHA Office, which may include but not be limited to, the MDOT SHA Office of Highway Development, Office of Traffic and Safety or Office of Structures. The appropriate office will provide technical assistance, guidance and review and approval of the LPA's design documents.

C. Environmental Reviews and Permitting:

1. The preparation, submittal and approval of all environmental permits, clearances and approvals is the responsibility of the local public agencies, except for National Environmental Policy Act (NEPA) clearances and approvals [e.g., Programmatic Categorical Exclusion (PCE), Categorical Exclusion (CE), Finding of No Significant Impact (FONSI), or a Record of Decision (ROD)] specifically required by FHWA to be obtained by the MDOT SHA. Environmental documents must be obtained prior to FHWA authorization of final design funds, right of way funds and construction funds. Permits and other environmental clearances must be obtained prior to submitting PS&E package for advertisement to MDOT SHA.
 - a) LPA must request a NEPA document from the MDOT SHA Environmental Liaison, PCE #1, before initiating any *Preliminary Design* (Preliminary Investigation) activities.
 - b) Generally, the threshold for entering final design is the approval of the NEPA document.
 - c) *Final Design* (Semi-Final, Final, and PS&E) means any design activities following preliminary design that expressly includes the preparation of final construction plans and detailed specifications for the performance of construction work.
 - d) FHWA can approve some final design activities during preliminary design if those activities do not materially affect

the objective consideration of alternatives or have adverse environmental impacts.

- e) The execution or modification of the project agreement to authorize final design for design-bid-build projects shall not occur until after the NEPA decision.
 - f) Under no circumstances may any construction related work, such as long lead item procurement or early work packages, proceed prior to a NEPA decision.
- 2. Portions of the environmental documents may be prepared by the LPA, consultant, or the MDOT SHA, as agreed by the project sponsor and the MDOT SHA. All LPA projects must receive environmental approval through the MDOT SHA's Environmental Planning Division (EPLD) as NEPA approval is not delegated to the LPAs.
 - 3. The MDOT SHA, through its Environmental Planning Section, shall coordinate with the LPA and may provide technical assistance in the preparation of environmental documents, where required. As staff resources are available, the MDOT SHA may also provide technical assistance for the preparation of environmental documents during the preliminary engineering phase of project development. The LPA must follow the Environmental Coordination and Documentation Process for Local Government projects.
 - 4. In conformance with the MDOT SHA and/or Federal established procedures, the LPA shall provide the opportunity for, and hold when required, public involvement or hearings for each Federal-aid project. The MDOT SHA shall, if requested and agreed to in the SA, assist in publicizing and conducting hearings.

D. Railroads

- 1. A railroad certification statement is a standard requirement that applies to all Federal-aid projects, even if railroads are not affected by the project. Sub-recipients are responsible for working with the MDOT SHA's Office of Traffic and Safety's Traffic Development and Support Division (OOTS TDSD) to obtain a railroad certification.
- 2. The Railroad certification statement should include that either no Railroad coordination is required or that all Railroad work has been completed prior to the project or that the necessary arrangements have been made for all Railroad work to be undertaken and completed as required for proper coordination with physical construction schedules.

3. The LPA shall contact the Railroad Liaison within the OOTS TDSD when a highway-rail crossing is located within the project or within 500 feet outside the project limits to determine if a highway-rail crossing safety improvement is needed as prescribed in Chapter 7 of the Development Guide for LPA and other Sub-Recipients of Federal Funds.
4. The LPA may only include costs allowable under Title 23 CFR Part 140 Subpart I, and Title 23 Part 646 Subpart B in the total project costs; all other costs associated with railroad work will be at the sole expense of the LPA, or others. The LPA may request the MDOT SHA, in writing and at project expense, provide railroad coordination and negotiations. However, the MDOT SHA is under no obligation to agree to perform said duties.

E. Utilities

1. A utility certification is a standard requirement that applies to all Federal-aid projects, even if utilities aren't affected by the project. Sub-recipients are responsible for working with the MDOT SHA's District Utility Liaison to obtain a utility certification.
2. The LPA shall follow the MDOT SHA established Utility Policy and Utility Procedures Manual when impacts occur to privately or publicly-owned utilities. MDOT SHA's Utility Policy, Utility Procedures Manual and applicable forms are available through the MDOT SHA's website at <https://www.roads.maryland.gov/Index.aspx?PageId=869> or the MDOT SHA's District LPA Liaison as included in Chapter 8 of the Development Guide for LPA and other Sub-Recipients of Federal Funds.
3. The Utility certification should include that either no Utility coordination required or that all Utility work has been completed prior to the project or that the necessary arrangements have been made for all Utility work to be undertaken and completed as required for proper coordination with physical construction schedules.
4. The LPA shall provide copies of all required utility documentation (Agreements, MOUs, Utility Permits, Utility Certification, Utility cost, Utility schedule, etc.) for each utility listed in the Utility Statement of the Invitation for Bids (IFB) to the MDOT SHA's District Utility Liaison. Only those utility relocations, which are eligible for reimbursement under State Law and Title 23 CFR 645 Subpart A and B, shall be included in the total project costs; all other utility relocations shall be at the sole expense of the LPA, or others. The LPA may send a written request to the MDOT SHA, at LPA expense, to arrange for utility relocations/adjustments lying within

the LPA jurisdiction. This request must be submitted no later than; (i) twenty-one (21) weeks prior to bid let date or (ii) the time needed to relocate utilities with physical construction schedules, whichever is longer. However, the MDOT SHA is under no obligation to agree to perform said duties.

5. The LPA shall not perform any utility work on the MDOT SHA highway right of way without first receiving written authorization from the MDOT SHA.

F. Rights-of-Way

1. The LPA must select the method of acquisition and reference the specific method in the SA. If any federal funding has been utilized during any portion of the project, federal acquisition requirements must be followed regardless if federal funding is used for right-of-way acquisition activities.

2. If the LPA performs right of way acquisition, the following method would apply:

The LPA shall provide all necessary rights-of-way, in compliance with the conditions governing acquisition of rights-of-way with Federal participation, as set forth in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987, Public Law 91-646, 42 U.S.C. Sections 4601-4655 and the enforcement regulations at no expense to the MDOT and in accordance with the LPA's Right-of-Way Manual. The LPA shall, prior to acquiring any rights-of-way, prepare a LPA's Right-of-Way Manual approved by the MDOT SHA and the FHWA, or use the MDOT SHA's Manual.

3. If the LPA requests the MDOT SHA Office of Real Estate to perform some of the right-of-way services, the applicable part(s) of the following should be used:

If the LPA requests, and the MDOT SHA agrees, the MDOT SHA shall provide title, right-of-way plan preparation, right-of-way plat preparation, appraisal, appraisal review, relocation assistance, and negotiation services, at the expense of the LPA. The LPA is responsible for providing all the other services in connection with right-of-way acquisitions at their own expense.

4. If the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended in 1987, and the enforcement regulations to the Act or the Manual, are not complied with, neither the MDOT SHA nor the FHWA will participate in the cost of preliminary and final design engineering, construction, or any other costs of the Project(s).
5. The LPA will coordinate with the MDOT SHA Office of Real Estate for revision of all ROW documentation. The MDOT SHA Office of Real Estate

is responsible for issuing a right-of-way certification once all necessary documents are received. For information on the documents needed for submittal, refer to Chapter 6 of the Development Guide for LPAs and Other Sub-Recipients of Federal Funds.

G. Advertisement, Bid and Concurrence in Award

1. The LPA shall submit the Plans, Specifications and Estimate (PS&E) package to the MDOT SHA Office of Finance Federal Aid Programming Division for approval to advertise. Refer to Chapter 10 for process guidance and Appendix F for a PS&E checklist in the Development Guide for LPAs and Other Sub-Recipients of Federal Funds.
2. The LPA shall not advertise the project prior to obtaining written approval of Federal funds. The LPA must advertise the project for competitive bidding and shall award the contract to the lowest responsible and responsive bidder.
3. The LPA must advertise all projects using Maryland Department of General Services website: eMaryland Marketplace.
4. The LPA must conduct a public opening of the sealed bid proposals. The LPA will review and evaluate the bid documents to determine the lowest responsive and responsible bid that conforms to the requirements contained in the Invitation for Bids book and design plans. The LPA must submit a formal request for written concurrence of the bid analysis for the MDOT SHA Concurrence in Award (CIA) approval.
5. The MDOT SHA Office of Construction and the Federal Aid Office shall distribute the CIA letter to the LPA.
6. The LPA must contact the MDOT SHA District Assistant District Engineer of Construction (ADE-C) prior to Notice to Proceed.

IV. Construction & Construction Management

- A. All Project work shall be performed in accordance with plans, estimates, and specifications prepared in accordance with Section II and III, above, approved in advance, by the MDOT SHA, if exempt from FHWA oversight, or by the MDOT SHA and FHWA, if the MDOT SHA's exempt status is not applicable.

The LPA shall either perform project work with their own forces in compliance with 23 CFR 635 Subpart B; or advertise, receive bids, and award a contract or contracts for the performance of the work (all Contract Procedures shall comply with the provisions of 23 CFR 635 Subpart A). The LPA forces performing work on a Force Account basis or Agreed Unit Price shall be acceptable to, and approved in advance, by the MDOT SHA and FHWA.

- B. The MDOT SHA, the LPA or qualified consultant may perform construction management, if obtained in accordance with 23 CFR Part 172 as described in Section II.
- C. The LPA shall provide the MDOT SHA with a project and organizational chart including a person in “responsible charge” (RC) of the administration and construction inspection for the project. This person must be a full-time employee of the sub-recipient’s agency who is accountable for the project per FHWA Memorandum dated August 4, 2011, that is included in Appendix G of the Development Guide for LPAs and Other Sub-Recipients of Federal Funds.
 - 1. The LPA may hire a consultant to oversee the project; however, the RC must be available to respond to any issues on the project and be informed on the day-to-day activities.
 - 2. The LPA’s RC will be the primary contact for the MDOT SHA regarding contract administration issues. The RC is ultimately responsible to ensure the requirements described in this manual are followed and documented as a stipulated condition for receiving the Federal Aid associated with the project.
- D. The MDOT SHA ADE-C are responsible for construction oversight. The MDOT SHA ADE-C will establish the oversight expectations for each project located within their District. The ADE-C will assign various field managers who will be authorized as the MDOT SHA construction compliance reviewers. These individuals will serve as the MDOT SHA representatives to the subrecipients regarding compliance reviews, technical questions, guidance, and other information during the project.

V. Inspection

- A. The LPA’s project is subject to inspections by representatives of the MDOT SHA and of the FHWA. The LPA shall complete the inspection processes in accordance with the procedure as outlined in Chapter 11 of the MDOT SHA Development Guide for LPAs and Other Sub-Recipients of Federal Funds.
- B. The LPA and/or consultant employed by LPA must maintain good records, such as measured field quantities for payment; work activities on the Inspectors Daily Reports (IDRs); certifications of material quality; field diaries as a general project record; environmental permits and commitments; and other documentation to show observance with other Federal, State, and local requirements in the contract.
- C. The LPA must supply adequate construction inspection staff during all construction activities. The RC and/or designated on-site consultant assigned to inspect the project are required to have and maintain proper

experience, training, certifications and knowledge throughout the duration of the project to ensure all requirements are met.

1. The number and qualifications of the inspection forces shall be determined in accordance with standards generally applied on other comparable MDOT SHA contracts.
 2. The LPA may supply the inspection forces by assigning its own personnel, by utilizing the services of a consultant acceptable to the MDOT SHA under 23 CFR Part 172 as described in Section II, or by utilizing available MDOT SHA personnel. The MDOT SHA, at the request and expense of the LPA, shall provide its construction inspection forces, if available.
- D. The MDOT SHA District Construction Office, Office of Construction (OOC), OOC Safety Inspectors, OEO Compliance Officer, Office of Environmental Design and/or Highway Hydraulics Division will provide technical support and guidance for compliance documentation.
- E. The LPA will develop a punch list after the semi-final inspection and track completion of remaining items till closeout. The LPA will schedule a project final inspection meeting/walk through and invite all key project personnel (to include SHA District staff, Program Manager and FHWA Area Engineer). The MDOT SHA ADE-C staff must participate in the project final inspection meeting/walk through and the MDOT SHA must approve project acceptance according to the 2015 Stewardship and Oversight Agreement. The MDOT SHA District Construction staff is available for technical support or guidance.
- F. The LPA will send a letter to notify the contractor of the Final Acceptance and the MDOT SHA and FHWA should be carbon copied. A project closeout audit is required by the District Contract Finals personnel prior to processing of final reimbursement and contract closeout.

VI. Material Testing

- A. The LPA must have all materials sampled, tested and inspected to comply with the details published in the specifications at the time of the advertisement award request in accordance with the procedure as outlined in Chapter 11 of the MDOT SHA Development Guide for LPAs and Other Sub-Recipients of Federal Funds.
- B. The AASHTO certified testing laboratory of the LPA or of the MDOT SHA shall be incorporated in the work only after the materials have been approved and accepted by the MDOT SHA.

1. The LPA must contact the MDOT SHA's Office of Materials Technology (OMT) prior to executing the project to determine materials testing requirements and associated expenses.
 2. The MDOT SHA will provide general requirements and an associated cost estimate to the LPA for concurrence.
 3. The MDOT SHA shall accept all materials meeting SHA's Standard Specification for Construction and Materials. The LPAs must follow all current policies, procedures and directives of the MDOT SHA for material testing, clearance and acceptance and in accordance with State Quality Assurance (QA) Processes Manual (<http://roads.maryland.gov/Index.aspx?PageId=284>).
- C. The LPAs and the MDOT SHA must appoint RC persons for each project.
 - D. The LPA's contractor must submit a Source of Supply (SOS) listing for all items used on the project, which identifies the manufacturer and supplier for each material for the MDOT SHA's OMT review and approval.
 - E. The LPA shall submit regular material clearance reports to OMT. Refer to the Materials Clearance Report and Materials Approval Status Report in Appendix G and Chapter 11 of the Development Guide for Local Public Agencies and Other Sub-Recipients of Federal Funds. OMT will issue a Materials Clearance letter when all material issues are resolved.

VII. Changes and Additional Work

- A. The LPA must submit any contract changes to the MDOT SHA Program Manager or RC and the MDOT SHA ADE-C for review and approval. All changes to the project must be accepted and approved in advance by the MDOT SHA (if Exempt from FHWA oversight) or be acceptable and approved in advance by the MDOT SHA and FHWA (if non-Exempt from FHWA oversight).
- B. The cost of any change or additional work that has not been approved by the MDOT SHA or by the MDOT SHA and FHWA shall be borne solely by the LPA.
- C. The LPA will submit a request in accordance with the procedure as outlined in the MDOT SHA Development Guide for LPAs and Other Sub-Recipients of Federal Funds. The MDOT SHA District Office of Construction and Office of Construction's Engineering Support Section will review and provide approval of the package for distribution to the LPA.

VIII. Maintenance of Traffic Operation

- A. The LPA shall install all necessary traffic control devices. All signs, signals, and markings shall conform to the Maryland's Manual on Uniform Traffic Control Devices for Streets and Highways. The LPA is responsible

for the operation and maintenance of all traffic control devices as detailed in Chapter 11 of the MDOT SHA Development Guide for LPAs and Other Sub-Recipients of Federal Funds.

- B. The LPA shall ensure the contractor has a designated Traffic Control Manager with current certifications, to be on site anytime the project requires disruption to the normal flow of traffic and perform Traffic Control Quality Assurance inspections as necessary. The LPA shall document daily Maintenance of Traffic set-ups on the IDRs.
- C. The MDOT SHA District Traffic Office is available for technical support and guidance.

IX Maintenance of Project Improvements

- A. Upon completion of the project, the LPA having jurisdiction will maintain and operate the project at its own cost and expense, and in a manner satisfactory to the MDOT SHA and the FHWA. Where unsatisfactory maintenance has been identified by the MDOT SHA or FHWA and brought to the attention of the LPA in writing, immediate corrective action shall be taken by the LPA at its sole expense.
- B. If the LPA fails to fulfill its responsibilities under this Section, it shall be disqualified from receiving Federal aid for future projects for which it will have maintenance responsibility. Federal funds may be withheld from future LPA projects until the infrastructure is properly functioning, or until deficiencies in regulations have been corrected, or until project improvements have been brought to a condition of maintenance to the satisfaction of the MDOT SHA and FHWA.

X. Fund Reimbursement - General

- A. The amount of funds available for the local bridge program will be determined annually by the MDOT SHA.
- B. The MDOT SHA federal funds may be used for all phases of a project, including but not limited to, PE (preliminary and final design), right of way, utility relocation, and construction. The funding use shall be consistent with the applicable program requirements, laws and policies of the MDOT SHA and FHWA. The LPA shall be subject to audits for expenditure of the MDOT SHA funds.
- C. The MDOT SHA and the LPA shall enter into a Supplemental Project Agreement ("SA") to funding reimbursement projects. SAs shall describe the projects and assign specific responsibilities in matters of project financing. The procedure for invoice submittal, review and processing varies based on the LPA; therefore, the details and timeframes of each are determined by the project schedule, unless otherwise amended by the parties.

- D. Funding reimbursements shall be requested by the LPA on, at minimum, a quarterly basis and will be paid on a reimbursement basis up to the maximum amount specified in the approved SA.

XI. Funding Reimbursements - SHA Services for LPA Project

- A. If the LPA requests MDOT SHA services (design, material testing, inspection, etc.) a SA shall be entered to document requested services and agreed upon cost for the services. Payment method for all MDOT SHA expenses incurred will be determined in the SA.
- B. Reimbursement shall cover direct salary costs of personnel assigned to the Project, (which includes the appropriate payroll additives); all non-salary direct costs, including, but not limited to, payments to contractors or consulting engineers, travel, supplies, equipment utilization, plus the prevailing MDOT SHA and general overhead rate as applied to direct costs.
- C. If for any reason the LPA fails to pay any portion of said Project(s) costs, MDOT SHA is hereby authorized to deduct such costs from the LPA's share of applicable Federal Aid funds and/or MDOT SHA Highway User Revenue.

XII. Funding Reimbursements - Eligible Project Costs

- A. The LPA shall be reimbursed for all eligible Project costs to the extent of the amount stipulated in the approved SA. Reimbursement shall be made through the MDOT SHA on a monthly or quarterly basis.
- B. The LPA shall bill the MDOT SHA for federal aid project costs incurred in conformity with applicable federal and state laws. Expenditures by the LPA for maintenance, general administration, supervision, and other overhead shall not be eligible for federal participation unless a current indirect cost plan has been prepared in accordance with the regulations outlined in 2 CFR Part 200 - Uniform Admin Requirements, Cost Principles and Audit Requirements for Federal Awards, and retained for audit.
- C. Final reimbursement shall be made to the LPA upon the acceptance of the Project by the SHA after a satisfactory checklist of the LPA's records has been performed.
- D. The LPA shall maintain, in readily accessible files, all project records in support of all costs incurred and actual expenditures in accordance with local government accounting procedures prescribed by the Maryland State Auditor's Office, the U.S. Department of Transportation, and the MDOT SHA. The records shall be open to inspection by the State and Federal Government at all reasonable times and shall be retained and made available for such inspection for a period of not less than five years from the financial closure of the project to FHWA. Copies of said records shall be furnished to the State and/or Federal Government upon request.

- E. The LPA is not prevented from pooling their funds with other LPA or transportation jurisdictions in order to accomplish one or more transportation projects as long as they meet the federal, state and program policies.
- F. If the LPA makes a written request for the cancellation of a Federal-aid project, the LPA shall bear one hundred (100) percent of all costs as of the date of cancellation. If MDOT SHA was the sole cause of the cancellation, MDOT SHA shall bear one hundred (100) percent of all costs incurred. If it is determined the project was cancelled due to a third party or circumstances beyond the control of MDOT SHA or the LPA, then no further charges may be incurred to the project once work has been terminated. Repayment for completed work will not be required by the LPA.
- G. The requirements of MDOT SHA as required in the 2 CFR part 200.501 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, issue December 26, 2014, and the Federal Single Act must be followed by those LPA receiving \$750,000 or more in Federal funds. The Single Audit Act of 1984, PL 98 502 as amended by PL 104 156, described in "Office of Management and Budget Circular A 133" requires LPA to obtain an audit that includes internal controls and compliance with Federal laws and regulations of all Federally funded programs in which the LPA participates. The cost of this audit can be partially prorated to the Federal program.
- H. If right of way acquisition, or actual construction of the improvement for which PE is undertaken is not started by the close of the tenth fiscal year, following the fiscal year in which preliminary design phase was authorized, the LPA will repay to the State the sum or sums of federal funds paid to the LPA under the terms of this agreement per the PE 10-year rule.
- I. The LPA stipulates, as a condition to payment of the Federal funds obligated, it accepts and comply with the provisions set forth in 23 CFR 630.112. These provisions incorporate by reference all other federal laws and regulations pertaining to the project or the activity for which the funds are obligated. Solely for the purposes of emphasis, such applicable provisions include, but are not limited to, the requirements of Appendix A to 2 CFR Part 170-Award terms for Reporting subaward and executive compensation information, and 2 CFR 200, including for those funds for which such amount will be sub awarded to a sub recipient, 2 CFR 200.331.3
- J. Any costs incurred after the Project Agreement End Date are NOT eligible for federal reimbursement. All eligible costs incurred prior to the Project Agreement End Date must be submitted for reimbursement within 90 days after the Project Agreement End Date or they become ineligible for federal reimbursement.

- K. The procedure for invoice submittal, review and processing varies depending on the LPA and funding program; therefore, the details and timeframes of each are defined in the SA. Additional general information can be found in the Development Guide for LPAs and Other Sub-Recipients of Federal Funds.

XIII. Indemnity

The LPA shall save the MDOT SHA and the State of Maryland harmless from all liability adjudged in any law or equity suit for or on account of Project work undertaken by the LPA, and from all liability whatever, either directly or indirectly related to that work.

XIV. Nondiscrimination

All parties to this MOU shall comply with the requirements of APPENDIX A through APPENDIX E of SHA's Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A which generally set forth non-discriminatory regulations and other civil rights related regulations. APPENDIX A through APPENDIX E are attached hereto and incorporated herein as substantive parts of this document.

XV. General

- A. This MOU supersedes the previous Federal-Aid AGREEMENT between parties dated August 1, 1978.
- B. This MOU shall inure to and be binding upon the parties and their successors and assigns.
- C. This MOU does not and is not intended to create any rights or benefits for any third party. No third party shall have any legally enforceable rights or benefits under this MOU.
- D. Any amendment to the MOU must first be approved in writing by all the parties signing the MOU, subject to any additional approval required by Maryland law.
- E. This MOU shall be construed, interpreted, and enforced according to the laws of the State of Maryland and in Maryland courts.
- F. The parties hereby warrant and affirm that the persons executing this MOU are authorized and empowered to act on behalf of their respective party.
- G. The WHEREAS clauses are incorporated herein as a substantive part of this MOU.
- H. Contacts:

For the LPA:

Jacob Day
Mayor, City of Salisbury
Wicomico County

125 N. Division St., Rm. 304
Salisbury, MD 21801
410-548-3100
jday@salisbury.md
mayor@salisbury.md

For MDOT SHA:

William J. Bertrand
Director, Office of Finance
MDOT SHA
707 N. Calvert Street, MS C-505
Baltimore, MD 21202
Phone: 410-545-5530
Email: bbertrand@sha.state.md.us

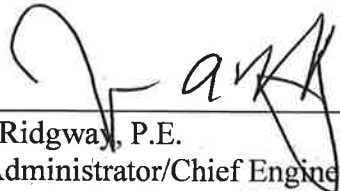
with a copy to:

Agreements Division
MDOT SHA
Office of Procurement and Contract Management
707 N. Calvert Street, MS C-405
Baltimore, MD 21202
Phone: 410-545-5547
Fax: 410-209-5025
Email: SHAAGreementsTeam@sha.state.md.us

IN WITNESS WHEREOF, the parties hereto have caused this MOU to be executed by their respective duly authorized officers.


**MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION**


WITNESS


BY:  (SEAL)
Jason A. Ridgway, P.E.
Deputy Administrator/Chief Engineer for
Planning, Engineering, Real Estate, and
Environment

6/14/19
Date

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**


Assistant Attorney General

RECOMMENDED FOR APPROVAL


Tim Smith, P.E.
Deputy Administrator/Chief Engineer
for Operations


Lisa B. Conners
Deputy Administrator for Administration


William J. Bertrand
Director
Office of Finance

City of Salisbury
WICOMICO COUNTY, MARYLAND

Laura K Baasland
WITNESS

BY: Jacob Day 7-16-19 (SEAL)
Mayor Date

MDOT MARYLAND DEPARTMENT OF TRANSPORTATIONTM
STATE HIGHWAY ADMINISTRATION

COST SHARING AGREEMENT

Purpose: Documentation of Costs for Services Provided on Behalf of Counties, Municipalities and Others.

Description of work: For MDOT SHA to provide engineering services for the Replacement of Bridge No.

WIS-10001 on Naylor Mill Rd over Naylor Pond Stream in the City of Salisbury

1. I, Amanda H. Pollack, P.E. Director of Department of November 5, 2020
Infrastructure and Development
Name Title Date
Being authorized to act on behalf of City of Salisbury Department of Infrastructure and Development
City of Salisbury
Billing address: Department of Infrastructure and Development
125 N. Division St, Salisbury, MD 21801 (Michael Zimmerman)

Do assure that:

2. The requesting organization does not have adequate forces to perform this service and requests the State Highway Administration to: (check one)
- a. ☐ Manage the entire project.
- b. ☒ Provide services as described above or in the supplemental Attachment A.
3. A written agreement exists between the Maryland Department of Transportation State Highway Administration and the requesting organization, which agreement clearly indicates responsibility for project costs. (If no agreement exists, proceed to 4 and 4a. or 4b.)
- Date of Agreement: _____
- or
- Date of Master Agreement: February 1, 2018
- and
- Date of Supplemental Letter: November 5, 2020
4. The total estimated costs of this project; \$ 471,382.72, which includes the payroll fringe benefit expenses on direct labor and the Administrative and General Overhead Expenses at the prevailing rates, will be invoiced at (check one)
- a. ☒ 20 % of the total actual cost of this project—not to exceed the estimated total cost by more than 15% without prior notification and agreement.
- or
- b. ☐ not to exceed \$ _____

COST SHARING AGREEMENT

Page 2

5. Estimated funds are available and will be paid by the requesting organization, other than Counties, Municipalities and other State Agencies:
 - By advance deposit for the total estimated costs. Refunds to the advance deposit will be issued at the completion of the project.
6. Estimated funds are available and will be paid by the Counties, Municipalities and other State Agencies (check one):
 - a. ☐ By payment of all costs expended to date within 30 days of receipt of SHA's progress billings.
 - b. ☒ By payment of all costs in excess of federal recovery either as an advance deposit or 30 days of receipt of MDOT SHA's progress billings
7. Requesting organizations (including other State Agencies) other than Counties and Municipalities will be billed monthly.
8. Counties and Municipalities will be billed as follows:
 - A project/local share which does not exceed \$60,000 will be billed quarterly
 - A project/local share which exceeds \$60,000 will be billed monthly.
9. Should the County or Municipality default in remitting payment to the State for their portion of the work, their Highway User Revenue Funds will be reduced accordingly.
10. Costs incurred in excess of the advance deposit, if applicable, will be billed monthly.

Authorized Representative of Date
Requesting Organization

District Engineer or Senior Manager Date

PROJECT COST DERIVATION WORKSHEET

PROJECT NUMBER:
PROJECT DESCRIPTION: Salisbury City Naylor Mill Rd.
LOCAL GOVERNMENT BR/BH PROJECT: TRUE
DATE: 11/04/2020

PRELIMINARY ENGINEERING

MDOT SHA STAFF REVIEW COSTS:	\$15,000.00
PAYROLL BURDEN FOR FRINGE BENEFITS FOR SHA STAFF (78.82%):	\$11,823.00
CONSULTANT DESIGN COSTS:	\$444,559.72
ADMINISTRATIVE AND GENERAL OVERHEAD COSTS (7.79%):	\$0.00
(0% for Local Government BR/BH Projects)	<hr/>
TOTAL PROJECT COST:	\$471,382.72
20% Local Government Share:	\$94,276.54
80% FEDERAL BR/BH AID SHARE:	\$377,106.18

NOTES: * THIS FACTOR NOT APPLIED TO LOCAL GOVERNMENT BR/BH PROJECTS

PE PAYROLL BURDEN:	78.82%
PE OVERHEAD*:	7.79%

**MDOT SHA Control No. BCS 2014-21G
FEDERAL-AID PROJECT GUIDELINES AND WORKING
SUPPLEMENTAL AGREEMENT**

(City of Salisbury)

and

**MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION**

This **SUPPLEMENTAL AGREEMENT (“SA”)**, executed on the 5th day of November 2020 is in accordance with the terms of a Master Memorandum of Understanding “MOU” made effective February 1, 2018 by and between the Maryland Department of Transportation State Highway Administration, acting for and on behalf of, the State of Maryland, hereinafter referred to as “**MDOT SHA**”, and **City of Salisbury** Maryland, a body corporate and politic, hereinafter referred to as the “**Local Public Agency” or “LPA”**.

WHEREAS, The MDOT SHA agrees to assist in administering and partnering with the LPA as outlined in the Master Agreement and in this SA developed for the selected project Replacement of Bridge No. WIS-10001 on Naylor Mill Road over Naylor's Pond Stream (**PROJECT**) ; and

WHEREAS, The **PROJECT** activities and reimbursement of expenses are subject to State and Federal requirements; and

WHEREAS, The LPA and MDOT SHA acknowledge the need to define the responsibilities and obligations of each party for the **PROJECT**;

I. Project Information

- A. The **PROJECT** shall consist of the following preliminary engineering for the replacement of the bridge including hydraulic and hydrological studies and scour analysis, wetland delineation, forest conservation waiver and tree permit, surveys, soil brings for roadway and SWM with geotechnical report, roadway design, erosion and sediment control, stormwater design, structural design, MOTAA maintenance of traffic plans, signage and marking plans, Pre-TS&L submittal, TS&L submittal, PI submittal, environmental coordination/NEPA approval, foundation plans/foundation report submittal, and coordinate with local utilities.
- B. The LPA shall be staffed and equipped to perform work satisfactorily and cost effectively, and adequate staffing and supervision exists to manage the Federal project. The LPA has

identified Mr./Ms. Amanda Pollack, P.E., Director of Infrastructure and Development, a fulltime employee, to be the "responsible charge" of the project as defined on MDOT SHA Development Guide for Local Public Agencies and other Sub-recipients of federal funds. If the responsible charge changes, the LPA is responsible for notifying MDOT SHA Program Manager.

II. Project Time Period

- A. All PROJECT activities shall not begin until the execution date of SA and federal authorization from the Program Manager has been provided to the LPA.
- B. The PROJECT Closeout Date and PROJECT Agreement End Date (Period of Performance 2 CFR Part 200.309) will be established at the time of federal authorization. The PROJECT Closeout Date is the date by which the LPA must complete all related project closeout activities and reviews. The Project Closeout Date and Project Agreement End Date will be determined using the established MDOT SHA project end date procedures.
- C. The LPA will comply with MDOT SHA's monitoring requirements to include quarterly progress reports due with the billing invoice, which shall be submitted to the District Engineer within MDOT SHA until the Project has been closed out.
- D. The MDOT SHA and LPA of federal funds shall retain all documents and records subject to audit for a minimum of 3 years from the last expenditure report payment. If there is an action resulting from an audit or other action started before the expiration of the three-year period, the records shall be retained until completion of the action and resolution of all issues or the end of the three-year period, whichever is later in accordance with the requirements of 49 CFR Part 18, Section 18.42- Retention and Access Requirements for Records.

III. Project Funding and Payment

- A. The Maryland Department of Transportation will reimburse the LPA up to an amount not to exceed eighty percent (80%) of the eligible expenses of the project.
- B. The LPA shall submit to the District Engineer 1 copy of paid invoices to show costs incurred in constructing the PROJECT on a quarterly basis. For design costs for projects utilizing a MDOT SHA open end consultant, MDOT SHA will bill the LPA 20% of monthly incurred costs.
- C. The MDOT SHA shall provide reimbursement up to the maximum federal funding amount or eighty percent (80%) as specified in Section III A prior to the PROJECT Closeout Date. Reimbursement requests received after the PROJECT Closeout Date will be considered for payment on a case-by-case basis with prior written justification

explaining the expected delay submitted by the LPA. All costs must have been incurred prior to the project agreement end date.

- D. Invoices shall contain sufficient documentation and proof of payment, in MDOT SHA's sole discretion, to evidence actual expenses of items eligible for reimbursement. Upon receipt, the District Engineer will forward invoice to the Federal Aid Billing Office for approval.
- E. The MDOT SHA shall remit payment to the LPA within thirty (30) days following receipt of each invoice, provided:
 - a. The invoice contains all necessary information for processing, in MDOT SHA's discretion,
 - b. No charges are disputed by MDOT SHA,
 - c. The invoice does not exceed 80% of the project costs.
- F. The MDOT SHA shall deduct from each invoice the amount of the non-eligible portion of the expenses any costs deemed not eligible for reimbursement by law. All such non-eligible costs shall be borne solely by the LPA.
- G. There are four options for construction -related services (i.e. construction inspection, materials testing, etc.)
 - a. MDOT SHA Construction Services are not applicable to this agreement;
 - b. The LPA will use their internal staff to complete construction-related services;
 - c. The LPA will hire staff to complete construction-related services;
 - d. MDOT SHA construction-related services for the PROJECT will be reduced by an amount incurred by MDOT SHA equal to the monetary value of the construction related services from federal funding and determined prior to advertisement.
- H. The LPA will not be reimbursed for maintenance activities, maintenance equipment and other non-essential PROJECT activities and they cannot be used towards the LPAs non-federal project cost match.
- I. The LPA must submit separate invoices to MDOT SHA for PROJECT costs to be reimbursed through any other funds, grants, or activities by MDOT SHA, the Maryland Department of Transportation, or the United States Department of Transportation.
- J. The LPA will forward the completed closeout package to the MDOT SHA Program Manager and the Assistant District Engineer- Construction. The completed package will include a certification of PROJECT materials used and of PROJECT workmanship, which must be signed and stamped by the contractor and the LPA. The completed package shall also include a request for the final reimbursement of the remaining eligible costs.

IV. Additional Project Conditions

- A. Upon request by MDOT SHA, submit for MDOT SHA review and written comment, design plans, specifications and estimates at major design milestones, including:
 - a. Preliminary Design Review thirty percent (30%),
 - b. Semifinal Review sixty-five percent (65%),
 - c. Final Review ninety-five percent (95%), and
 - d. Plans, Specifications, and Estimates (PS&E) one hundred percent (100%).
- B. Project documentation must show the environmental review of the project, per 23 CFR part 771, was completed prior to the final design authorization and/or the construction authorization, and that a determination was made before construction authorization that the project's NEPA document(s) remained valid for the authorization decision, or supplemental NEPA documentation was completed before the construction authorization.
 - a. The LPA requests the MDOT SHA to assist in publicizing and conducting public hearings, if required to comply with the NEPA process.
- C. The LPA has agreed to provide all necessary rights-of-way in compliance with the conditions governing acquisition of rights-of-way, set forth in the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Public Law 91-646, 42 U.S. Code SS4601-4655 and any supplemental amendments and in the Federal Aid Policy Guide, as amended, at no expense to MDOT SHA or Federal Highway Administration. The LPA intends to acquire necessary rights-of-way through permanent easement(s) for the project.
- D. The LPA shall require its contractor(s) to provide a surety performance bond in the amount of the most responsive and responsible bid to ensure that the PROJECT will be constructed if the contractor defaults. The LPA or Sub-recipient shall also require a surety payment bond in the amount of the estimated construction cost to ensure that the contractor pays its subcontractors and suppliers, as required by the most current MDOT SHA Standard Specifications for Construction and Materials and addendums, located at <http://www.roads.maryland.gov/ohd/part1.pdf>, page 20, section GP-3.03.
- E. The LPA shall hold a pre-construction meeting with the contractor to which MDOT SHA representatives: Assistant District Engineer of Construction from respective District, Area Materials Engineer from respective District, Equal Opportunity Officers from respective District and Program Manager shall be invited.
- F. Only steel, iron and manufactured items produced in the United States shall be used in carrying out this PROJECT, in accordance with the provisions of the Buy America (23 USC 313 and 23 CFR 635.410), unless a waiver request has been submitted to and approved by the U.S. Secretary of Transportation.
- G. The LPA shall not make any award or permit any award (sub-grant or contract) at any tier to any party which is **debarred or suspended** or otherwise excluded from or ineligible

for participation in federal assistance programs under Executive Order 12549 –
Debarment and Suspension.

H. All notices and/or invoices, if to the LPA, shall be addressed to:

Amanda H. Pollack P.E., Director of Infrastructure & Development
County : City of Salisbury
Agency: Infrastructure & Development
Address: 125 N. Division St, Salisbury, MD 21801
Phone: 410-548-3170
E-mail: APollack@salisbury.md

All invoices from LPA to MDOT SHA sent for processing to:

James W. Meredith, District Engineer
District 1
Maryland Department of Transportation
State Highway Administration
660 West Rd.
Salisbury, MD 21801
Phone: 410-677-4006
Fax: 410-543-6598
E-mail: jmeredith@sha.state.md.us

APPROVED ON BEHALF OF City of Salisbury Maryland

By: _____
Julia Glanz, City Administrator and Acting Mayor
City of Salisbury

Date: _____

**PROPOSAL ACCEPTED ON BEHALF OF THE MDOT STATE HIGHWAY
ADMINISTRATION**

By: _____
Director, Office of Finance

Date: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
Assistant Attorney General
Maryland Department of Transportation
State Highway Administration

Date: _____



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: November 30, 2020
Re: Ordinance to construct bicycle facilities on selected City Streets

Salisbury Department of Infrastructure and Development is in the process of implementing the Salisbury Bicycle Network Plan which was adopted by Council via Resolution No. 2712 on December 13, 2016. Each year, an ordinance is requested to support the construction of a series of Bicycle facilities across the City to create a bike network as envisioned in the plan.

The attached ordinance includes bicycle facilities on Lake Street, Isabella Street, Delaware Avenue, Cypress Street, West Road and West Main Street. Additionally, at the request of Salisbury University, City staff would like to add bicycle facilities on Wayne Street, Power Street, Avery Street, Milford Street and improve the existing bike facility on Bateman Street. Each of these facilities would consist of dedicated facilities wherever possible, with shared lanes being placed when street width was not sufficient for some form of dedicated facility type.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinance to the City Council.

ORDINANCE NO. 2643

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO CREATE BICYCLE FACILITIES ON WAYNE STREET, MILFORD STREET, POWER STREET, AVERY STREET, BATEMAN STREET, WEST ROAD, LAKE STREET, ISABELLA STREET, DELAWARE AVENUE, CYPRESS STREET AND WEST MAIN STREET IN ACCORDANCE WITH MDMUTCD, CHAPTER 9, AS DESIGNATED BY THE 2017 SALISBURY BICYCLE NETWORK PLAN.

WHEREAS, the City of Salisbury desires to encourage the use of bicycles throughout the City; and

WHEREAS, the Salisbury Charter (SC11-2) gives the City charge of all public ways in the City; and

WHEREAS, the City Council adopted the Salisbury Bicycle Network Plan via Resolution No. 2712 on December 13, 2016; and

WHEREAS, the Department of Infrastructure and Development is in the process of implementing the Salisbury Bicycle Network Plan by making the improvements to the streets listed herein; and

WHEREAS, proposed bicycle routes will consist of a West Side Network of bicycle facilities in both directions along Lake Street from the City Limit to US 50, along Delaware Avenue from the City Limit to West Main Street, along Isabella Street from Delaware Avenue to North Division Street, along West Road from Delaware Avenue to the City Limit, along Cypress Street from Isabella Street to West Main Street, and along West Main Street from Nanticoke Road to Fitzwater Street; and

WHEREAS, proposed bicycle routes will consist of a university East Campus Network of bicycle facilities in both directions along Milford Street from Rt 13 to South Division Street, along Wayne Street from Milford Street to Avery Street, along Power Street from Wayne Street to South Division Street, and along Avery Street from Wayne Street to South Division Street; and

WHEREAS, portions of Bateman Street already have existing bicycle facilities that shall be upgraded to two-way bicycle traffic; and

WHEREAS, portions of Isabella Street already have existing bicycle facilities; and

WHEREAS, in order to define the dedicated bicycle lanes, appropriate lane striping and lane marking must be provided on the pavement; and

WHEREAS, in order to provide a bicycle route, portions of the roads must be marked as shared between motorized vehicular traffic and bicycle traffic; and

WHEREAS, in order to define the portions of the roadway that are to be available for usage by bicycles, appropriate shared markings will be installed on the pavement; and

WHEREAS, in order to clearly define the route, appropriate signage will be installed; and

47 WHEREAS, the curb-to-curb street width on the affected streets shall be unchanged by the
48 proposed bicycle route; and
49

50 WHEREAS, the Department of Infrastructure and Development desires to construct the facilities
51 listed above in a timely and efficient manner to the benefit of the residents and visitors of the City of
52 Salisbury.
53

54 NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, MARYLAND that
55 bicycle facilities be created on Lake Street, Isabella Street, Delaware Avenue, Cypress Street, West Main
56 Street, Wayne Street, Power Street, Avery Street, Milford Street and Bateman Street as described herein.
57

58 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY,
59 MARYLAND that this Ordinance shall take effect upon its final passage.
60

61 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
62 Salisbury, MD held on the 11th day of January, 2021, and thereafter, a statement of the substance of the
63 Ordinance having been published as required by law, was finally passed by the Council on the _____
64 day of _____, 2021.
65

66 ATTEST:
67

68 _____
69 Kimberly R. Nichols, City Clerk
70

John R. Heath, President
Salisbury City Council
71

72 APPROVED BY ME THIS:
73

74 _____ day of _____, 2021
75

76 _____
77 Julia Glanz, City Administrator
78 for and at the direction of
79 Jacob R. Day, Mayor



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: November 30, 2020
Re: Ordinance to remove parking along a portion of Fitzwater Drive

Salisbury Department of Infrastructure and Development is in the process of implementing the Salisbury Bicycle Network Plan which was adopted by Council via Resolution No. 2712 on December 13, 2016. Recently, DID contacted Chesapeake Shipbuilding regarding specifics of installing the Protected Bike Lanes along Fitzwater Drive and during the process Chesapeake Shipbuilding expressed support for removing some parking along their frontage. Given a history of crashes along this stretch of Fitzwater Drive and the knowledge that more space would create a better protected the bicycle facility, it is recommended to remove parking along Fitzwater Drive from Fitzwater Street to the main gate of Chesapeake Shipbuilding, approximately 310' to the east.

Chesapeake Shipbuilding has had numerous incidences of near-miss crashes where parking obstructed lines of sight for vehicle entering/exiting the main gate of their facility. More importantly, the fence is regularly struck by vehicles speeding through the corridor as noted in the letter from their President, Mr. Stephen McGee. To counter the safety concerns the bikeway plans include narrower lanes which are proven to reduce speeds, and concrete medians to protect the bike lane on higher risk areas. The plans also include a provision for future speed tables or humps if dangerous speeds continue after the bikeway is installed. Additionally, the high volume of of pedestrians and cyclists moving throughout the corridor suggest improvements for such users are warranted. The parking along this portion of the corridor is lightly used, usually only by employees or sub-contractors of Chesapeake Shipbuilding, despite attempts by the Company to prohibit the practice for safety.

The attached ordinance includes a request for authority to remove parking on Fitzwater Drive from Fitzwater Street to the main gate of Chesapeake Shipbuilding. A letter of support from Chesapeake Shipbuilding personnel declaring Company/Property Owner support for parking removal is attached. Approximately 16 parking spaces will be removed.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinance to the City Council.

CHESAPEAKE SHIPBUILDING CORP.

SHIPBUILDERS & NAVAL ARCHITECTS

November 25, 2020

William R. White
Department of Infrastructure and Development, City of Salisbury
125 N. Division St., Room 202
Salisbury, MD 21801

Dear Mr. White,

On November 23, 2020, you and I exchanged e-mails regarding the addition of two large monolithic medians that would separate the side accesses to Fitzwater Drive, our employee parking lot, and Fitzwater street into three separate features. I stated that the shipyard has no problem with the addition. I did express our concerns about the addition of a bicycle lane along the south side of Fitzwater Street adjacent to our fence line that runs from our main gate (opposite Delaware Avenue) to Fitzwater Drive. We experience frequent single car accidents that hit the cars parked along Fitzwater Street in this area and also frequently (about once every 4 to 6 weeks this year) penetrate our fence. We feel the addition of a bicycle lane in this area is going to introduce bicyclists to a high danger area. The cause of the accidents, in addition to impaired driving, appears to be high rates of speed when traveling south on Parsons Road and failing to properly negotiate the turn onto Fitzwater Street.

That being said, we also have near misses when exiting our main gate, due to cars parked along the south side of Fitzwater Street. When a speeding car does negotiate the turn, the curvature of Fitzwater Street, coupled with topography and parked cars on the street, greatly reduces reaction time for both a vehicle exiting our facility and a speeding car moving east onto Fitzwater Street. To increase safety for all, Chesapeake Shipbuilding Corp. supports making this stretch of Fitzwater Street, as highlighted in red in Figure 1, a no-parking zone that would be enforceable by local authorities.

Though our employee parking capacity is limited and likely to be further constrained if the shipyard grows the workforce as anticipated in the future, removing parking along this portion of Fitzwater Street would improve safety to a degree that outweighs the lack of parking.

CHESAPEAKE SHIPBUILDING CORP.

SHIPBUILDERS & NAVAL ARCHITECTS

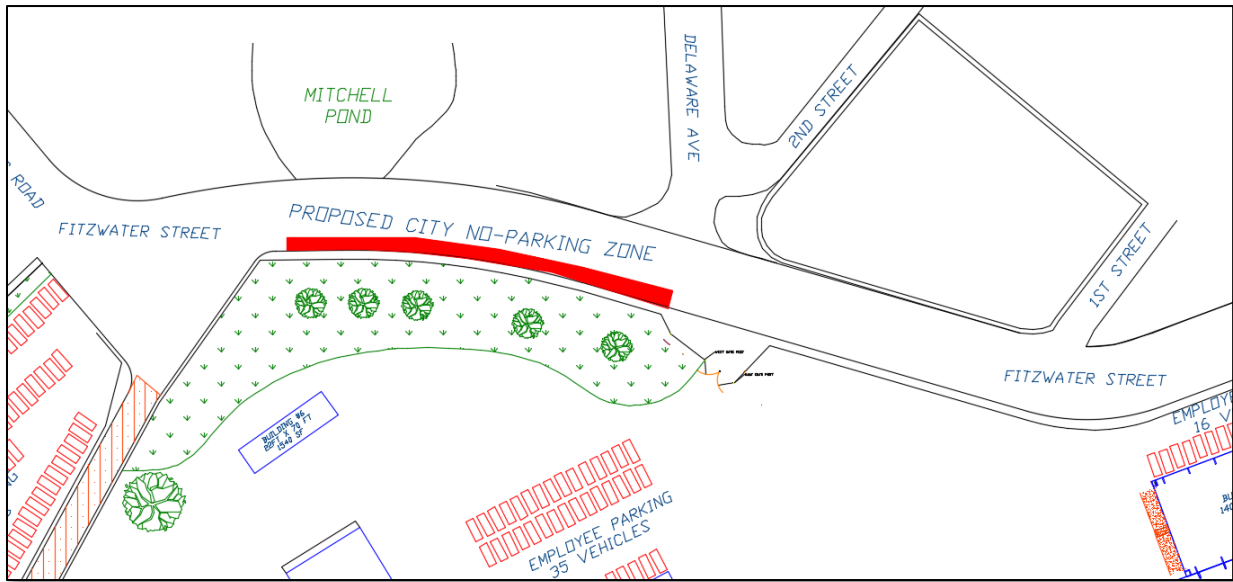


Figure 1 Proposed No-Parking Zone

Should you have any other questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. P. McGee'.

Steven P. McGee, PE
President

Chesapeake Shipbuilding Corp.

P: 410-742-4900

Email: smcgee@cheship.com

ORDINANCE NO. 2644

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ELIMINATE 16 PARKING SPACES ON FITZWATER STREET FROM FITZWATER STREET TO THE MAIN GATE OF CHESAPEAKE SHIPBUILDING APPROXIMATELY 310 FEET EAST IN ORDER TO PREVENT TRAFFIC CRASHES AND ACCOMMODATE A PREVIOUSLY APPROVED SAFE BICYCLE FACILITY ON FITZWATER STREET.

WHEREAS, the City of Salisbury desires to encourage the use of bicycles throughout the City; and

WHEREAS, the Salisbury Charter (SC11-2) gives the City charge of all public ways in the City; and

WHEREAS, Fitzwater Street has on-street parking along the south frontage of the street between Fitzwater Street and West Main Street; and

WHEREAS, removal of selected on-street parking from Fitzwater Street to the main gate of Chesapeake Shipbuilding will allow for safety improvements; and

WHEREAS, Chesapeake Shipbuilding wholly owns all the property on that side of the street and supports the removal of parking; and

WHEREAS, the Department of Infrastructure and Development desires to build bicycle facilities in the areas listed above and to resolve any issues that could lead to traffic crashes in keeping with the Vision Zero Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, MARYLAND that for the purposes and reasons hereinabove set forth, that the removal of 16 parking spaces on Fitzwater Street from Fitzwater Street to the main entrance of Chesapeake Shipbuilding, is hereby approved.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND that this Ordinance shall take effect upon its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury, MD held on the 11th day of January, 2021 and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the _____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS:

47 _____ day of _____, 2021
48
49 _____
50 Julia Glanz, City Administrator
51 for and at the direction of
52 Jacob R. Day, Mayor
53



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: November 30, 2020
Re: Ordinance to remove parking on Wayne Street and Power Street

AP

Salisbury Department of Infrastructure and Development is in the process of implementing the Salisbury Bicycle Network Plan which was adopted by Council via Resolution No. 2712 on December 13, 2016. Recently, DID received a request from Salisbury University to remove parking along Power Street and Wayne Street due to safety concerns.

The University has had numerous incidences of near-miss crashes where parking obstructed lines of sight for vehicle entering/exiting the East Campus Professional Complex. Additionally, the relatively high volume of traffic mixing with large numbers of pedestrians and cyclists was deemed unsafe. City Staff met with University Staff and observed the situation. City staff agrees that the removal of parking and separation of traffic modes, via the installation of bike lanes and appropriate buffers will result in a safer, more complete street. Additionally, the desire is to implement these facilities as part of a broader network on Salisbury University's East Campus.

The attached ordinance includes a request for authority to remove parking on Wayne and Power Streets. Salisbury University owns all of the property along Wayne Street and all but two parcels along Power Street. Those remaining parcels, a professional/medical office complex, have ample off-street parking. A written notice of our request to remove parking has been sent. Only one tenant of the medical complex had concerns related to ADA parking along the frontage and Transportation Staff is working to accommodate the concerns, most likely on their private property. An email from University personnel officially requesting the removal of parking is attached. Approximately 68 parking spaces will be removed in total, which is comprised of 36 spaces on Power and 32 parking spaces on Wayne Street in the City ROW.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinance to the City Council.

William White

From: Eric Berkheimer <EJBERKHEIMER@salisbury.edu>
Sent: Monday, December 16, 2019 2:51 PM
To: William White
Cc: Joel Davies; Bill Sterling
Subject: RE: Power Street

Follow Up Flag: Follow up
Flag Status: Completed

Will,

Per our conversation, SU would like to formally request the removal of parking along the south side of Power Street and the addition of bike lanes. We defer to you on the best street design to accommodate this request.

We would also welcome any suggestions that you have for adding bike lanes on Wayne Street. Ideally, we could coordinate markings for both the City's and SU's portions of the street.

Thanks for your continued support of improvements to make our streets more bike friendly.

Eric

From: William White [mailto:wwhite@salisbury.md]
Sent: Monday, December 16, 2019 10:28 AM
To: Eric Berkheimer <EJBERKHEIMER@salisbury.edu>
Cc: Joel Davies <JCDAVIES@salisbury.edu>; Bill Sterling <BSterling@salisbury.md>
Subject: RE: Power Street

Eric,

To follow up on our conversation at the MPO meeting last week;

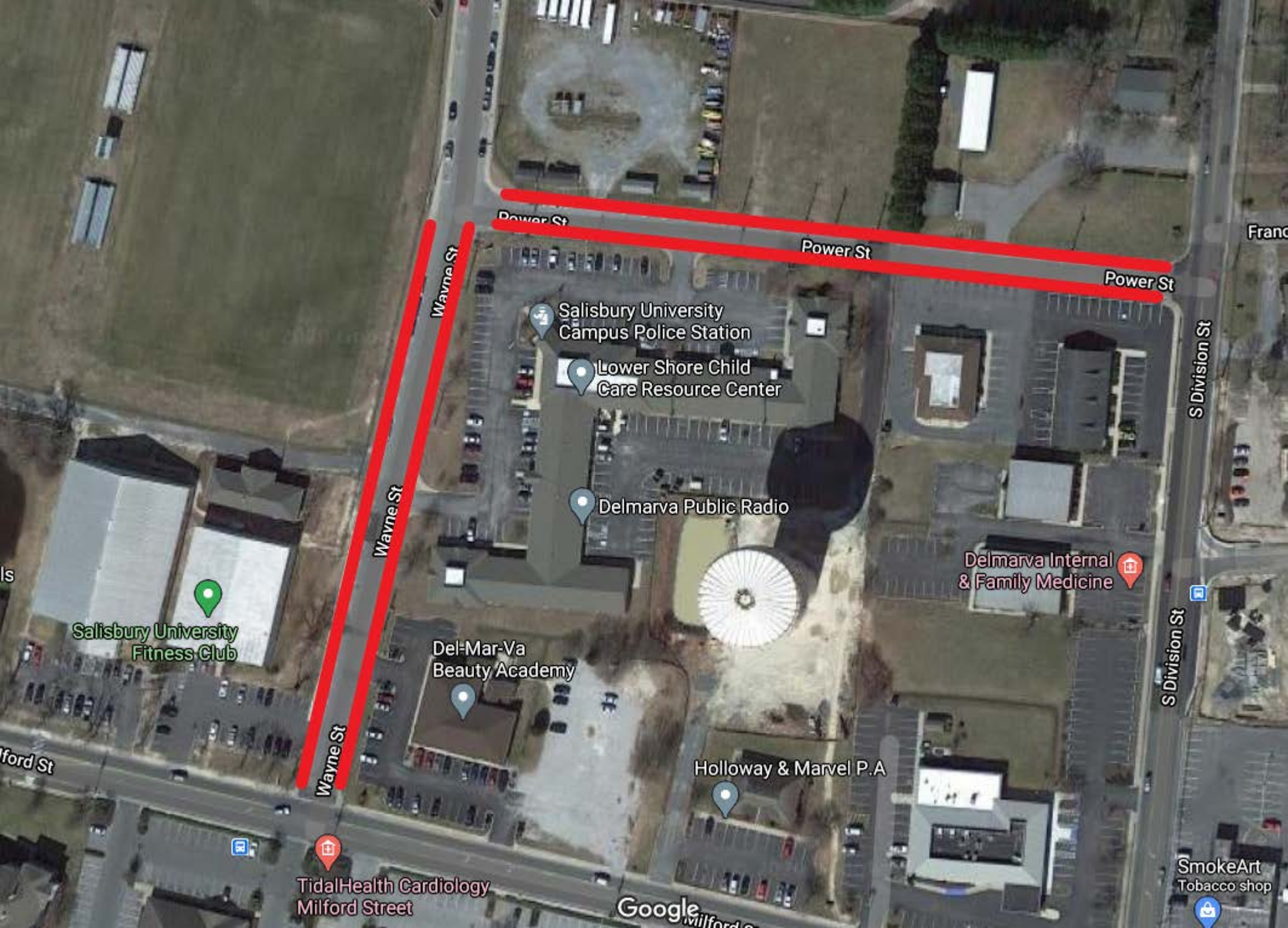
I spoke to Bill Sterling and he is on board with the stepping up enforcement of parking on Power and Wayne St. Once school resumes and it becomes an issue once again, SUPD can call 410-548-3195 and ask to speak to Sam Phillips of Bryant and request that Bryant ride through.

Also, to resolve the safety issue of vehicle parking right up to the driveways at the East Side complex, the University may paint the curbs yellow and remove one or two spots in each direction at the driveways for safety.

Once SU knows for sure which direction it wants to go in we can move forward with presenting an ordinance to Council for more complete parking removal.

Thanks,

William R. White
Transportation Projects Specialist
Department of Infrastructure & Development
City of Salisbury
125 N. Division St., Room B13



Power St

Power St

Power St

Wayne St

Wayne St

Wayne St

S Division St

S Division St

Salisbury University
Campus Police Station

Lower Shore Child
Care Resource Center

Delmarva Public Radio

Delmarva Internal
& Family Medicine

Del-Mar-Va
Beauty Academy

Holloway & Marvel P.A

Salisbury University
Fitness Club

TidalHealth Cardiology
Milford Street

SmokeArt
Tobacco shop

Google

ORDINANCE NO. 2645

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ELIMINATE PARKING SPACES ON POWER STREET, FROM SOUTH DIVISION STREET TO WAYNE STREET, AND TO ELIMINATE THE PARKING SPACES ON WAYNE STREET, FROM MILFORD STREET TO POWER STREET, IN ORDER TO PREVENT TRAFFIC CRASHES AND ACCOMMODATE SAFE BICYCLE FACILITIES AROUND THE EAST CAMPUS OF SALISBURY UNIVERSITY.

WHEREAS, the City of Salisbury desires to encourage the use of bicycles throughout the City; and

WHEREAS, the Salisbury Charter (SC11-2) gives the City charge of all public ways in the City; and

WHEREAS, Power Street connects South Division Street to Wayne Street and all parcels except one are owned by the University and all parcels have off-street parking; and

WHEREAS, Wayne Street connects Milford Street to Power Street and all parcels on both sides are owned in their entirety by Salisbury University; and

WHEREAS, the Department of Infrastructure and Development desires to build bicycle facilities in the areas listed above and to resolve any issues that could lead to traffic crashes in keeping with the Vision Zero Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, MARYLAND that for the purposes and reasons hereinabove set forth, that the removal of parking spaces on Wayne Street and Power Street is hereby approved.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND that this Ordinance shall take effect upon its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury, MD held on the 11th day of January, 2021 and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the _____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS:

_____ day of _____, 2021

47 _____
48 Julia Glanz, City Administrator
49 for and at the direction of
50 Jacob R. Day, Mayor
51



City of
Salisbury
Jacob R. Day, Mayor

To: Julia Glanz, City Administrator
From: Amanda Pollack, P.E., Director of Infrastructure and Development
Date: November 30, 2020
Re: Ordinance to remove parking on West College Avenue

AP

Salisbury Department of Infrastructure and Development is in the process of implementing the Salisbury Bicycle Network Plan which was adopted by Council via Resolution No. 2712 on December 13, 2016. Recently, DID evaluated necessary preconditions for installing dedicated bicycle facilities on West College Avenue. Given a history of crashes along West College Avenue and the requirement for more space for the bicycle facilities to be adequately protected, the removal of parking along West College Avenue from Lorecrop Drive to Camden Avenue is recommended.

The University has had numerous incidences of near-miss crashes where parking obstructed lines of sight for vehicle entering/exiting the University owned parking lot along West College Avenue. Additionally, the high volume of pedestrians and cyclists moving throughout the corridor suggest improvements for such users are warranted. The parking along West College Avenue has a very low-turnover rate and is mostly empty when University is not in session, suggesting students are the primary users of the parking and as such, the vehicles could be more properly housed at University owned off-street parking facilities.

The attached ordinance includes a request for authority to remove parking on West College Avenue from Lorecrop Drive to Camden Avenue. Salisbury University owns all of the property along the south frontage of West College Avenue and many parcels along the north side. The remaining parcels either have driveways and ample off-street parking, or have on-street parking available on an adjacent side street. A written notice of our request to remove parking has been sent to the adjacent property owners. A letter of support from University personnel declaring University support for parking removal is attached. Approximately 35 parking spaces will be removed, including two residential permit spaces.

Unless you or the Mayor have further questions, please forward a copy of this memo and the ordinance to the City Council.



Facilities and Capital Management
1101 Camden Avenue
Salisbury, MD 21801-6860
410.543.6215
1.888.543.0148
TTY 410.543.6083
FAX 410.548.2228
www.salisbury.edu/fcp

William White, Transportation Projects Specialist
Department of Infrastructure & Development
City of Salisbury
125 North Division Street, Room B13
Salisbury, MD 21801

RE: West College Avenue Bike Lane Project

Mr. White:

Salisbury University and the City of Salisbury have a strong working relationship and both of our institutions are completely committed to providing safe transportation networks for the local and student populations. The City has gone through a great deal of effort planning a Bicycle Network Plan. Additionally, Salisbury University has achieved Bicycle Friendly University status as awarded by The League of American Bicyclists. It is with this in mind, that Salisbury University supports the effort to install bike lane improvements on West College Avenue which will necessitate the removal of on-street parking on the south side of the street.

We look forward to working with you and the City's Department of Infrastructure & Development to continue to expand bicycling pathways around and through our campus and to seeing the concept plans that you develop for this project. Thanks for your ongoing efforts to make the City of Salisbury a more bicycle friendly city.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Eric Berkheimer'.

Eric Berkheimer
Associate Vice President of Facilities and Capital Management

cc: Eli Modlin
Marvin Pyles

ORDINANCE NO. 2646

AN ORDINANCE OF THE CITY OF SALISBURY, MARYLAND TO ELIMINATE PARKING SPACES ON WEST COLLEGE AVENUE FROM LORECROP DRIVE TO CAMDEN AVENUE IN ORDER TO PREVENT TRAFFIC CRASHES AND ACCOMMODATE A PREVIOUSLY APPROVED SAFE BICYCLE FACILITY ON WEST COLLEGE AVENUE.

WHEREAS, the City of Salisbury desires to encourage the use of bicycles throughout the City; and

WHEREAS, the Salisbury Charter (SC11-2) gives the City charge of all public ways in the City; and

WHEREAS, West College Avenue has on-street parking along the south frontage of the street between Camden Avenue and Lorecrop Drive; and

WHEREAS, removal of on-street parking will allow for safety improvements; and

WHEREAS, Salisbury University wholly owns all the property on that side of the street and supports the removal of parking; and

WHEREAS, the Department of Infrastructure and Development desires to build bicycle facilities in the areas listed above and to resolve any issues that could lead to traffic crashes in keeping with the Vision Zero Program.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SALISBURY, MARYLAND that for the purposes and reasons hereinabove set forth, that removal of the parking spaces from West College Ave, between Lorecrop Drive and Camden Street, is hereby approved.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF SALISBURY, MARYLAND that this Ordinance shall take effect upon its final passage.

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury, MD held on the 11th day of January, 2021 and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the _____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS:

_____ day of _____, 2021

47 _____
48 Julia Glanz, City Administrator
49 for and at the direction of
50 Jacob R. Day, Mayor
51



2 Permitted Spaces
(Residential Permits)

Non-Permitted Spaces



MEMORANDUM

To: Andy Kitzrow
From: Ron Strickler, Director of HCDD
Date: December 28, 2020
Re: Bless Our Children Donation Acceptance

Attached please find an ordinance accepting a \$2,000 monetary donation from Draper Holdings Charitable Fund / Bless Our Children campaign in support of the Santa's Workshop program sponsored by the Housing and Community Development Department. Draper Holdings has cut two separate checks to the City for Santa's Workshop – one in the amount of \$1,000 on 12/1/2020, and a second check in the amount of \$1,000 on 12/15/2020. The second check has not yet been received, but the Bless Our Children Committee has notified us that it is in the mail.

Santa's Workshop is a program where toys are distributed to children that might otherwise not have an opportunity to receive gifts and feel a part of the holidays.

Unless you have any questions, please forward this information to the City Council to be placed on their agenda for first reading at the January 11, 2021 legislative meeting, and second reading / final passage at the January 25, 2021 legislative meeting. Thank you for your assistance.

ORDINANCE NO. 2647

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET
ADMENDMENT OF THE CITY'S SPECIAL REVENUE FUND BUDGET AND TO ACCEPT AND
APPROPRIATE DONATED FUNDS FROM THE BLESS OUR CHILDREN CAMPAIGN FOR THE
SANTA'S WORKSHOP PROGRAM.

WHEREAS, the City of Salisbury's Housing and Community Development Department
hosts a Santa's Workshop program every year; and

WHEREAS, Bless Our Children wishes to donate funds to help sponsor this annual program;
and

WHEREAS, the donation of funds will be used to purchase gifts, refreshments and
equipment used to run the program; and

WHEREAS, these donations are to be used to protect the public welfare by purchasing toys
to provide to children; and

WHEREAS, appropriations necessary for this donation must be made upon the
recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
SALISBURY, MARYLAND THAT THE City's FY21 Special Revenue Fund be and hereby is
amended as follows:

- 1) Increase 10700-456423-81001 Contribution Revenue by \$2,000
- 2) Increase 10700-546006-81001 Operating Expense by \$2,000

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

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
Salisbury held on this 11th day of January 2021, and thereafter, a statement of the substance of the
Ordinance having been published as required by law, was finally passed by the Council on the _____
_____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols
City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS _____ day of _____, 2021.

Julia Glanz, City Administrator
for and at the direction of Jacob R. Day, Mayor

INTER

OFFICE

MEMO

Department of Finance

To: Julia Glanz, City Administrator
From: Keith Cordrey, Director of Finance *KAC*
Subject: Allocation of FY16 Bond proceeds for GOB Roof Improvements and WWTP HVAC
Date: December 23, 2020

Please find attached an Ordinance prepared by bond counsel which allocates \$113,500 of interest accrued on FY16 bond proceed to be used for GOB Roof Improvements and \$90,000 to be used for the WWTP Main Building HVAC project.

Schedule B of the FY21 Budge Ordinance (No. 2593) established an appropriation of \$175,000 for GOB Roof Improvements using bond proceeds to be reallocated. A summary of funding sources for the GOB Roof improvements follows:

Funding Source	Amount
FY16 Bond Interest	113,500
FY18 Bond Interest	6,100
Police Communication Equipment Project	55,400
Total	175,000

A separate ordinance has been submitted to establish an appropriation for the WWTP Main Building HVAC project since it was not included in the City' FY21 Budget Ordinance.

After your review, if you do not have questions or concerns, please forward this ordinance to council for their consideration.

Ordinance No. 2648

AN ORDINANCE OF THE COUNCIL (THE "COUNCIL") OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2357, PASSED BY THE COUNCIL ON OCTOBER 12, 2015, APPROVED BY THE MAYOR OF CITY OF SALISBURY (THE "CITY") ON OCTOBER 14, 2015 AND EFFECTIVE ON OCTOBER 14, 2015 ("ORDINANCE NO. 2357"), IN ORDER TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY CERTAIN INVESTMENT EARNINGS ON THE \$4,726,200 CITY OF SALISBURY PUBLIC IMPROVEMENTS BOND OF 2015 ISSUED ON DECEMBER 1, 2015 (THE "2015 BOND"), TO THE PROJECTS IDENTIFIED HEREIN AS "GOB ROOF AND AIR HANDLER REPLACEMENT" AND "WWTP HVAC", AND (2) IDENTIFY SUCH ADDITIONAL PROJECTS AS "PROJECTS" FOR ALL PURPOSES OF ORDINANCE NO. 2357; PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2015 BOND.

RECITALS

WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the "City"), is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the "Enabling Act"), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented or amended (the "Charter"), to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2357, passed by the Council of the City (the "Council") on October 12, 2015, approved by the Mayor of the City (the "Mayor") on October 14, 2015 and effective on October 14, 2015 ("Ordinance No. 2357"), the City authorized general obligation bonds to be issued from time to time in one or more series in an aggregate principal amount not to exceed Four Million Seven Hundred Twenty-Six Thousand Two Hundred Dollars (\$4,726,200.00) (the "Authorized Bonds") in order to finance, reimburse or refinance "costs" (as defined in Section 3(b) of Ordinance No. 2357) of the projects identified in Section 3(b) of Ordinance No. 2357 as (1) "Main Street Master Plan", (2) "East Main St Storm Drain", (3) "Beaverdam Creek Tidal Dam Repair", and (4) "24" W in Gordy Rd" (herein collectively referred to as the "Authorized Projects" and referred to as the "Projects" in Ordinance No. 2357) in the maximum principal amounts set forth opposite each such Authorized Project in such Section 3(b); and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, Ordinance No. 2357 and Resolution No. 2569, adopted by the Council on November 23, 2015, approved by the Mayor on November 23, 2015 and effective on November 23, 2015

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44 (“Resolution No. 2569”), the City determined to borrow money for the public purpose of financing
45 or reimbursing “costs” (as defined in Section 2(b) of Resolution No. 2569, which definition mirrors
46 the definition of “costs” set forth in Section 3(b) of Ordinance No. 2357) of the projects specified
47 in Section 2(a) of Resolution No. 2569 (which included all of the Authorized Projects), and to
48 evidence this borrowing by the issuance and sale of a single series of the Authorized Bonds in the
49 form of a single general obligation installment bond in the maximum principal amount of Four
50 Million Seven Hundred Twenty-Six Thousand Two Hundred Dollars (\$4,726,200.00); and

51
52 WHEREAS, pursuant to Resolution No. 2569, such Authorized Bond was issued in the
53 original principal amount of \$4,726,200.00 and was designated as the City of Salisbury Public
54 Improvements Bond of 2015 (the “2015 Bond”); and

55
56 WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
57 the Charter, Ordinance No. 2357 and Resolution No. 2569, the City sold and delivered the 2015 Bond
58 to Bank of America, N.A. on December 1, 2015; and

59
60 WHEREAS, Section 2 of Resolution No. 2569 provides that proceeds of the 2015 Bond
61 (which is referred to as the “Bond” in Resolution No. 2569) shall be appropriated and allocated to the
62 specified Authorized Projects identified below, subject to the further provisions of such Section 2
63 (which Authorized Projects are referred to as the “Projects” in Resolution No. 2569):

	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Main Street Master Plan	\$2,240,000.00
2.	East Main St Storm Drain	350,200.00
3.	Beaverdam Creek Tidal Dam Repair	1,136,000.00
4.	24” W in Gordy Rd	<u>1,000,000.00</u>
TOTAL		<u>\$4,726,200.00</u>

65 ; and

66
67 WHEREAS, pursuant to Ordinance No. 2411, passed by the Council on January 23, 2017 and
68 approved by the Mayor on January 24, 2017 (“Ordinance No. 2411”), the City reallocated an
69 aggregate of \$548,117.00 (rounded to the nearest whole dollar) of the principal amount of the
70 Authorized Bonds originally allocated to the Authorized Project identified as “Beaverdam Creek
71 Tidal Dam Repair” to the Authorized Project identified as “Main Street Master Plan”, such that the
72 maximum principal amount of the Authorized Bonds was reallocated as follows:

73
74
75 [CONTINUED ON FOLLOWING PAGE]
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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Main Street Master Plan	\$2,788,117
2.	East Main St Storm Drain	350,200.00
3.	Beaverdam Creek Tidal Dam Repair	587,883.00
4.	24" W in Gordy Rd	<u>1,000,000.00</u>
TOTAL		<u>\$4,726,200.00</u>

; and

WHEREAS, there remains unspent \$203,500.00 of investment earnings on proceeds of the 2015 Bond, and the Council wishes to allocate such unspent investment earnings as provided herein to (i) a project referred to in the City's fiscal year 2021 budget as originally adopted as "GOB Roof and Air Handler Replacement", and (ii) a project referred to as "WWTP HVAC" that is expected to be added to the fiscal year 2021 budget by amendment prior to or contemporaneously with the enactment of this Ordinance (collectively, the "2021 Additional Projects"); and

WHEREAS, accordingly, the City desires to expand the list of the Authorized Projects as set forth in Ordinance No. 2357 in order to allow certain investment earnings on proceeds of the 2015 Bond to be applied to costs of the 2021 Additional Projects, and to identify such 2021 Additional Projects as "Projects" for all purposes of Ordinance No. 2357.

SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND that:

(a) The Recitals to this Ordinance are incorporated by reference herein and deemed a substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that are not defined therein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any official by title shall be deemed to refer (i) to any official authorized under the Charter, the code of ordinances of the City (the "City Code") or other applicable law or authority to act in such titled official's stead during the absence or disability of such titled official, (ii) to any person who has been elected, appointed or designated to fill such position in an acting or interim capacity under the Charter, the City Code or other applicable law or authority, (iii) to any person who serves in a "deputy", "associate" or "assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy, associate or assistant in accordance with the Charter, the City Code or other applicable law or authority, and/or (iv) to the extent an identified official commonly uses another title not provided for in the Charter or the City Code, the official, however known, who is charged under the Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights or duties referred to herein.

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110 (c) References in this Ordinance to the “principal amount” of any obligations shall be
111 construed to mean the par amount of such obligations.

112 (d) References in the Sections of this Ordinance to Ordinance No. 2357 shall be construed
113 to mean Ordinance No. 2357 as the allocation of the principal amount of the Authorized Bonds
114 provided for therein has been reallocated pursuant to Ordinance No. 2411 prior to the introduction of
115 this Ordinance.

116 SECTION 2. BE IT FURTHER ORDAINED that:

117 (a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the
118 Charter and Ordinance No. 2357, from and after the effective date of this Ordinance, and subject to
119 Sections 2(e) and 7 hereof, Section 3(b) of Ordinance No. 2357 is hereby deleted in its entirety and
120 inserted in place thereof shall be the following:

121
122 “(b) With respect to the projects listed below, the word “costs” as used in
123 Section 2 hereof shall include, as applicable, land and right-of-way acquisition and
124 development; site and utility improvements; acquisition, construction, expansion,
125 demolition, reconstruction, replacement, renovation, rehabilitation, improvement,
126 installation, furnishing and equipping activities and expenses, and related or similar
127 costs; planning, design, engineering, architectural, feasibility, inspection, construction
128 management, surveying, permitting, financial and legal expenses, and related or
129 similar costs; costs of issuance (which may include costs of bond insurance or other
130 credit or liquidity enhancement); interest during construction and for a reasonable
131 period thereafter (whether or not expressly so stated); and any such costs that may
132 represent the City’s share or contribution to the financing, reimbursement or
133 refinancing of any such project. The total Bond (or BANs, as identified in Section 6
134 hereof) funds to be appropriated or applied to the costs of such projects (exclusive of
135 any investment earnings that may be applied for such purposes) shall be allocated
136 among the following public purpose projects in the maximum principal amount set
137 forth opposite each, except as otherwise herein provided:

138
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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	Main Street Master Plan	\$2,788,117
2.	East Main St Storm Drain	350,200
3.	Beaverdam Creek Tidal Dam Repair	587,883
4.	24" W in Gordy Rd	1,000,000
5.	GOB Roof and Air Handler Replacement	0(1)
6.	WWTP HVAC	0(2)
	TOTAL	<u>\$4,726,200</u>

(1) The City intends to allocate certain investment earnings on the Bonds to this project.

(2) The City intends to allocate certain investment earnings on the Bonds to this project.

The projects identified in items 1-6 above are collectively referred to herein as the "Projects". The Projects described in items 1-6 above are identified by approximately the same names as such Projects are identified in City budget materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable costs (as defined above) relating to the Projects, notwithstanding the descriptive names used for such Projects in the table above, including, without limitation, changes in scopes of the Projects identified above effected through applicable budgetary procedures or applicable law."

(b) Subject to the further provisions of this subsection (b), the Council hereby appropriates and allocates (i) \$113,500.00 of investment earnings on the 2015 Bond to be applied to costs of the 2021 Additional Project identified in the table in subsection (a) above as "GOB Roof and Air Handler Replacement", and (ii) \$90,000.00 of investment earnings on the 2015 Bond to be applied to costs of the 2021 Additional Project identified in the table in subsection (a) above as "WWTP HVAC". Notwithstanding the foregoing sentence, no investment earnings on the 2015 Bond may be applied to costs of the 2021 Additional Project identified in the table in subsection (a) above as "WWTP HVAC" unless and until the applicable budget of the City is amended to include such 2021 Additional Project and funding therein.

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172
173 (c) By undertaking the amendments to Section 3(b) of Ordinance No. 2357 provided for
174 in subsection (a) of this Section 2, the City is in effect (i) adding the 2021 Additional Projects
175 identified as items 5-6 in the table set forth in subsection (a) above to the list of projects the costs of
176 which may be financed or reimbursed from the principal amount of the 2015 Bond and investment
177 earnings thereon and (ii) allocating (A) \$113,500.00 of investment earnings on the 2015 Bond to the
178 2021 Additional Project identified as "GOB Roof and Air Handler Replacement" and (B) \$90,000.00
179 of investment earnings on the 2015 Bond to the 2021 Additional Project identified as "WWTP
180 HVAC".
181

182 (d) The projects identified in the table set forth in subsection (a) above (which amends
183 Section 3(b) of Ordinance No. 2357) are collectively referred to herein as the "2021 Revised
184 Projects". Subject to the provisions of subsection (e) below and Section 7 of this Ordinance, from
185 and after the effective date of this Ordinance, all references to the Projects in Ordinance No. 2357
186 shall be deemed to be references to the 2021 Revised Projects, as identified in this Ordinance. Subject
187 to the provisions of subsection (e) below and Section 7 of this Ordinance, from and after the effective
188 date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b)
189 of Ordinance No. 2357 with respect to the application of the principal amount of the Authorized
190 Bonds (which is the 2015 Bond because the maximum principal amount of "Bonds" authorized by
191 Ordinance No. 2357 was issued as the 2015 Bond).
192

193 (e) Notwithstanding the foregoing provisions of this Section 2, 2015 Bond proceeds
194 (including investment earnings thereon) may not be applied to costs of the 2021 Additional Projects
195 unless and until the City adopts a resolution making corresponding amendments to the provisions of
196 Section 2(a) of Resolution No. 2569 to include the 2021 Additional Projects in the list of Projects
197 identified in Resolution No. 2569, thereby allowing proceeds of the 2015 Bond and investment
198 earnings on the 2015 Bond to be applied to costs of the 2021 Additional Projects.
199

200 (f) Subject to the provisions of subsections (b) and (e) above and Section 7 of this
201 Ordinance, it is the intention of the Council that any interest income or investment earnings earned
202 on the principal amount of the 2015 Bond (i) prior to the effective date of this Ordinance, to the extent
203 not already spent in accordance with the provisions of the Ordinance No. 2357, Resolution No. 2569
204 or applicable budgetary procedures or applicable law, and (ii) on and after the effective date of this
205 Ordinance, shall be applied to costs of the any of the 2021 Revised Projects; provided that, any such
206 interest income or investment earnings may be allocated otherwise in accordance with applicable
207 budgetary procedures or applicable law, including, to the extent applicable, by resolution.
208

209 SECTION 3. BE IT FURTHER ORDAINED that, subject to the provisions of Sections 2(e)
210 and 7 of this Ordinance, the Mayor, the City Administrator, the Director of Finance and all other
211 appropriate officials and employees of the City, to the extent acting within the scope of their respective
212 authority, are hereby authorized and empowered to take any and all action necessary or appropriate
213 to provide for the application of the proceeds of the 2015 Bond to finance or reimburse costs of the
214 2021 Revised Projects and to approve, execute and deliver all documents, certificates or instruments

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necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2015 Bond.

SECTION 4. BE IT FURTHER ORDAINED that from and after the effective date of this Ordinance, Ordinance No. 2357 shall be deemed amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2357 shall remain in full force and effect.

SECTION 5. BE IT FURTHER ORDAINED that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

SECTION 6. BE IT FURTHER ORDAINED that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

SECTION 7. BE IT FURTHER ORDAINED that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, that notwithstanding the effective date of this Ordinance, in the event (i) the City fails to amend the applicable budget of the City to include therein the 2021 Additional Project identified as "WWTP HVAC" in this Ordinance, the City may not apply 2015 Bond proceeds or investment earnings thereon to costs of such 2021 Additional Project, and (ii) the City fails to adopt a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2569 to allow 2015 Bond proceeds and investment earnings thereon to be applied to costs of the 2021 Additional Projects, the City may not apply 2015 Bond proceeds or investment earnings thereon to costs of the 2021 Additional Project identified herein as "GOB Roof and Air Handler Replacement" or to costs of the 2021 Additional Project identified herein as "WWTP HVAC" if clause (i) is not satisfied, as applicable. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the _____ day of _____, 2021 and thereafter, a statement of the substance of this Ordinance having been posted or published as required by law, was finally passed by the Council _____ [as introduced] _____ [as amended] [CHECK APPLICABLE LINE] on the _____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS _____ DAY OF _____, 2021:

Jacob R. Day, Mayor

#219994;58111.001

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INTER

OFFICE

MEMO

Department of Finance

To: Julia Glanz, City Administrator
From: Keith Cordrey, Director of Finance *KAC*
Subject: Allocation of FY18 Bond proceeds for GOB Roof Improvements & (2) Dump Trucks
Date: December 23, 2020

Please find attached an Ordinance prepared by bond counsel which allocates \$6,100 of interest accrued on FY18 bond proceed to be used for GOB Roof Improvements and \$140,000 to be used for two Dump Trucks for the Field Operations Department.

Schedule B of the FY21 Budge Ordinance (No. 2593) established appropriations of \$140,000 for the Dump Trucks and \$175,000 for GOB Roof Improvements using bond proceeds to be reallocated. A summary of funding sources for the GOB Roof improvements follows:

Funding Source	Amount
FY16 Bond Interest	113,500
FY18 Bond Interest	6,100
Police Communication Equipment Project	55,400
Total	175,000

After your review, if you do not have questions or concerns, please forward this ordinance to council for their consideration.

Ordinance No. 2649

AN ORDINANCE OF THE COUNCIL (THE "COUNCIL") OF THE CITY OF SALISBURY AMENDING AND SUPPLEMENTING ORDINANCE NO. 2463, PASSED BY THE COUNCIL ON NOVEMBER 13, 2017, APPROVED BY THE MAYOR OF CITY OF SALISBURY (THE "CITY") ON NOVEMBER 15, 2017 AND EFFECTIVE ON NOVEMBER 15, 2017 ("ORDINANCE NO. 2463"), IN ORDER TO (1) AUTHORIZE AND EMPOWER THE CITY TO USE AND APPLY A PORTION OF THE PRINCIPAL AMOUNT OF THE \$5,724,853 CITY OF SALISBURY PUBLIC IMPROVEMENTS BOND OF 2017 ISSUED ON DECEMBER 13, 2017 (THE "2017 BOND"), PLUS CERTAIN INVESTMENT EARNINGS THEREON, TO THE PROJECTS IDENTIFIED HEREIN AS "GOB ROOF AND AIR HANDLER REPLACEMENT" AND "2 ONE TON DUMP TRUCKS (SANITATION & PARKS)" IN ADDITION TO THE PROJECTS ORIGINALLY IDENTIFIED IN ORDINANCE NO. 2463, AND (2) IDENTIFY SUCH ADDITIONAL PROJECTS AS "PROJECTS" FOR ALL PURPOSES OF ORDINANCE NO. 2463; PROVIDING THAT THIS TITLE IS A FAIR STATEMENT OF THE SUBSTANCE OF THIS ORDINANCE; AUTHORIZING CERTAIN CITY OFFICIALS TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE TRANSACTIONS CONTEMPLATED BY THIS ORDINANCE; PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED; AND OTHERWISE GENERALLY RELATING TO THE USE OF PROCEEDS OF THE 2017 BOND.

RECITALS

WHEREAS, City of Salisbury, a municipal corporation of the State of Maryland (the "City"), is authorized and empowered by Sections 19-301 to 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as replaced, supplemented or amended (the "Enabling Act"), and Sections SC7-45 and SC7-46 of the Charter of the City of Salisbury, as replaced, supplemented or amended (the "Charter"), to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds; and

WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the Charter, and Ordinance No. 2463, passed by the Council of the City (the "Council") on November 13, 2017, approved by the Mayor of the City (the "Mayor") on November 15, 2017 and effective on November 15, 2017 ("Ordinance No. 2463"), the City authorized general obligation bonds to be issued from time to time in one or more series in an aggregate principal amount not to exceed Five Million Seven Hundred Twenty-four Thousand Eight Hundred Fifty-three Dollars (\$5,724,853.00) (the "Authorized Bonds") in order to finance, reimburse or refinance "costs" (as defined in Section 3(b) of Ordinance No. 2463, and also defined as "Costs of the Projects") of the projects identified in Section 3(b) of Ordinance No. 2463 as (1) "MDT Upgrades/Replacements", (2) "Station 16 Rear Driveway Paving", (3) "Radio System & Dispatch Equipment/Improvements", (4) "Riverside Circle", (5) "Service Center Facility – Phase 1", (6) "Service Center Facility – Phase 2", (7) "Urban Greenway – Phase 1 – Riverwalk Section", (8) "Urban Greenway – Phase 2 – Carroll Street Section", (9) "Bicycle Master Plan Paths Including 1st Half of Rail Trail", (10) "Maintenance Dump Trucks", (11) "Recycle Trucks", (12) "Street Scaping: Division, Circle, and Camden", (13) Parking Garage

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44 Roof Waterproof Membrane”, (14) “New Parking Meters for Downtown”, and (15) “Parking Garage
45 Upgraded Security Cameras” (herein collectively referred to as the “Authorized Projects” and
46 referred to as the “Projects” in Ordinance No. 2463) in the maximum principal amounts set forth
47 opposite each such Authorized Project in such Section 3(b); and
48

49 WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
50 the Charter, Ordinance No. 2463 and Resolution No. 2794, adopted by the Council on November 27,
51 2017, approved by the Mayor on November 28, 2017 and effective on November 28, 2017
52 (“Resolution No. 2794”), the City determined to borrow money for the public purpose of financing
53 or reimbursing “costs” and “Costs of the Projects” (as defined in Section 2(b) of Resolution No.
54 2794, which definitions mirror the definitions of “costs” and “Costs of the Projects” set forth in
55 Section 3(b) of Ordinance No. 2463) of the projects specified in Section 2(a) of Resolution No.
56 2794 (which included all of the Authorized Projects), and to evidence this borrowing by the
57 issuance and sale of a single series of the Authorized Bonds in the form of a single general
58 obligation installment bond in the maximum principal amount of Five Million Seven Hundred
59 Twenty-four Thousand Eight Hundred Fifty-three Dollars (\$5,724,853.00); and
60

61 WHEREAS, pursuant to Resolution No. 2794, such Authorized Bond was issued in the
62 original principal amount of \$5,724,853.00 and was designated as the City of Salisbury Public
63 Improvements Bond of 2017 (the “2017 Bond”); and
64

65 WHEREAS, pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of
66 the Charter, Ordinance No. 2463 and Resolution No. 2794, the City sold and delivered the 2017 Bond
67 to Branch Banking and Trust Company on December 13, 2017; and
68

69 WHEREAS, Section 2 of Resolution No. 2794 provides that proceeds of the 2017 Bond
70 (which is referred to as the “Bond” in Resolution No. 2794) shall be appropriated and allocated to the
71 specified Authorized Projects identified below, subject to the further provisions of such Section 2
72 (which Authorized Projects are referred to as the “Projects” in Resolution No. 2794):
73

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	40,000
3.	Radio System & Dispatch Equipment/Improvements	898,253
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	761,500
10.	Maintenance Dump Trucks	160,000
11.	Recycle Trucks	150,000
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	<u>55,000</u>
	TOTAL	<u>\$5,724,853</u>

; and

WHEREAS, pursuant to Ordinance No. 2487, passed by the Council on June 4, 2018 and approved by the Mayor on June 13, 2018 (“Ordinance No. 2487”), the City reallocated an aggregate of \$37,230.00 of the principal amount of the Authorized Bonds originally allocated to the Authorized Projects identified as “Bicycle Master Plan Paths Including 1st Half of Rail Trail”, “Maintenance Dump Trucks” and “Recycle Trucks” to the Authorized Project identified as “Station 16 Rear Driveway Paving”, such that the maximum principal amount of the Authorized Bonds was reallocated as follows:

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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	77,230
3.	Radio System & Dispatch Equipment/Improvements	898,253
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	758,534
10.	Maintenance Dump Trucks	154,500
11.	Recycle Trucks	121,236
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	<u>55,000</u>
	TOTAL	<u>\$5,724,853</u>

; and

WHEREAS, \$55,400.00 of the principal amount of the 2017 Bond originally allocated to the Authorized Project identified as “Radio System & Dispatch Equipment/Improvements” in Ordinance No. 2463 and Resolution No. 2794 remains unspent, and the Council wishes to reallocate such unexpended principal amount, together with an additional \$146,100.00 of investment earnings on proceeds of the 2017 Bond, to two separate projects referred to in the City’s fiscal year 2021 budget as “GOB Roof and Air Handler Replacement” and “2 One Ton Dump Trucks (Sanitation & Parks)” (collectively, the “2021 Additional Projects”); and

WHEREAS, accordingly, the City desires to expand the list of the Authorized Projects as set forth in Ordinance No. 2463 in order to allow a portion of the principal amount of the 2017 Bond, together with certain investment earnings thereon, to be applied to costs of the 2021 Additional Projects, and to identify such 2021 Additional Projects as “Projects” for all purposes of Ordinance No. 2463.

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108
109 SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
110 THE CITY OF SALISBURY, MARYLAND that:

111
112 (a) The Recitals to this Ordinance are incorporated by reference herein and deemed a
113 substantive part of this Ordinance. Capitalized terms used in the Sections of this Ordinance that
114 are not defined therein shall have the meanings given to such terms in the Recitals.

115 (b) References in this Ordinance to any official by title shall be deemed to refer (i) to any
116 official authorized under the Charter, the code of ordinances of the City (the “City Code”) or other
117 applicable law or authority to act in such titled official’s stead during the absence or disability of such
118 titled official, (ii) to any person who has been elected, appointed or designated to fill such position in
119 an acting or interim capacity under the Charter, the City Code or other applicable law or authority,
120 (iii) to any person who serves in a “deputy”, “associate” or “assistant” capacity as such an official,
121 provided that the applicable responsibilities, rights or duties referred to herein have been delegated to
122 such deputy, associate or assistant in accordance with the Charter, the City Code or other applicable
123 law or authority, and/or (iv) to the extent an identified official commonly uses another title not
124 provided for in the Charter or the City Code, the official, however known, who is charged under the
125 Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights
126 or duties referred to herein.

127 (c) References in this Ordinance to the “principal amount” of any obligations shall be
128 construed to mean the par amount of such obligations.

129 (d) References in the Sections of this Ordinance to Ordinance No. 2463 shall be construed
130 to mean Ordinance No. 2463 as the allocation of the principal amount of the Authorized Bonds
131 provided for therein has been reallocated pursuant to Ordinance No. 2487 prior to the introduction of
132 this Ordinance.

133 SECTION 2. BE IT FURTHER ORDAINED that:

134 (a) Pursuant to the authority of the Enabling Act, Sections SC7-45 and SC7-46 of the
135 Charter and Ordinance No. 2463, from and after the effective date of this Ordinance, and subject to
136 Sections 2(e) and 7 hereof, Section 3(b) of Ordinance No. 2463 is hereby deleted in its entirety and
137 inserted in place thereof shall be the following:

138
139 “(b) With respect to the projects listed below, the word “costs” as used in
140 Section 2 hereof shall include, as applicable, land and right-of-way acquisition and
141 development; acquisition of other property rights; site and utility improvements,
142 including, without limitation, grading, landscaping, paving, sidewalk, curb, gutter,
143 storm drain, water and sewer improvements, and related or similar activities and
144 expenses; demolition, razing and removal; acquisition, construction, expansion,
145 reconstruction, renovation, rehabilitation, improvement, installation, furnishing and
146 equipping activities and expenses, and related or similar activities and expenses;

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147 planning, design, engineering, architectural, feasibility, surveying, bidding,
148 permitting, inspection, construction management, financial, administrative and legal
149 expenses, and related or similar activities and expenses; costs of issuance (which may
150 include costs of bond insurance or other credit or liquidity enhancement); interest
151 during construction and for a reasonable period thereafter (whether or not expressly
152 so stated); and any such costs that may represent the City's share or contribution to
153 the financing, reimbursement or refinancing of any such project (collectively, "Costs
154 of the Projects"). The total Bond (or BANs, as identified in Section 6 hereof) funds
155 to be appropriated or applied to the costs of such projects (exclusive of any investment
156 earnings that may be applied for such purposes) shall be allocated among the
157 following public purpose projects in the maximum principal amount set forth opposite
158 each, except as otherwise herein provided:
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	<u>Project Name</u>	<u>Maximum Principal Amount</u>
1.	MDT Upgrades/Replacements	\$150,000
2.	Station 16 Rear Driveway Paving	77,230
3.	Radio System & Dispatch Equipment/Improvements	842,853
4.	Riverside Circle	1,326,000
5.	Service Center Facility – Phase 1	550,000
6.	Service Center Facility – Phase 2	200,000
7.	Urban Greenway – Phase 1 – Riverwalk Section	307,200
8.	Urban Greenway – Phase 2 – Carroll Street Section	100,000
9.	Bicycle Master Plan Paths Including 1 st Half of Rail Trail	758,534
10.	Maintenance Dump Trucks	154,500
11.	Recycle Trucks	121,236
12.	Street Scaping: Division, Circle, and Camden	750,000
13.	Parking Garage Roof Waterproof Membrane	97,500
14.	New Parking Meters for Downtown	179,400
15.	Parking Garage Upgraded Security Cameras	55,000
16.	GOB Roof and Air Handler Replacement	55,400(1)
17.	2 One Ton Dump Trucks (Sanitation & Parks)	0(2)
	TOTAL	<u>\$5,724,853</u>

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- (1) In addition to the par amount of the Bonds allocated to the indicated project, the City intends to allocate certain investment earnings on the Bonds to this project.
- (2) All Costs of the Projects of this identified project will be funded from investment earnings on the Bonds.

The projects identified in items 1-17 above are collectively referred to herein as the “Projects”. The Projects described in items 1-17 above are identified by approximately the same names as such Projects are identified in City budget materials. The City, without notice to or the consent of any registered owners of the Bonds (or the registered owners of any of the BANs, as applicable), may reallocate the maximum principal amount of the Bonds (and of any of the BANs, as applicable) to be spent among any of the Projects in compliance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution. Further, it is the intention of the Council that proceeds of the Bonds (or of any of the BANs, as applicable) may be spent on any applicable Costs of the Projects, notwithstanding the descriptive names used for

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such Projects in the table above, including, without limitation, changes in scopes of the Projects identified above effected through applicable budgetary procedures or applicable law.”

(b) The Council hereby appropriates and allocates (i) \$6,100.00 of investment earnings on the 2017 Bond to be applied to costs of the 2021 Additional Project identified in the table in subsection (a) above as “GOB Roof and Air Handler Replacement”, and (ii) \$140,000.00 of investment earnings on the 2017 Bond to be applied to costs of the 2021 Additional Project identified in the table in subsection (a) above as “2 One Ton Dump Trucks (Sanitation & Parks)”.

(c) By undertaking the amendments to Section 3(b) of Ordinance No. 2463 provided for in subsection (a) of this Section 2, the City is in effect (i) reducing the principal amount of the 2017 Bond to be applied to costs of the Authorized Project identified as “Radio System & Dispatch Equipment/Improvements” from \$898,253.00 to \$842,853.00; (ii) adding the 2021 Additional Projects identified as items 16-17 in the table set forth in subsection (a) above to the list of projects the costs of which may be financed or reimbursed from the principal amount of the 2017 Bond and investment earnings thereon; (iii) reallocating a portion of the principal amount of the 2017 Bond previously allocated to the project identified as “Radio System & Dispatch Equipment/Improvements” to the 2021 Additional Project identified as “GOB Roof and Air Handler Replacement”; and (iv) allocating (A) \$6,100.00 of investment earnings on the 2017 Bond to the 2021 Additional Project identified as “GOB Roof and Air Handler Replacement” and (B) \$140,000.00 of investment earnings on the 2017 Bond to the 2021 Additional Project identified as “2 One Ton Dump Trucks (Sanitation & Parks)”.

(d) The projects identified in the table set forth in subsection (a) above (which amends Section 3(b) of Ordinance No. 2463) are collectively referred to herein as the “2021 Revised Projects”. Subject to the provisions of subsection (e) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, all references to the Projects in Ordinance No. 2463 shall be deemed to be references to the 2021 Revised Projects, as identified in this Ordinance. Subject to the provisions of subsection (e) below and Section 7 of this Ordinance, from and after the effective date of this Ordinance, the provisions of this Section 2 shall supersede the provisions of Section 3(b) of Ordinance No. 2463 with respect to the application of the principal amount of the Authorized Bonds (which is the 2017 Bond because the maximum principal amount of “Bonds” authorized by Ordinance No. 2463 was issued as the 2017 Bond).

(e) Notwithstanding the foregoing provisions of this Section 2, 2017 Bond proceeds (including investment earnings thereon) may not be applied to costs of the 2021 Additional Projects unless and until the City adopts a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2794 to allow a portion of the principal amount of the 2017 Bond, together with investment earnings on the 2017 Bond, to be applied to costs of the 2021 Additional Projects.

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(f) Subject to the provisions of subsections (b) and (e) above and Section 7 of this Ordinance, it is the intention of the Council that any interest income or investment earnings earned on the principal amount of the 2017 Bond (i) prior to the effective date of this Ordinance, to the extent not already spent in accordance with the provisions of the Ordinance No. 2463, Resolution No. 2794 or applicable budgetary procedures or applicable law, and (ii) on and after the effective date of this Ordinance, shall be applied to costs of the any of the 2021 Revised Projects; provided that, any such interest income or investment earnings may be allocated otherwise in accordance with applicable budgetary procedures or applicable law, including, to the extent applicable, by resolution.

SECTION 3. BE IT FURTHER ORDAINED that, subject to the provisions of Sections 2(e) and 7 of this Ordinance, the Mayor, the City Administrator, the Director of Finance and all other appropriate officials and employees of the City, to the extent acting within the scope of their respective authority, are hereby authorized and empowered to take any and all action necessary or appropriate to provide for the application of the proceeds of the 2017 Bond to finance or reimburse costs of the 2021 Revised Projects and to approve, execute and deliver all documents, certificates or instruments necessary or appropriate in connection therewith or in connection with the transactions contemplated by this Ordinance, including, without limitation, any amendments, modifications or supplements to any documents, certificates or instruments delivered in connection with the 2017 Bond.

SECTION 4. BE IT FURTHER ORDAINED that from and after the effective date of this Ordinance, Ordinance No. 2463 shall be deemed amended and supplemented as provided herein and all other terms and provisions of Ordinance No. 2463 shall remain in full force and effect.

SECTION 5. BE IT FURTHER ORDAINED that the title of this Ordinance shall be deemed to be, and is, a fair statement of the substance of this Ordinance for posting and all other purposes.

SECTION 6. BE IT FURTHER ORDAINED that the provisions of this Ordinance shall be liberally construed in order to effectuate the transactions contemplated by this Ordinance.

SECTION 7. BE IT FURTHER ORDAINED that this Ordinance shall become effective following approval by the Mayor or subsequent passage by the Council following the Mayor's veto in accordance with the provision of Section SC2-12 of the Charter; provided, however, in the event the City fails to adopt a resolution making corresponding amendments to the provisions of Section 2(a) of Resolution No. 2794 to allow 2017 Bond proceeds and investment earnings thereon to be applied to costs of the 2021 Additional Projects, the City may not apply 2017 Bond proceeds or investment earnings thereon for such purposes, notwithstanding the effective date of this Ordinance. Pursuant to Charter Section SC2-16, this Ordinance shall not be subject to petition to referendum.

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THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the _____ day of _____, 2021, and thereafter, a statement of the substance of this Ordinance having been posted or published as required by law, was finally passed by the Council _____ [as introduced] _____ [as amended] [CHECK APPLICABLE LINE] on the _____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

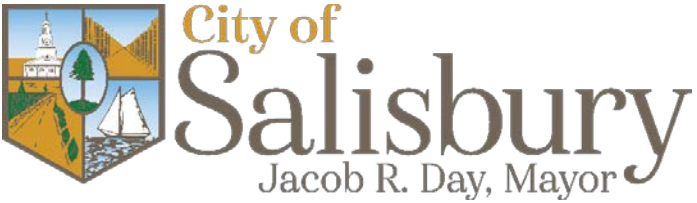
John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS _____ DAY OF _____, 2021:

Jacob R. Day, Mayor

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Memo

To: City Council

From: Laura Soper

Subject: SWMPO Donation to Port Feasibility Study

Date: 12/21/20

Included in this packet is an Ordinance to accept a contribution from the Salisbury Wicomico Metropolitan Planning Organization in the amount of \$7,000 for the City's Port Feasibility study, as well as an MOU that states the proposed terms of the agreement for the contribution. The City awarded the RFP for this study to CPCS Transcom Inc in October and the SWMPO expressed an interest in acting as a contributing partner on the project. The MOU has already been reviewed and approved by the SWMPO and they will execute it once the City approves.

ORDINANCE NO. 2650

AN ORDINANCE OF THE CITY OF SALISBURY TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE SALISBURY WICOMICO METROPOLITAN PLANNING ORGANIZATION FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$7,000.00, AND TO APPROVE A BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE FUNDS FOR OFFSETTING RFP 21-101 PORT FEASIBILITY STUDY.

WHEREAS, the City of Salisbury ("City") has solicited qualified vendors for a Request for Proposal (RFP)(Exhibit 1) for a Port Feasibility study ("Study") to assess the economic and physical feasibility of a multi-user port along the Wicomico River;

WHEREAS, the Salisbury Wicomico Metropolitan Planning Organization ("SWMPO") is a federally designated regional transportation planning agency for the urbanized area encompassing Sussex County, Wicomico County, and a small portion of Somerset County;

WHEREAS, SWMPO coordinates with appropriate authorities and departments of all impacted state and local governments in an effort to assist with solving regional problems and implementing regional goals and policies;

WHEREAS, SWMPO desires to support the City's efforts to perform the Study;

WHEREAS, the City of Salisbury must enter into a Memorandum of Understanding with SWMPO defining how the funds must be expended;

WHEREAS, all funds shall be used to offset the cost of hiring a consultant to perform the Study;

WHEREAS, SWMPO requests two separate presentations of the Final Study to the SWMPO Technical Advisory Committee (1) and the SWMPO Council (1), and will add the SWMPO logo to the final Study along with language confirming that funding was provided from SWMPO;

WHEREAS, § 7-29 of the Salisbury City Charter prohibits the City from entering into a contract that requires an expenditure not appropriated or authorized by the City Council; and

WHEREAS, appropriations necessary to execute the purpose of this grant must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, THAT Mayor Jacob R. Day is hereby authorized to enter into a grant agreement with the Salisbury Wicomico Metropolitan Planning Organization to accept grant funds in the amount of \$7,000.00.

BE IT FURTHER ORDAINED that the City's Grant Fund Budget be and hereby is amended as follows:

- 1) Increase Port Feasibility donated matching funds account (10500-426100-72100) by \$7,000.00
- 2) Increase Consulting Fees Expense account (10500-513400-72100) by \$7,000.00

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

47 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of
48 Salisbury held on this 11th day of January, 2021, and thereafter, a statement of the substance of the
49 Ordinance having been published as required by law, was finally passed by the Council on the ____
50 day of _____, 2021.

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53 **ATTEST:**

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56 _____
57 Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

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61 APPROVED BY ME THIS ____ day of _____, 2021.

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64 _____
65 Julia Glanz, City Administrator, for and at the
66 direction of Jacob R. Day, Mayor

MEMORANDUM OF UNDERSTANDING
BETWEEN SALISBURY WICOMICO METROPOLITAN PLANNING ORGANIZATION AND
THE CITY OF SALISBURY

This Agreement is made by and between Wicomico County, on behalf of the Salisbury Wicomico Metropolitan Planning Organization ("SWMPO"), and the City of Salisbury ("City").

RECITALS

Whereas, the City of Salisbury ("City") has solicited qualified vendors for a Request for Proposal (RFP)(Exhibit 1) for a Port Feasibility study ("Study") to assess the economic and physical feasibility of a multi-user port along the Wicomico River;

Whereas, the SWMPO is a federally designated regional transportation planning agency for the urbanized area encompassing Sussex County, Wicomico County, and a small portion of Somerset County;

Whereas, the SWMPO coordinates with appropriate authorities and departments of all impacted state and local governments in an effort to assist with solving regional problems and implementing regional goals and policies; and

Whereas, the SWMPO desires to support the City's efforts to perform the aforementioned study.

NOW, THEREFORE, in consideration of the mutual promises, recitals and agreements contained herein, and for other good and valuable consideration, the parties do covenant and agree as follows:

1. SWMPO Representations: The SWMPO represents, acknowledges, and agrees that it will contribute \$7,000 to the City for the express purpose of funding the 2020 Port Feasibility study that was put out to bid August 28, 2020 and closed for bidding September 30, 2020 under Bid # RFP-21-101.
2. City Representations: The City represents, acknowledges, and agrees that in exchange for the SWMPO's \$7,000 contribution to the Port Feasibility study, the City will ensure that the selected vendor will provide two separate presentations of the Final Study to the SWMPO Technical Advisory Committee (1) and the SWMPO Council (1), and will add the SWMPO logo partner to the Final Study along with language confirming that funding was provided from the SWMPO. SWMPO's \$7,000 contribution shall be payable upon completion of the above.
3. Entire Agreement: This Agreement represents the parties' entire agreement with respect to

the matters specified herein.

4. Governing Law and Venue It is understood that this Agreement shall be governed by and construed under and in accordance with the laws of the State of Maryland. Venue for any actions arising under this Agreement shall be in Wicomico County.
5. Severability Any provision of the Agreement which is prohibited or unenforceable shall be ineffective only to the extent of such prohibition or unenforceability without invalidating the remaining provisions thereof.
6. Termination This Agreement may be terminated upon thirty (30) days written notice provided to the other party.
7. Non-Appropriation In the event no funds or insufficient funds are appropriated and budgeted or are otherwise not available in any fiscal year, the City will immediately notify SWMPO of such occurrence and this Agreement shall terminate on the last day for which appropriations were received, without penalty or expense to the City

THIS AGREEMENT is hereby executed by the duly authorized representatives of the parties as of this _____ day of _____, 2020.

Wicomico County, on behalf of the
Salisbury Wicomico Metropolitan Planning Organization

By _____

(Printed) John D. Psota

(Title) Acting County Executive

City of Salisbury

By _____

(Printed) _____

(Title) _____

INTER

OFFICE

MEMO

Department of Finance

To: Julia Glanz, City Administrator
From: Keith Cordrey, Director of Finance *KAC*
Subject: GOB Roof Improvements
Date: December 23, 2020

Please find attached a Budget Ordinance which reallocates \$90,000 of available funds from accrued interest on the FY16 bond proceeds which have not been previously allocated.

This ordinance will establish the appropriation to make the improvements while another ordinance has been prepared by Lindsey Rader which will add the WWTP HVAC project into the FY16 Bond and make this project eligible to use proceeds from this bond.

For details related to the project, please see the attached memo from Cori Cameron.

After your review, if you do not have questions or concerns, please forward this ordinance to council for their consideration.



MEMORANDUM

To: Keith Cordrey, Director of Finance
From: Cori Cameron, Director of Water Works
Subject: Wastewater Treatment Plant Main Building HVAC
Date: December 23, 2020

The main operations building for the WWTP currently has two different failing HVAC systems. The building was originally built in 1955 to house chlorine, since then it has been modified and has been through three additions. The building now houses the administration, laboratory, and operations staff. Each addition brought its own HVAC and the systems do not work together.

The original building is heated by an old oil-fired radiator system. The laboratory is run on two HVAC units that are of residential quality and at the end of their useful life. A couple of offices in the building have no heat or air vents, they consume what they can from the other parts of the building.

A design was completed with funds from the FY21 CIP. It has identified parts of the system that are crumbling and in desperate need of removal, replacement, and repair. The two systems need immediate attention before complete failure. The requested funds are needed to complete the task before they fail.

Authorized By:

Cori Cameron, Director of Water Works

ORDINANCE NO. 2651

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING AN AMENDMENT OF THE CITY'S WATER SEWER CAPITAL PROJECT FUND BUDGET TO REALLOCATE FUNDING FOR THE WASTE WATER TREATMENT PLANT HVAC PROJECT.

WHEREAS, The HVAC system for the main building at the waste water treatment plant is in need of replacement; and

WHEREAS, the City has received an estimated of \$90,000 to replace the system; and

WHEREAS, there are available funds from interest accrued on the FY2016 Bond Issue that was approved by City Council on October 14, 2015 and issued on December 1, 2015.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND THAT THE City's Water Sewer Capital Projects Fund Budget be and hereby is amended as follows:

Project Description	Account Description	Account	Amount
Revenues:			
WWTP HVAC	Interest Revenue	96016-456110- xxxxxx	90,000
Expenditures:			
WWTP HVAC	Construction	96216-513026- xxxxxx	90,000

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on this 11th day of January 2021, and thereafter, a statement of the substance of the Ordinance having been published as required by law, was finally passed by the Council on the ____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, President
Salisbury City Council

APPROVED BY ME THIS ____ day of _____, 2021.

Julia Glanz, City Administrator
for and at the direction of
Jacob R. Day, Mayor