



CITY OF SALISBURY CITY COUNCIL AGENDA

MAY 24, 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. PROCLAMATIONS – City Administrator Julia Glanz
- John Broyhill Day
 - Jewish Heritage Month
- 6:08 p.m. ADOPTION OF LEGISLATIVE AGENDA
- 6:09 p.m. CONSENT AGENDA – City Clerk Kimberly Nichols
- April 19, 2021 Special Meeting Minutes
 - April 19, 2021 Work Session Minutes
 - April 26, 2021 Legislative Session Minutes
 - May 3, 2021 Special Meeting Minutes
 - May 3, 2021 Work Session Minutes
 - May 10, 2021 Legislative Session Minutes
 - **Resolution No. 3107**- to approve the reappointment of Joseph Anderson to the Parks and Recreation Committee the term ending July 2024
- 6:13 p.m. AWARD OF BIDS – Procurement Director Jennifer Miller
- Declarations of Surplus
- Department of Field Operations- Items: Vehicles (6), Method of disposal: Onsite auction
 - Salisbury Zoo- Item: Outbuilding, Method of disposal: Demolition
 - Salisbury Police Department- Item: Duty weapon, Method of disposal: Retirement gift
- 6:20 p.m. ORDINANCES – City Attorney Michael Sullivan
- **Ordinance No. 2664**- 2nd reading- approving a budget amendment of the FY2021 General Fund to appropriate funds for the purchase of software
 - **Ordinance No. 2666**- 2nd reading- to amend Chapter 8.11 of the Salisbury City Code, entitled “The Fire Prevention Code”, for the purpose of adding new permits that are required to be obtained from the Fire Marshal

- **Ordinance No. 2667**- 2nd reading- to amend Chapter 15.26 of the Salisbury City Code, entitled “Rental Of Residential Premises”, by adding a new section 15.26.045 entitled “Fair Chance Housing”
- **Ordinance No. 2668**- 1st reading- to authorize the Mayor to enter into a contract with the Federal Emergency Management Agency for the purpose of accepting grant funds in the amount of \$36,342.89, and to approve a budget amendment to the Grant Fund to appropriate these funds for offsetting COVID-19 expenses

6:40 p.m. PUBLIC COMMENTS

6:50 p.m. ADMINISTRATION and COUNCIL COMMENTS

7:00 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 – JUNE 14, 2021

- Proclamations- Sanitation Workers Week, Rotary 4-Way Test Week
- Ordinance No. _ - 1st reading- HORIZON Program
- **Ordinance No. 2660**- 2nd reading- appropriating the necessary funds for the operation of the Government and Administration of the City of Salisbury, Maryland for the period July 1, 2021 to June 30, 2022, establishing the levy for the General Fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds
- **Ordinance No. 2661**- 2nd reading- to amend water and sewer rates to increase rates by 6% and making said changes effective for all bills dated October 1, 2021 and thereafter unless and until subsequently revised or changed
- **Ordinance No. 2662**- 2nd reading- to set fees for FY 2022 and thereafter unless and until subsequently revised or changed
- **Ordinance No. 2668**- 2nd reading- to authorize the Mayor to enter into a contract with the Federal Emergency Management Agency for the purpose of accepting grant funds in the amount of \$36,342.89, and to approve a budget amendment to the Grant Fund to appropriate these funds for offsetting COVID-19 expenses

Join Zoom Meeting
<https://us02web.zoom.us/j/5362772908>

Meeting ID: 536 277 2908

Phone: 1.301.715.8592

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING VIA ZOOM

APRIL 19, 2021

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/Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, City Clerk Kimberly Nichols, and City Attorney Michael Sullivan

The City Council convened in a Special Meeting via Zoom on April 19, 2021 which preceded the regularly scheduled Work Session. President Heath called the meeting to order at 4:30 p.m.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve the Special Meeting agenda as presented.

RESOLUTION – *presented by City Administrator Julia Glanz*

- **Resolution No. 3102-** *authorizing the appointment of the law firm of Widdowson and Dashiell, P.A. as special counsel to represent the City of Salisbury.*

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve Resolution No. 3102.

ADJOURNMENT

With no further business to discuss, the Special Meeting adjourned at 4:33 p.m.

City Clerk

Council President

CITY OF SALISBURY
WORK SESSION (VIA ZOOM MEETING)
APRIL 19, 2021

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 / Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development (DID) Director Amanda Pollack, Sustainability Coordinator Alyssa Hastings, IT Director Bill Garrett, IT Assistant Director-GIS John O’Brien, City Attorney Michael Sullivan, City Clerk Kimberly Nichols, and members of the Public and press.

On April 19, 2021 the Salisbury City Council convened in a Special Meeting at 4:30 p.m. followed by the regularly scheduled Work Session at 4:33 p.m. via Zoom. The following is a synopsis of the topics discussed:

Tree Canopy Study presentation/discussion

Department of Infrastructure & Development (DID) Director Amanda Pollack introduced the City’s Sustainability Coordinator Alyssa Hastings, Rebecca Winer-Skonovd from Biohabitats, and Al Girard from Chesapeake Bay Foundation. Ms. Pollack presented background and general information on the 2020 Tree Canopy Study, which has been attached as part of the minutes. Ms. Winer-Skonovd explained the process in which the tree study was performed using high resolution aerial imagery.

Ms. Hastings noted the study allowed the City to think about where to plant additional trees. Four sites, including the Lake Street Park and Playground, Lower Northside City Park, The Riverwalk, and Waterside Park and Playground, were locations where the City did not have to do anything else except for choosing the precise location for trees – they were shovel-ready. Before the study, they did not know the best locations for planting trees. Ms. Hastings would work with Field Operations to develop a Tree Donation Policy for when people wanted to donate trees.

Mr. Girard remarked that the project was benefited greatly by the Healthy Waters Roundtable’s input.

Mr. Boda noted the benefits to having trees around homes and the project would help funnel trees to the best locations around Salisbury.

Ms. Jackson appreciated the study and saw the value in having trees.

Ms. Blake recommended as a social worker to get outside and was happy with such a great project.

Ms. Gregory liked the idea of planting trees that would help mitigate climate change moving forward.

President Heath asked about the tree planting project the Rotary Club wanted to do along Carroll Street. Ms. Pollack said that they were still in design on Carroll Street, and the timing did not work out for the Rotary Club, timewise. As she was unsure whether they had completed another planting, she would check back when Carroll Street was ready for planting.

The 2020 Tree Canopy Study was for Council's information only and did not require their approval.

Budget Amendment to purchase EnerGov Software

Deputy City Administrator Andy Kitzrow said that the City had advocated for EnerGov Software for years, but as the software was quite costly, had never budgeted for it. EnerGov was part of the Tyler Technologies, which hosts the City's Munis platform. When software is under the same umbrella, it is able to communicate better. He said due to vacancies during FY21 related to COVID, the City had savings in salaries and was able to fund EnerGov for the \$193,000 price tag. EnerGov would deal with two major components of City operations- to improve tracking of citations and municipal infractions, and to track and streamline building permits and inspections. The system would allow the two to communicate together. The requested budget amendment would ensure the equal accounting of how it would be paid for within the two departments.

IT Director Bill Garrett reported the City had much different software and databases spread across various platforms. By consolidating Permitting and Inspections with Code Compliance modules into the Tyler Platform, it would allow the City to have one centralized database from which to query, pull reports, and manipulate data. With landlord licensing, the City has had issue with data entry in Munis for a long time. By enabling the EnerGov work flow, it would allow the City to fine tune how the data was put into Munis, give much cleaner data, allow departments to fine tune their reporting, receive better knowledge of landlord compliance, examine the landlord situation within the City limits, and allow the City to use one centralized set of servers. Assistant Director-GIS John O'Brien's team could pull reports, analyze and do many sorts of things currently impossible. HCDD used COMCATE, a third-party service hosted in the cloud. IT transfers periodic data from SDAT about property, but in order for them to get any of the data HCDD has plugged in about citations or any information at all, they have to submit a request to COMCATE. They enter it into a que and can take a month or so to process requests. By the time the request gets sent, it is already outdated because of the long process. It was pricy but the functionality and how it brought City data together made it an excellent product.

Mr. O'Brien said they had an opportunity with the funds Administration identified to move forward, with Council's approval. EnerGov would bring a lot of the City's real-time data for analysis and then put back out for either HCDD or I & D to act on in a rapid format to make better informed decisions and to put the resources where they needed to go.

Mr. Kitzrow said EnerGov had a user portal and an administrative side. If someone owned a property, they could look at what permits were pulled and what municipal infractions they had.

A landlord or developer would be able to, in real time, know what they were dealing with in the inventory, and have a seamless conversation with engineers or code enforcement officers. He said with the budget amendment, it was not using surplus funds because they had the funding.

President Heath asked if the project was represented in the Financial Health Package of the FY22 Budget. Mr. Kitzrow said it was not coming out of surplus. Ms. Pollack had some vacancies during the year, and HCDD had an extended transaction and some of their community centers were not open. Between cost saving initiatives and not quickly filling vacancies, funding was available now. It required no additional funding, but moving money to the right accounts.

President Heath asked if Munis was the right system for the City. Mr. Garrett said that Tyler had multiple groups- Munis, EnerGov, etc. The main problem with Munis was their technical support. The system worked fine and there were a few issues with the newest upgrade they were working through. The new system was more modern, web-based, and more user friendly. The upgrade would allow the City to move into a more modern system with a better support group. EnerGov had a different and better support group and system. Tyler Technologies was the largest public sector software company in North America.

Mr. Boda said that when budget amendments were done, Council saw the accounts they were transferring from. There was only one account listed in the packet. Mr. Kitzrow said there were item numbers one and two. It was moving the funds from HCDD and I & D. HCDD did not have as much money to contribute as I & D, but since they would be equal users, they would pay for it. Mr. Boda asked if there were annual costs associated with the program. Mr. Kitzrow said that there were ongoing licensing fees, and was about \$2,000 extra. He would get the exact amounts. The total cost of \$193,000 covered the first year, but the adjustment would begin in FY23.

Because of the dollar amount, President Heath conducted role call to see if Council was in favor of moving forward with EnerGov. Ms. Blake requested the accounts and balances for each department contributing to the amendment.

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

Ordinance to repeal rental increase freeze

Ms. Glanz reported Administration was proposing ascending Resolution No. 2599, passed in June 2020 during the height of the pandemic to limit increases on rent. The City was in a much better place than it was last year, and it was time to pull back and allow for businesses to manage their properties as they deemed appropriate.

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

Administration and Council Comments

Ms. Glanz thanked Council for the time they spent in the budget work session earlier in the day. It was a nice opportunity to discuss the budget. She invited the Public to tune in on Wednesday, April 21, 2021 to hear the rest of the team. There should be more information on the Johnson &

Johnson vaccine on Friday. The City held the keys to the Newton Community and there would be a soft ribbon-cutting in June.

Mr. Boda said he hoped next year's budget sessions would be back in person in Council Chambers. He said to keep supporting restaurants and businesses in the City, and tip drivers and waitresses very good.

Ms. Jackson said she asked about a year ago about the vehicles on the City lawn that were abandoned and not in use. It was an eyesore to District 1 and the community. She requested they be moved off the property. She spoke to Mr. Stevenson and nothing was ever done. She has recently received several complaints from the community. Ms. Glanz said the auctioneer was on contract, but was unsure of when the first batch of items would go to auction on Rt. 50. She would find out and follow back up with Council. She asked everyone to get their vaccine if they had not done so, and to wear masks, social distance, and sanitize. She said the Budget Meeting was very good this morning.

Ms. Blake asked those healthy enough to please donate blood.

Ms. Gregory asked the public to get their vaccines as they were open to everybody aged 16 and up.

President Heath asked everyone to support local businesses and restaurants. There were serious issues with them because they were unable to employ enough employees, as some were making more with the checks they received from the government than they did working. This was causing a lot of problems in a lot of restaurants. Once we get back to normal, we will have to get people back to work.

Adjournment

With no further business to discuss, the Work Session was adjourned at 5:29 p.m.

City Clerk

Council President

December 2020

CITY OF SALISBURY

Tree Canopy Study



Acknowledgements

Project Lead & Sponsor Organizations

City of Salisbury
Infrastructure and Development Department
Amanda Pollack, Director
Alyssa Hastings, Sustainability Coordinator

Funding Source:
Chesapeake Bay Foundation administered National Fish and Wildlife Fund (NFWF)
Grant

Project Consultant Team

Biohabitats, Inc.
Rebecca Winer-Skonovd, Project Manager
Aiman Duckworth, Landscape Architect and Urban Ecologist
Bryon Salladin, Environmental Scientist/Forester/Arborist
Greg Zuknick, Environmental Scientist
Jennifer Zielinski Missett, PE, Eastern Bioregion Operations Leader
Tyler Schlachter, Geographer

GMB
Lawton Myrick, Landscape Designer

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Introduction

The City of Salisbury (City) has long acknowledged the benefits and importance of trees as a recognized Tree City USA community, a designation established by the Arbor Day Foundation. Additionally, the City's Environmental Policy Task Force identified a goal to protect and enhance the tree canopy with an emphasis on building citizen support and participation (City of Salisbury, 2009).

The benefits of trees are numerous and include improved air quality, increased property values, reduced energy consumption, reduced air and water temperatures, improved water quality, higher quality habitat and greater biodiversity, increased carbon storage, and improved cultural support inspiring, calming, and creating space for community interactions. As illustrated in **Figure 1**, trees are an integral component of the water cycle through interception and evapotranspiration.

The City is also an active participant in the Healthy Waters Roundtable (Roundtable), a regional collaboration of Eastern Shore jurisdictions convened to identify local governments' needs to address the Chesapeake Bay Total Maximum Daily Load (TMDL) and other water quality goals. One of the priorities identified through the Roundtable was "to comprehensively evaluate opportunities for tree canopy increases and/or improvements..."

Bridging a desire to bring the benefits of trees to City residents with a need to address multiple goals and commitments, the City initiated a Tree Canopy Study. This document summarizes the Tree Canopy Study effort which consisted of a desktop analysis of tree canopy within the City, assessed plantable areas, developed concepts for plantable areas, and evaluated programs and regulations that impact tree canopy.

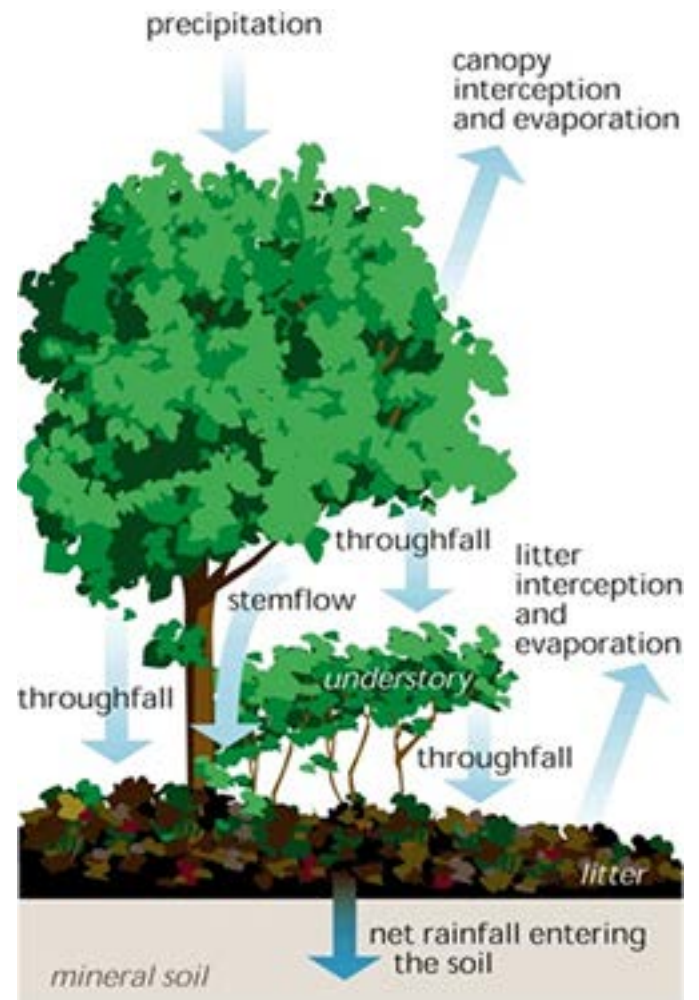


Figure 1: Effect of Trees on Hydrologic Cycle
(FISRWG, 2001)

City Programs and Drivers

The City has several mechanisms already in place that increase and/or maintain trees during development and on existing lots. State and City programs and regulations are summarized within **Table 1**.

Table 1: City of Salisbury Existing Programs and Drivers

Program/Regulation	Description
New Development/Redevelopment	
<i>State</i>	
Forest Conservation Act	Provides guidelines for the amount of forested land retained or planted after the completion of development projects. To meet these requirements, information on the condition of the existing forest and a plan for conserving the most valuable portions of the forest are required.
Chesapeake Bay and Coastal Bays Critical Area	Within Intensely Developed Areas (IDA), non-structural practices, such as reforestation can be used to help meet the stormwater phosphorus removal performance standard. In Limited Development Areas (LDA) and Resource Conservation Areas (RCAs), cleared trees must be replaced at ratios ranging from 1:1 to 3:1 depending on the amount of forest acreage cleared. Fee-in-lieu may be collected in areas where it is impossible to replace forest cover.
<i>City</i>	
Zoning	Planned Residential District, Landscaping: On wooded sites, existing trees shall be retained and utilized in perimeter setback areas as screening in open space areas and, where possible, as individual lot and street trees. Cluster Development: Space designed for preserving natural areas should be designed to include irreplaceable natural features located in the tract such as but not limited to stream beds, significant stands of trees, marshlands or riverbanks.
Existing Development on Privately-Owned Property	
<i>State</i>	
Forest Preservation Act	Establishes no net forest loss as a state policy. To help accomplish this goal, the Act expands financial incentives and reforestation tools to encourage more landowners to convert residential property to forestland and to retain/manage existing tree cover.
Other Programs	
<i>City</i>	
Environmental Task Force Report	Includes a goal to protect and enhance the tree canopy with an emphasis on building citizen support and participation.
Comprehensive Plan	Sensitive Areas objectives include developing regulations that minimize tree removal and maintaining and expanding the forest canopy.
National Pollutant Discharge Elimination System Phase II Municipal Separate Storm Sewer System Permit (Phase II MS4 Permit)	Reforestation is one of several options that the City can leverage to address the Phase II Permit's Chesapeake Bay TMDL restoration requirement.
Wicomico County Phase II Watershed Implementation Plan (WIP)	The WIP identifies actions to improve water quality (specifically to address nutrient and sediment) loads. Urban tree planting/increasing canopy is identified as action to meet nutrient and sediment reductions. The 2014/2015 milestone recommendations include the establishment of an urban tree canopy program.

Project Overview and Summary of Findings

In an effort to expand upon existing programs and formalize the implementation of the Environmental Task Force's Urban Tree Canopy goal, the Tree Canopy Study conducted an analysis of existing tree canopy within City limits, identified potential plantable areas on City property via a desktop and field assessment, and created concepts for four viable plantable areas. An overview of these efforts and summary of findings is provided below.

Tree Canopy Analysis

Overall Results

The tree canopy analysis, based on land cover data (**Figure 2**) derived from 2018 high-resolution aerial imagery, found that 3,249 acres of the City is covered by tree canopy. This represents 35.55% of the City area (**Table 2**). Non-tree vegetation, defined as all vegetated areas of the City without tree canopy, comprise approximately 28% of the City. The remaining approximate 36% of the City is non-vegetation. Non-vegetation includes all surfaces without plant material, such as paving, buildings, water, and bare soil.

Table 2: City Land Cover (2018)

Landcover	Percentage	Acres
Tree Canopy	35.55%	3,249
Non-Tree Vegetation	28.04%	2,564
Non-Vegetation	36.41%	3,328
TOTAL	100%	9,140

Of the 3,249 acres of tree canopy, approximately 95% was on public or private parcels and approximately 5% was within rights-of-way, which are primarily for streets (**Table 3**).

Table 3: Tree Canopy in Parcels vs Rights-of-Way

Category	Percentage	Acres
Parcels	95.14%	3,092
Rights-of-Way	4.86%	158
TOTAL	100%	3,249

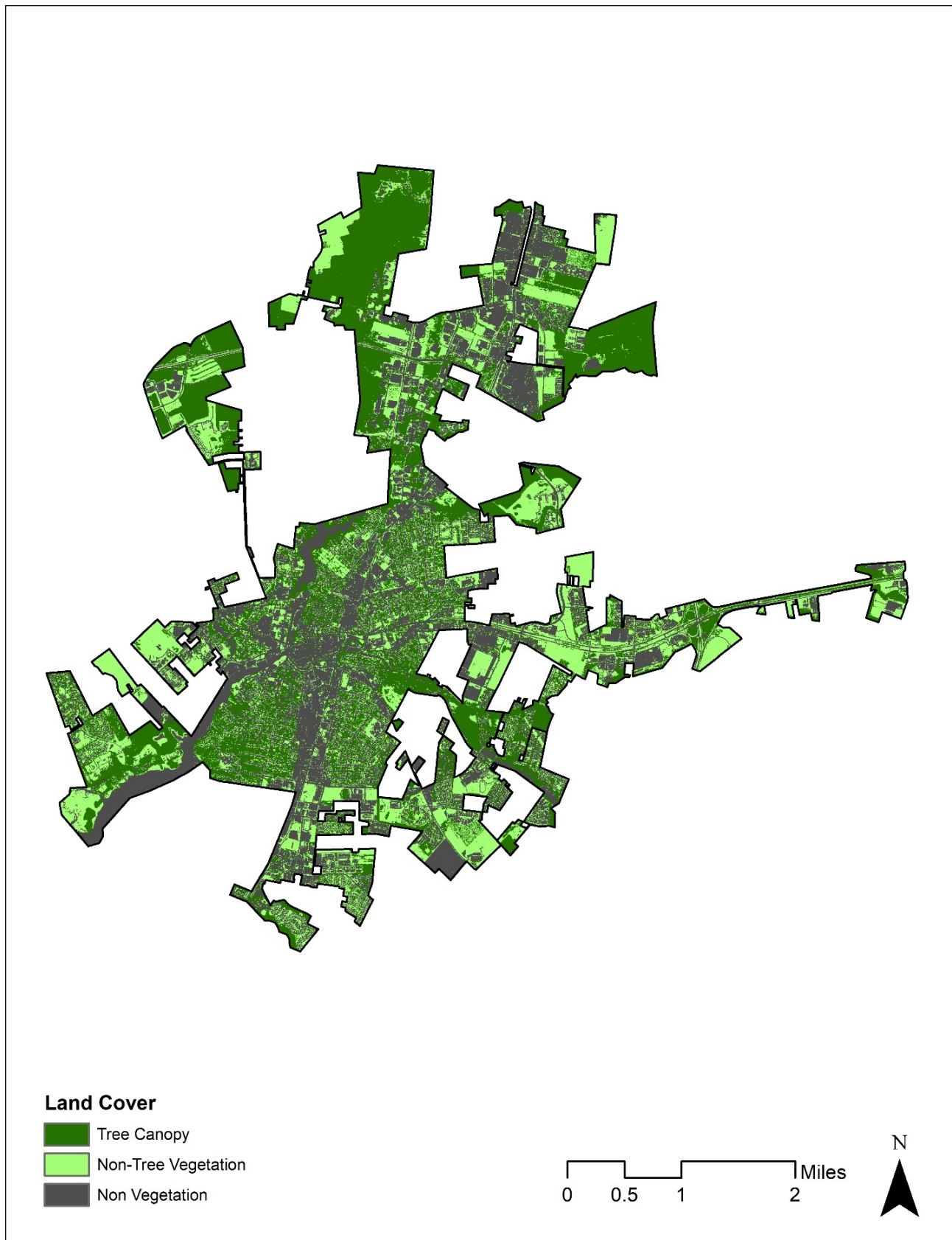


Figure 2: Land Cover (2018)

Watersheds

The City sits in eight HUC 12 subwatersheds. As they have a 12-digit numerical identifier, and not a name, this study identifies them by their 8-digit watershed name, and the last two digits of their 12-digit number. Tree canopy coverage was calculated by subwatershed area within the City limits (**Figure 3**). At the north end of the City, Wicomico River Head-67 has the highest tree canopy coverage at 60% in 2018. Seven sparse parcels, also in the north, comprise the lowest coverage (11% tree canopy) at the edge of Wicomico River Head-68. Of watershed areas that are more completely within the City, Lower Wicomico River-61 has the lowest tree canopy coverage at 27%. This subwatershed includes the downtown area.

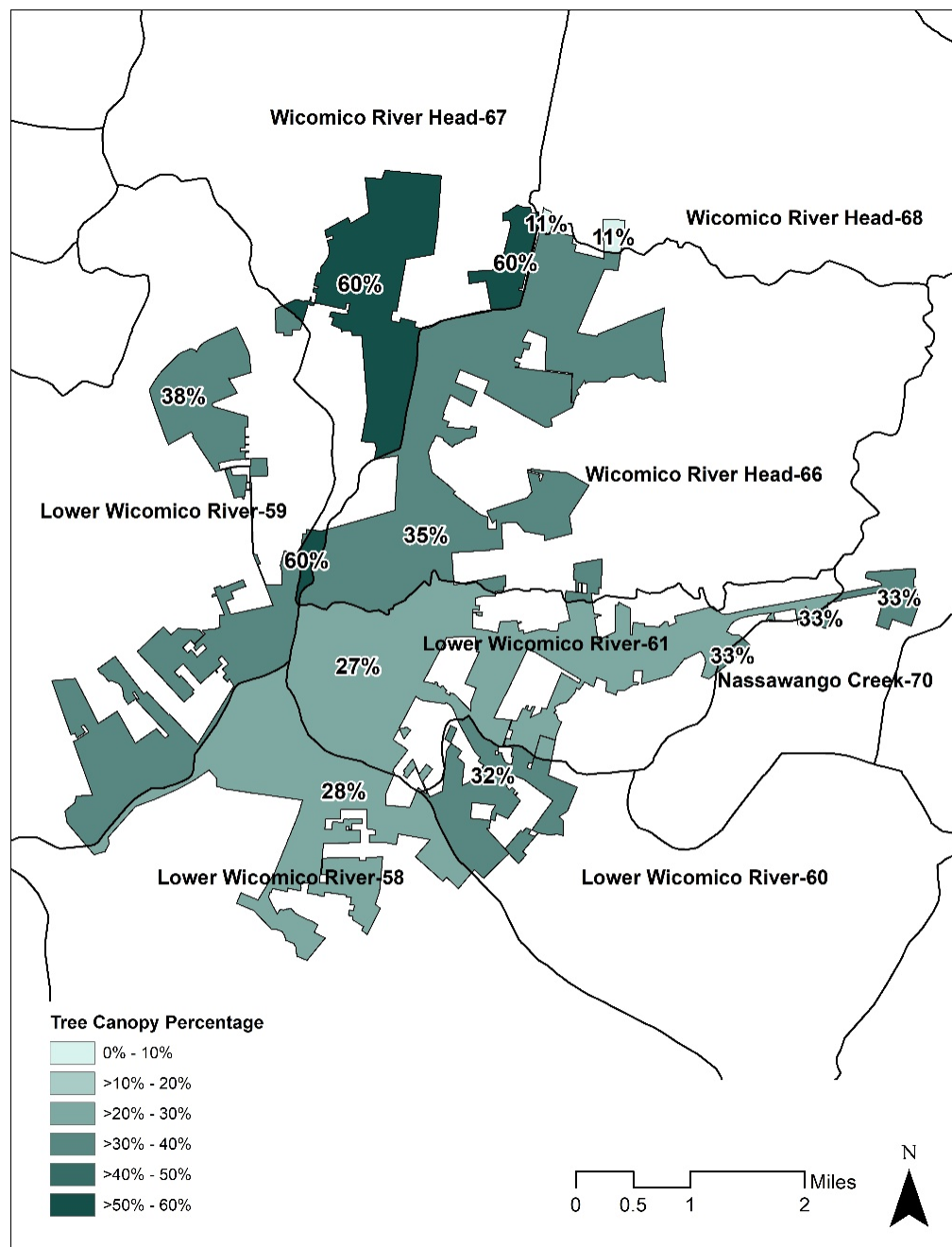


Figure 3: Tree Canopy Coverage by Subwatershed

Neighborhoods

Eighty-two neighborhoods are formally identified throughout the City. Chelsy Court, Cotton Patch Island, and Westwood Commerce Park have the highest tree cover, with all over 65% (**Figure 4** and **Table 4**). The large Northwood neighborhood has the highest overall tree canopy coverage with more than 220 acres in tree canopy (32% of neighborhood is tree canopy). River Place, Williams Landing, and PRMC Hospital has the lowest canopy coverage, with all under 5%. Neighborhoods with low tree canopy may be important targets for new planting initiatives.

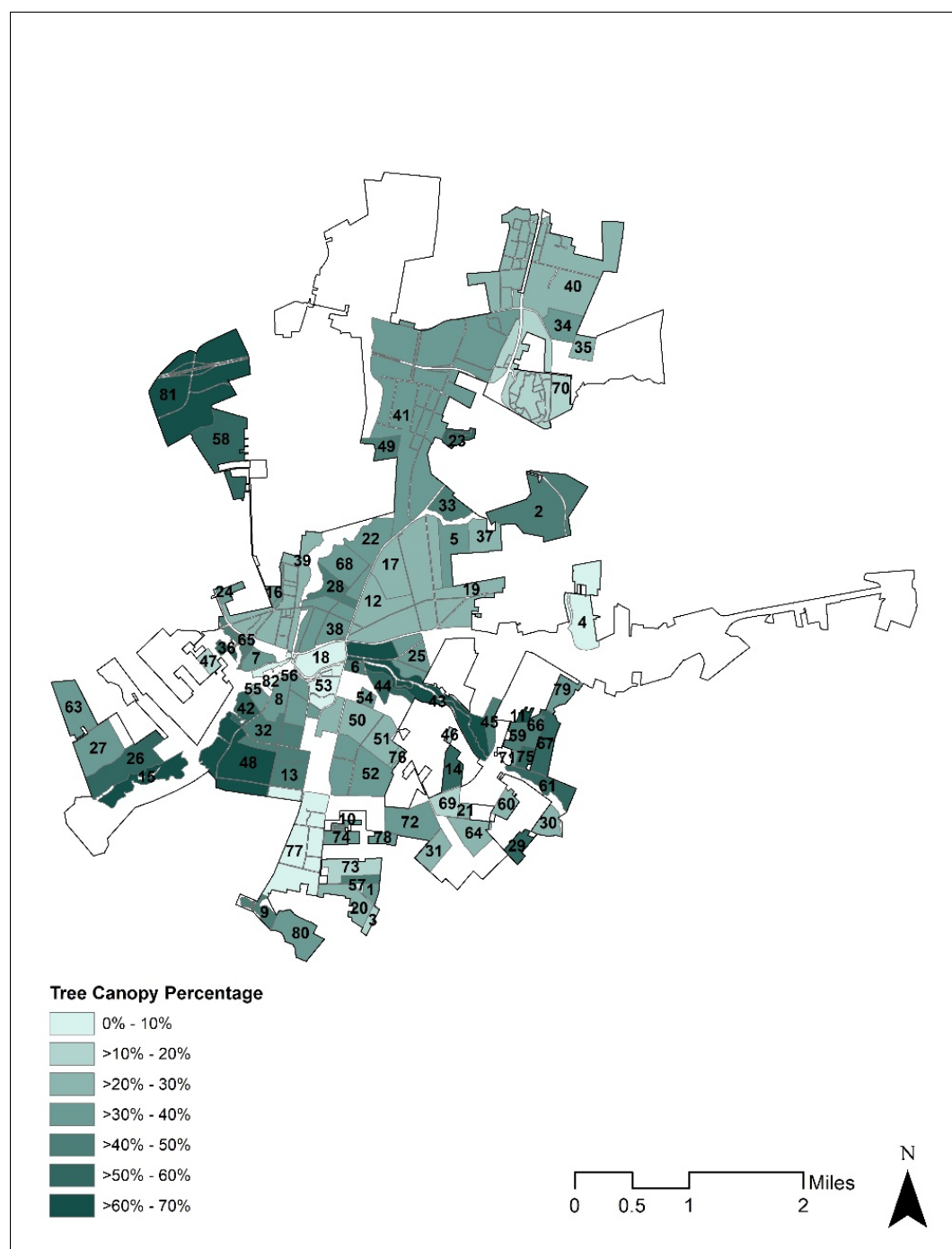


Figure 4: Tree Canopy Coverage by Neighborhood

Table 4: Tree Canopy Coverage by Neighborhood

Map Key	Neighborhood (NH)	Tree Canopy Acres in NH	Percent of NH with Tree Canopy Coverage	SVI	Map Key	Neighborhood (NH)	Tree Canopy Acres in NH	Percent of NH with Tree Canopy Coverage	SVI
1	Aspen Hills	4.89	39	0.75	42	Oak Hill	14.06	51	0.91
2	Aydelotte Farm	90.80	50	0.70	43	Park Area	87.80	61	0.99
3	Briar Cliff	1.89	19	0.79	44	Park Heights	16.95	54	0.80
4	Brittingham Square	10.53	10	0.70	45	Parkside	11.63	50	0.76
5	Bryn Mawr	22.18	37	0.99	46	Parkview Apartments	0.62	12	0.75
6	Buena Vista	4.73	46	0.80	47	Pemberton Manor	2.57	16	0.74
7	California	9.12	39	0.96	48	Pinehurst	104.92	61	0.91
8	Camden Heights	36.24	36	0.91	49	Poet's Colony	14.33	48	0.70
9	Canal Woods	10.14	44	0.79	50	Presidents Area	24.91	28	0.80
10	Cedar Crossing	3.11	38	0.75	51	Prince Street Area	14.43	28	0.80
11	Chelsy Court	5.42	67	0.76	52	Princeton Avenue Area	49.30	36	0.80
12	Church Street Area	40.13	24	0.99	53	PRMC Hospital	1.58	4	0.91
13	Clairmont	18.75	45	0.91	54	Rabbit Knaw	4.26	39	0.80
14	College Lane	19.39	57	0.75	55	River Oak	1.47	30	0.91
15	Cotton Patch Island	40.94	66	0.74	56	River Place	0.00	0	0.91
16	Coty Cox	4.73	32	1.00	57	Salisbury Commons	6.56	42	0.75
17	Doverdale	60.03	29	0.99	58	Sassafras Meadows	70.32	55	1.00
18	Downtown	5.48	7	0.96	59	Schumaker Glen	10.09	45	0.76
19	East Main Street Area	22.49	23	0.99	60	Schumaker Manor	7.09	30	0.75
20	Eireann Mohr	12.57	27	0.79	61	Schumaker Woods	22.21	52	0.76
21	Ellington	1.90	21	0.75	62	Shady Grove	0.22	9	0.75
22	Emerson Heights	22.46	36	0.71	63	Sleepy Hollow	26.59	38	0.74
23	Foxwood	10.38	54	0.70	64	South Johnsons	11.78	24	0.75
24	Gateway Village	4.97	33	1.00	65	South Westside	9.87	49	0.96
25	Glen Haven	23.21	40	0.99	66	Spring Chase	10.86	50	0.76
26	Handys Meadow	57.21	58	0.74	67	Stonegate	27.28	54	0.76
27	Harbor Pointe	27.93	34	0.74	68	Sumpter Point	24.30	33	0.71
28	Johnson's Lake	15.76	41	0.71	69	Tamarac	6.11	19	0.75
29	Johnsons Retreat	14.18	58	0.75	70	The Centre Mall	35.62	17	0.69
30	Mallard Landing	8.69	30	0.75	71	The Glade	1.79	40	0.76
31	Marley Manor	8.61	24	0.75	72	The Holly Center	23.74	31	0.75
32	Mid Camden	44.64	46	0.91	73	The Orchards	6.68	13	0.75
33	Middle Neck	16.26	41	0.70	74	The Seasons	7.20	33	0.75
34	Mill Pond	14.42	31	0.69	75	Tide Mill	8.86	57	0.76
35	Misty Hallow	5.78	22	0.69	76	Twin Parks	2.06	27	0.75
36	Mitchels Landing	5.07	51	0.96	77	University District	15.43	8	0.75
37	Moss Hill Area	12.77	28	0.99	78	University Village	4.56	31	0.75
38	Newtown	37.11	35	0.71	79	Valley Wood	10.03	33	0.76
39	North Westside	47.34	28	0.96	80	Village at Tony Tank	27.07	40	0.79
40	Northpointe	100.85	24	0.91	81	Westwood Commerce Park	198.00	66	1.00
41	Northwood	224.31	32	0.70	82	Williams Landing	0.18	3	0.91

Note: NH= Neighborhood, SVI= Social Vulnerability Index

Neighborhood Rights-of-Way

Tree canopy coverage was also calculated within street rights-of-way and summarized by neighborhood (**Figure 5** and **Table 5**). Neighborhoods that have the highest tree canopy cover of over 50% often have conditions that benefit those statistics, including: legal rights-of-way for streets that are not yet built; single road through a wooded area; primarily private roads without rights-of-way; or the formal neighborhood boundary excludes major roads with low tree canopy. Fourteen neighborhoods have less than 1% tree canopy coverage in their rights-of-way: Shady Grove, Salisbury Commons, River Place, Marley Manor, Parkview Apartments, Aspen Hills, Misty Hallow, Chelsy Court, Briar Cliff, The Orchards, Ellington, and Aydelotte Farm. Neighborhoods with the lowest tree canopy coverage in their street rights-of-way may warrant future detailed review for new street tree planting.

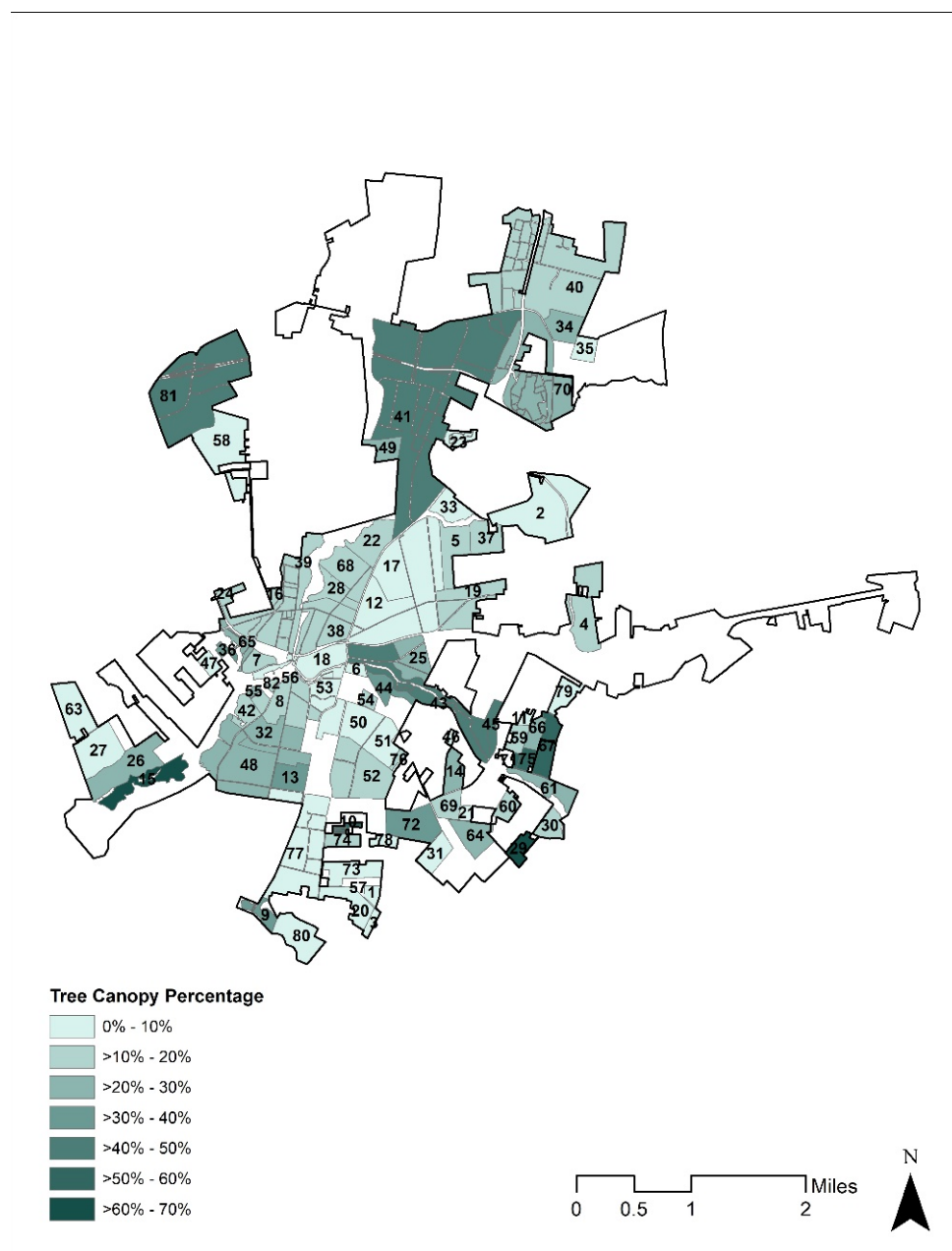


Figure 5: Tree Canopy Coverage in Rights-of-Way by Neighborhood

Table 5: Tree Canopy Coverage in Rights-of-Way by Neighborhood

Map Key	Neighborhood (NH)	Tree Canopy Acres	Percent of NH ROW with Tree Canopy Coverage	SVI	Map Key	Neighborhood (NH)	Tree Canopy Acres	Percent of NH ROW with Tree Canopy Coverage	SVI
1	Aspen Hills	0.004	0.19	0.75	42	Oak Hill	0.257	19	0.91
2	Aydelotte Farm	0.059	0.86	0.70	43	Park Area	8.514	47	0.99
3	Briar Cliff	0.006	0.48	0.79	44	Park Heights	1.548	35	0.80
4	Brittingham Square	0.278	11.00	0.70	45	Parkside	1.312	48	0.76
5	Bryn Mawr	1.950	18.66	0.99	46	Parkview Apartments	0.000	0	0.75
6	Buena Vista	0.103	6.97	0.80	47	Pemberton Manor	0.106	7	0.74
7	California	0.378	10.71	0.96	48	Pinehurst	7.059	29	0.91
8	Camden Heights	2.421	17.04	0.91	49	Poet's Colony	1.269	25	0.70
9	Canal Woods	1.049	31.70	0.79	50	Presidents Area	0.948	7	0.80
10	Cedar Crossing	0.097	59.40	0.75	51	Prince Street Area	0.726	10	0.80
11	Chelsy Court	0.001	0.41	0.76	52	Princeton Avenue Area	3.227	12	0.80
12	Church Street Area	1.964	7.93	0.99	53	PRMC Hospital	0.194	6	0.91
13	Clairmont	2.552	33.70	0.91	54	Rabbit Knaw	0.156	11	0.80
14	College Lane	0.238	25.07	0.75	55	River Oak	0.094	22	0.91
15	Cotton Patch Island	2.981	68.00	0.74	56	River Place	0.000	0	0.91
16	Coty Cox	0.050	10.23	1.00	57	Salisbury Commons	0.000	0	0.75
17	Doverdale	2.181	8.26	0.99	58	Sassafras Meadows	0.513	8	1.00
18	Downtown	0.865	5.41	0.96	59	Schumaker Glen	0.755	17	0.76
19	East Main Street Area	1.583	15.07	0.99	60	Schumaker Manor	0.538	12	0.75
20	Eireann Mohr	0.677	9.39	0.79	61	Schumaker Woods	1.865	23	0.76
21	Ellington	0.009	0.74	0.75	62	Shady Grove	0.000	0	0.75
22	Emerson Heights	1.359	14.32	0.71	63	Sleepy Hollow	0.333	4	0.74
23	Foxwood	0.000	6.25	0.70	64	South Johnsons	0.998	20	0.75
24	Gateway Village	0.033	14.85	1.00	65	South Westside	0.411	25	0.96
25	Glen Haven	2.521	24.39	0.99	66	Spring Chase	1.049	28	0.76
26	Handys Meadow	0.845	20.41	0.74	67	Stonegate	2.008	60	0.76
27	Harbor Pointe	0.751	7.19	0.74	68	Sumpter Point	1.273	14	0.71
28	Johnson's Lake	0.983	14.69	0.71	69	Tamarac	0.800	18	0.75
29	Johnsons Retreat	1.839	63.59	0.75	70	The Centre Mall	2.408	21	0.69
30	Mallard Landing	0.368	10.63	0.75	71	The Glade	0.010	59	0.76
31	Marley Manor	0.000	0.01	0.75	72	The Holly Center	0.134	36	0.75
32	Mid Camden	3.693	21.50	0.91	73	The Orchards	0.002	1	0.75
33	Middle Neck	0.010	1.68	0.70	74	The Seasons	0.442	10	0.75
34	Mill Pond	0.133	28.57	0.69	75	Tide Mill	0.866	56	0.76
35	Misty Hallow	0.009	0.28	0.69	76	Twin Parks	0.345	19	0.75
36	Mitchels Landing	0.041	38.25	0.96	77	University District	0.388	6	0.75
37	Moss Hill Area	0.501	10.54	0.99	78	University Village	0.009	7	0.75
38	Newtown	2.242	18.14	0.71	79	Valley Wood	0.291	9	0.76
39	North Westside	1.322	12.86	0.96	80	Village at Tony Tank	0.425	8	0.79
40	Northpointe	0.309	11.08	0.91	81	Westwood Commerce Park	6.761	47	1.00
41	Northwood	19.606	45.65	0.70	82	Williams Landing	0.051	16	0.91

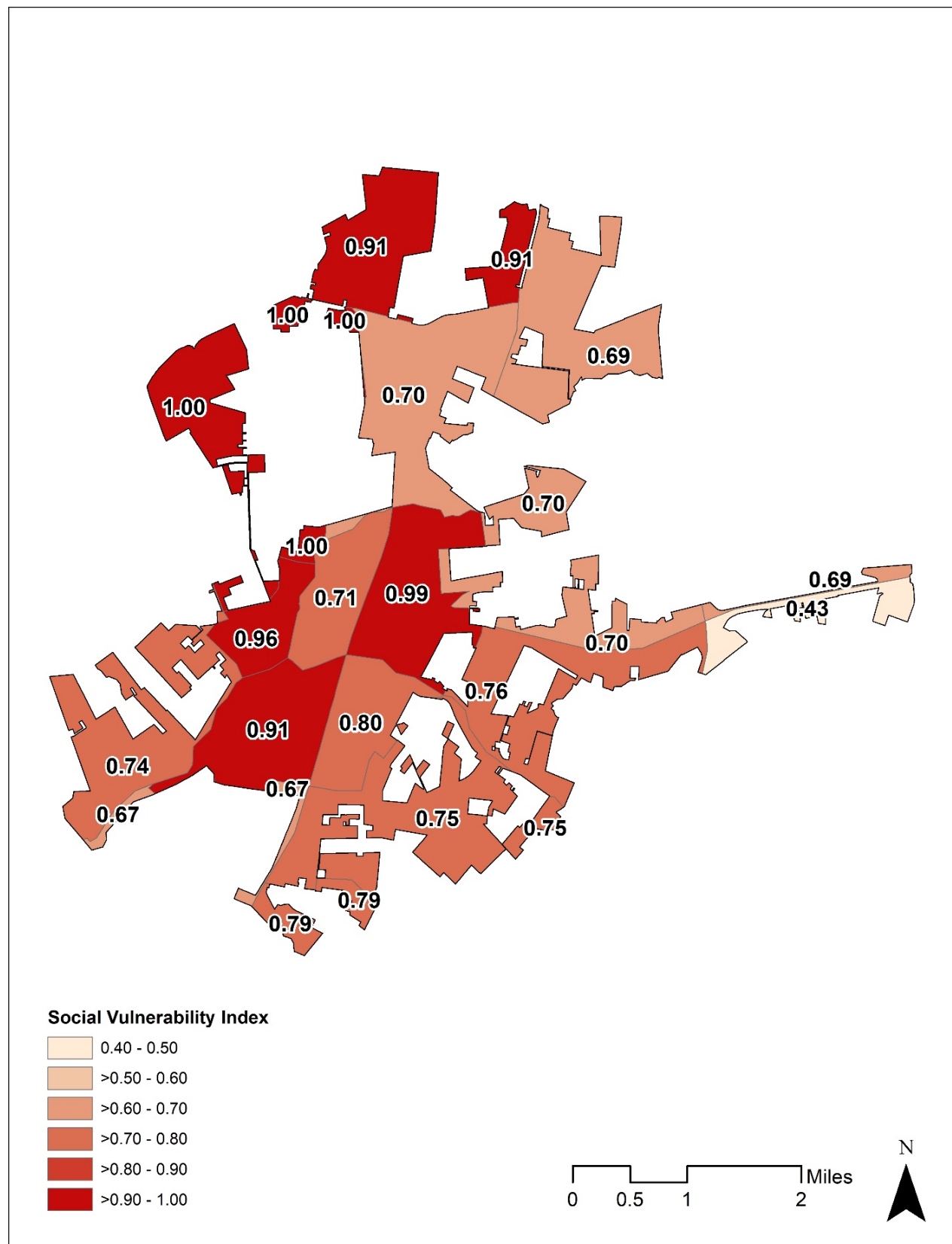
Note: NH= Neighborhood, SVI= Social Vulnerability Index

Social Vulnerability

Social vulnerability refers to social conditions that can exacerbate environmental stresses on human health and wellbeing. The United States Centers for Disease Control and Prevention (CDC) has developed a Social Vulnerability Index (SVI) to quantify some of these factors. The SVI incorporates a variety of demographic variables under the categories of socioeconomic status, household composition and disability, minority status and language, and housing type and transportation. These variables are calculated at the census tract level. Census tracts within each state are compared to develop an SVI percentile rank. The ranking values range from 0 to 1, with higher values indicating greater vulnerability.

Census tracts in Salisbury have an SVI that ranges from 0.43 to 1.00, with 1.00 being the highest and most vulnerable rating in the Index (**Figure 6**). **Table 4** and **Table 5** indicate the SVI for each neighborhood. When a neighborhood crosses more than one census tract, the highest rated SVI was indicated. In the city, there are neighborhoods with high SVI that have very low tree canopy coverage, and neighborhoods with high SVI that also have relatively high tree canopy. The three neighborhoods with the lowest tree canopy also have a high SVI of 0.91. By contrast, Westwood Commerce Park has one the three highest levels of tree canopy coverage by neighborhood in the city and also has a high SVI of 1.00.

Areas of higher SVI can be more vulnerable to the negative human health and well-being effects of having less tree canopy and greenspace in the local environment. People living in high SVI neighborhoods may also have less flexibility in living location and less mobility to access areas of high tree canopy and greenspace. Neighborhoods of high SVI and low tree canopy should be considered a high priority for tree canopy increase.



SVI Data Source: United States Centers for Disease Control and Prevention

Figure 6: Social Vulnerability Index

Zoning

Zoning tabulations of tree canopy can be useful to inform updates to City development policy, regulations, and standards associated with zoning categories. Tree canopy was calculated by zoning category (**Figure 7** and **Table 6**). As with many other cities, conservation and low-density residential zoning have both the highest percent tree canopy coverage and the highest total tree acreage. The Hospital District, River Redevelopment, Central Business, College and University, Select Commercial, and Regional Commercial zoning districts all had less than 15% tree canopy. The College and University District in particular, represents an opportunity for significant improvement. The Industrial Park District, Industrial District, and Light Industrial District zoning categories had collectively approximately 252 acres of canopy and a percent tree canopy coverage ranging from 30% to 34%. Industrial zoning have relatively permissive development regulations compared to other zoning categories. The future trajectory of the industrial zoning categories may have a significant impact on overall tree canopy in the City.

Table 6: Tree Canopy Coverage by Zoning Category

Map Key	Zoning Category	Tree Canopy Acres	Tree Canopy Percent
C	Conservation District	318.27	76
R1A	Residential R-10 A	334.85	65
PDD	Planned Development District	198.12	58
R10	Residential R-10	383.00	54
R8A	Residential R-8 A	367.80	48
R5	Residential R-5	114.03	46
PRD	Planned Residential District	230.77	44
R8	Residential R-8	289.94	39
R5A	Residential R-5 A	149.08	35
MNR	Mixed Use - Non-Residential District	32.60	35
IP	Industrial Park District	74.48	34
I	Industrial District	37.38	31
LI	Light Industrial District	139.92	30
OSR	Office & Service Residential	9.36	27
LBI	Light Business & Institutional District	59.95	21
OSH	Office & Service Highway	3.65	18
GC	General Commercial District	191.45	17
NB	Neighborhood Business District	12.74	17
RC	Regional Commercial District	25.45	14
SC	Select Commercial District	0.04	12
CU	College and University District	12.54	11
CBD	Central Business District	7.09	9
RRM	Riverfront Redevelopment Multiuse District	3.40	7
H	Hospital District	0.98	3



Plantable Areas

A combined desktop and field assessment effort was undertaken to identify significant opportunities for reforestation of undeveloped or underutilized land on publicly owned parcels with an emphasis on City parks. The primary objective was to identify candidates for reforestation, especially the largest available unforested areas and areas bordering the longest length of stream.

Desktop Assessment

Sixty-eight publicly owned sites, comprised of public parks, schools, and paper streets, were analyzed in a desktop assessment using the 2018 land cover data. Potentially plantable area for new trees was defined as the non-tree vegetation land cover class, with existing sports fields and major utilities removed. In select parcels, where the City indicated that impervious surface was intended to be removed in the future, were also included in the potentially plantable area. A weighted scoring system was employed to rank sites for planting opportunities and for field assessment. Four metrics were applied in the following categories.

- Total plantable area: to evaluate general opportunity for additional trees
- Total plantable area within 100' of streams and rivers: to incorporate opportunity for water quality and riparian enhancement
- Habitat connectivity: to evaluate potential increase in forest habitat connectivity from additional tree planting
- Neighborhood tree canopy coverage: to identify sites in neighborhoods with the greatest need for additional tree canopy

The highest scoring sites have the most potentially plantable area overall and within stream buffers, have the greatest potential to improve habitat connectivity, and are located in low tree canopy neighborhoods (**Figure 8**). Schools were not included in the field assessment, as their property ownership structure will require additional parties to be involved to discuss potential new tree plantings. However, several school sites scored high in the desktop assessment and could be considered for additional review and discussion in the future. The 15 highest scoring parks and non-school municipal sites were selected for field assessment.

Detailed scoring for each site can be found in **Appendix B**.

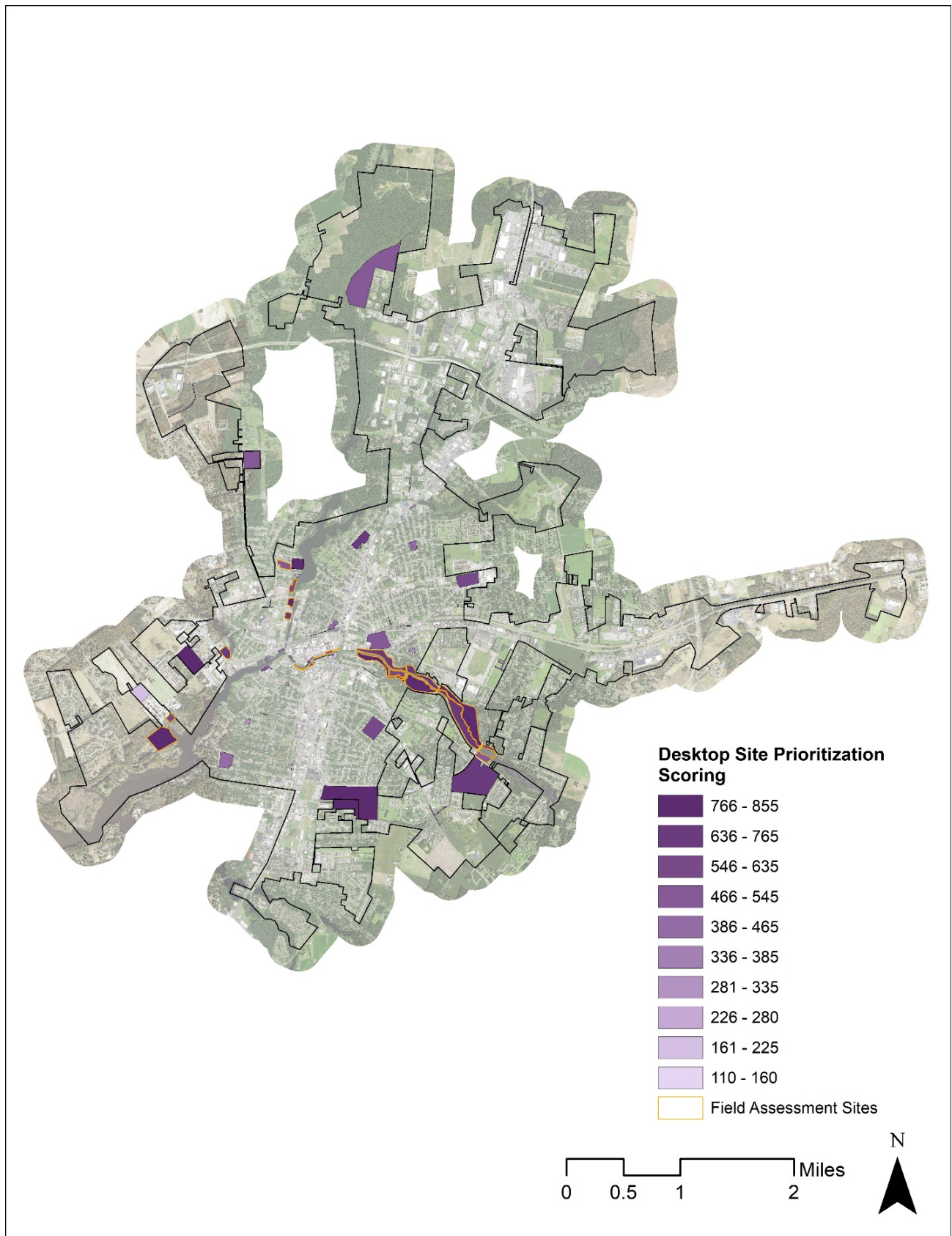


Figure 8: Plantable Area Desktop Assessment for City Parcels

Field Assessment

A modified version of the Urban Reforestation Site Assessment (CWP, 2006) was used to field assess 15 plantable areas identified via the desktop assessment. These sites are highlighted in **Figure 8**. The assessment evaluated (1) planting viability by evaluating vegetation, soils, slopes, and site hydrology; (2) site constraints owing to current/planned uses, access, utilities, wetlands, required setbacks, and aesthetics issues; and (3) potential benefits evidenced by wildlife, invasive species, and total area available for forest planting. Other opportunities to improve existing vegetative conditions, remove invasives, and/or restore wetlands and other natural habitats were also identified and impacts of sea level rise were considered.

The field assessment data was utilized to identify the top plantable sites. Specifically, plantable sites were evaluated for the following metrics:

- Field Verified Plantable Area
- Feasibility
 - Access: Evaluated ability for heavy equipment to easily access the site; space for stockpiles, etc.
 - Site Prep: Based on amount of preparation needed to conduct planting. Factors such as severe compaction and extensive invasive species removal were taken into account.
 - Water Source: Based on readily accessible source to water plantings.
 - Site Conflicts/ Planting Constraints: Included utilities and existing use conflicts.
- Volunteer Opportunity: Evaluated readiness and appropriateness of site for volunteer plantings.

Detailed scoring for each site can be found in **Appendix C**.

Plantable Areas Concepts

The results of the field assessment evaluation were used to develop concepts for the top four sites: Lake Street Park and Playground, Lower Northside City Park, Riverwalk (Southside), and Waterside Park and Playground (**Figure 9**).



Figure 9: Photos Depicting Conditions at the Plantable Areas Concept Sites (Upper Right: Lake Street Park and Playground, Upper Left: Lower Northside City Park, Lower Right: Riverwalk (South), and Lower Left: Waterside Park and Playground)

Concepts can be found in **Appendix E** and consist of a summary of onsite conditions and planting opportunities, including planting recommendations (species, number, location, etc.). Additional onsite recommendations were made related to management of existing vegetation and invasive species, and sea level rise, where appropriate. Planting recommendations for each site are based on four types of plantings:

- **Riparian Native Flowering/Ornamental Trees:** These understory trees are intended for application in heavier use areas with trails and walking paths; riparian is generally defined as the area within 100' of water's edge; trees within riparian areas were selected based on ability to tolerate the more frequent periods of inundation that will accompany increasing sea level rise.
- **Riparian Native Shade Trees:** For application where greater canopy coverage and/or shade is feasible and/or desirable; riparian is generally defined as the area within 100' of water's edge; trees within riparian areas were selected based on ability to tolerate the more frequent periods of inundation that will accompany increasing sea level rise
- **Upland Native Flowering/Ornamental Trees:** These understory trees are intended for application in heavier use areas with trails and walking paths for areas outside of riparian area

- Upland Native Shade Trees: For application where greater canopy coverage and/or shade is feasible and/or desirable in areas outside of the riparian area.

Specific planting recommendations for each of the four planting types are provided in **Appendix D** and photos illustrating a tree species from each category is provided in **Figure 10**.



Figure 10: Select Tree Species from Each of the Four Planting Types (Upper right: Riparian Ornamental - Pawpaw, Upper Left: Riparian Shade – American elm; Lower right: Upland Ornamental – Flowering dogwood ; Lower left: Upland Shade – White oak) (Source: USDA-NRCS PLANTS Database)

Within these four planning types there are two generalized recommended planting densities:

- Landscape In-fill: Trees planted between existing vegetation and infrastructure to fill gaps in the tree canopy. Typical land cover/use is maintained as park/grass and trees are planted generally on center at 30' minimum spacing for shade trees and 20' spacing

for understory trees. Appropriate species selection (shade vs. understory) is relative to any height restrictions based on overhead utilities.

- Reforestation: Trees planted to convert land use/cover to unmaintained forest area and planted on center at maximum 20' spacing. Species selection should be a mixture of shade trees and understory.

Sea Level Rise Considerations

Several of the areas that were mapped as part of the Tree Canopy Study fall within riparian areas subject to fluctuations in water level. The Wicomico River and its tributaries are impacted by tidal influence as well as large storm events that are becoming more frequent. Projected Sea Level Rise is also a concern as it will amplify seasonal flooding in these same areas.

Maryland natives, indigenous to the Coastal Plain, are recommended in the plantable areas, specifically those species that can tolerate inundation and the low oxygen characteristics of compacted soils. These include but are not limited to Bald Cypress (*Taxodium distichum*), River Birch (*Betula nigra*), and Willow Oak (*Quercus phellos*).

Impervious Acre Credit

As part of the Clean Water Act, the City of Salisbury is a National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System (MS4) permit (Phase II MS4 Permit) holder. The Phase II MS4 Permit includes a Chesapeake Bay TMDL restoration requirement that requires the City to “commence restoration efforts for twenty percent of existing developed lands that have little to no stormwater management” (MDE, 2018). Reforestation is one of several options that the City can leverage to address its Chesapeake Bay TMDL restoration requirement.

According to Maryland Department of the Environment’s (MDE) guidance document, *2014 Accounting for Stormwater Wasteload Allocations and Impervious Acres Treated* (2014 Accounting Guidance Document) and the Phase II MS4 Permit, “Reforestation on Pervious Urban” receives an impervious acre equivalent of 0.38. The 2014 Accounting Guidance Document further specifies that reforestation must have a survival rate of 100 trees/acre or greater and at least 50% of trees have two-inch diameter or greater (4.5 ft. above ground). **Table 7** estimates the potential impervious acre credit from the four concept sites.

Table 7: Estimated Impervious Acre Credit for Four Concept Sites

Site Name	Estimated Plantable Acres	Estimated Impervious Acre Credit
Lower Northside City Park	4.36	1.66
Waterside Park and Playground	1.75	0.67
Riverwalk (Southside)	0.47	0.18
Lake Street Park and Playground	1.58	0.60
TOTAL	8.16	3.10

Potential Tree Canopy Goal

Based on the unknowns and challenges described, this study recommends a no-net loss tree canopy goal for the city. Additionally, this study recommends that the City set a specific acreage goal for new forest planting that will be managed to maturity. New forest planting acreage can be more directly influenced, can be tracked annually, and can more easily rally immediate

momentum than city-wide tree canopy statistics where there is a time-lag in results and a myriad of factors influencing the outcome. That new tree planting acreage can be targeted in areas for the greatest ecological and human health benefit as this study has begun to identify. While percent city-wide tree canopy coverage is a useful metric, the function of that the urban forest in meeting the needs of the City and its ecosystems should be a focus. In tree canopy analysis, potential new tree planting acreage is considered equivalent to potential future tree canopy from a planning perspective. It represents area that can be planted with trees at a size and density to achieve a connected canopy at maturity.

With no loss of existing canopy, to increase the City's tree canopy by 1% requires approximately 33.3 acres of new forest cover. The four concepts in this study represent 8.16 acres of estimated plantable area. If that plantable area is fully reforested, that represents approximately 8.16 acres of potential future forest cover. However, there is a time lag for that forest to mature and represent actual tree canopy. The other 64 publicly owned sites from the desktop assessment identified approximately another 67 acres of potentially plantable area. The over 2,000 acres of non-tree vegetation on private land presents still more opportunity.

While this study comprises a comprehensive analysis of the City tree canopy, there are unknowns that present challenges in predicting the trajectory of the City tree canopy and identifying an informed goal for a significant net tree canopy increase. Understanding tree canopy trends from past years is important to developing future scenarios, particularly with respect to zoning and development impacts on tree canopy. A 2011 tree canopy assessment for the City by the University of Vermont determined 2,670 acres of tree canopy. This study calculated 3,249 acres of tree canopy in 2018 which would represent a significant increase of 579 acres from 2011. However, the GIS files and accuracy assessment statistics from the previous 2011 study are not available to do a comparative analysis of where gains and losses occurred in those years. This kind of analysis could determine whether the acreage increase was from infill and maturing of existing forest versus expansion of forest into unforested parcels, and to determine the possible range of increase based on the statistical accuracy of the 2011 and 2018 canopy assessments. Some more recent assessments were also done by the City but did not include an accuracy assessment. Additionally, the mortality rate and removal rate of trees in in rights-of-way and public lands is unknown. The percentage of tree species in the City at high risk from pests or disease, such as ash species at risk from emerald ash borer is an additional factor that lacks data. An inventory of trees on City-owned land will help to address this data gap.

Often, urban forests in developing cities require programs for active tree planting and management of those trees to maturity just to maintain a steady city-wide tree canopy coverage. Generally, there are scenarios where there is tree canopy decrease on private land over time that can be offset by tree canopy increase on preserved public land. Development of a single large parcel can offset tree canopy gains from growth and new planting throughout a city. Moreover, outside of naturally regenerating forest stands, trees must be planted to offset tree mortality. In the urban public realm, that can be challenging. Based on a meta-analysis of 16 other studies, Roman and Scatena (2011) note that in a typical U.S. city, for every 100 street trees planted, 50 or fewer will survive to 13-20 years. Circumstances can vary from these statistics, but the study illustrates the potential difficulty in achieving mature tree canopy in urban areas.

An update to the tree canopy analysis in three to five years could then accurately identify trends in tree canopy gain and loss, assess the progress in the new planting acreage goal, and establish a more informed long-term tree canopy goal.

Recommendations

Successful implementation of a tree canopy program will require the City to address the following overarching principals:

1. Prevent loss of tree canopy as parcels are developed
2. Maintain and expand tree canopy on City-owned/operated parcels
3. Encourage landowners to expand tree canopy on private lands

Recommendations were developed with these overarching principals in mind. Specific recommendations for protecting and enhancing tree canopy in the City are described below and are organized as Programmatic, Privately-Owned Property, City Funded Efforts and Partnerships, and Plantable Areas on Public Property. **Table 9** summarizes the recommendations, identifies overarching principals addressed and indicates priority for implementation as high, medium, or low.

Programmatic

Adopt Tree Canopy Goal: The City should adopt a tree canopy goal to enable the City to initiate plans and make policy decisions that work towards maintaining and increasing. As previously discussed, a no net loss tree canopy goal is currently recommended based on available data and analysis. Additionally, the City should set a specific acreage goal for new forest planting that will be managed to maturity. New planting acreage can be more directly influenced, can be tracked annually, and can more easily rally immediate momentum than city-wide tree canopy statistics where there is a time-lag in results and a myriad of factors influencing the outcome. That new tree planting acreage can be targeted in areas for the greatest ecological and human health.

Modify Zoning Code: The City is in the process of an update to the Zoning Code. As part of these updates, the City should consider the following modifications to prevent loss of tree canopy as development occurs, add shade trees to new development/redevelopment projects, and provide funds for tree plantings and maintenance on City-owned property.

Establish a No Net Loss of Tree Canopy Requirement: This provision would require that tree canopy removed as a result of development must be replaced onsite, off site, or a fee in lieu must be paid to the City to replace the trees removed. The City should establish a designated fund for the in-lieu fees to be used to plant and maintain trees on City-owned land. Earlier in 2020, Frederick County passed a no net loss ordinance (Forest Resource Ordinance, Bill 20-08) in response to seeing more than 450 acres of forest lost from 2012 to 2019. Tracking should include acreage of tree removal from development from site plan permits.

Create Minimum Tree Canopy/Shading Requirement: In addition to preventing a loss of tree canopy to new development/redevelopment, this requirement, in combination with the no net loss, could work to increase the City's tree canopy as a result of development. An example of a similar requirement from Manassas, VA is provided in **Table 8**.

Table 8: Manassas, VA Minimum Tree Canopy/Tree Cover Requirements (City of Manassas Code of Ordinances, Sec. 130-217)

Zoning District	Minimum Percent Coverage
A-1, R-1, R-2, R-2-S, R-3, R-4	20%
R-5, R-6, R-7, B-3.5 (residential), PMD (residential)	15%
B-1, B-2, B-3.5 (non-residential or mixed-use), B-4, I-1, I-2, PMD (non-residential or mixed-use)	10%
B-3, I-A	None

Require Street Trees: Requiring development projects to add street trees will bring numerous benefits to residents including traffic calming and increased property value over time. Example language from Arlington County's Landscape Standards (2017):

Street trees: All properties requiring site landscaping shall include major deciduous trees at the minimum rate of one for every 35 feet along any property line abutting public right-of-way. The requirement maybe satisfied by planting trees within the public right-of-way at a location to be designated by the zoning administrator or, alternatively, such trees shall be planted on site within the front yard setback.

Privately-Owned Property

Investigate Stormwater Management Utility Fee Credit: The City's current stormwater utility fee is a flat \$20 for residential properties while commercial properties are based on the amount of onsite impervious cover. An incentive program could be built into the City's existing credit program to provide a small credit or discount for native shade trees planted on existing commercial properties.

Leverage Existing Tree Giveaway/Coupon Programs: Several programs exist in Maryland that provide low cost or free trees to homeowners. Maryland Department of Natural Resources' Marylanders Plant Trees, provides a coupon for \$25 off the purchase of a native tree at 86 participating nurseries across the State while the Lawn to Woodland program, administered by the Maryland Forest Service in collaboration with the National Arbor Day Foundation, provides outreach and no-cost tree planting supplies to landowners with one-to-five acres of plantable space. To improve the distributional equity of tree canopy across the City, efforts to distribute should be focused on neighborhoods with the lowest tree cover as previously depicted in **Figure 4 and Table 4**.

Initiate a Public Education Program: Increasing and maintaining tree canopy on existing lots will require support from the public. A social media/ outreach campaign should be initiated to increase awareness of the benefits of trees, the City's new tree canopy goal, and help homeowners understand the importance of tree selection and siting. A graphic from the Arbor Day Foundations Right Tree, Right Place program is provided in **Figure 11**. Additionally, this program could be expanded over time to improve homeowners' understanding of stream buffers and how to preserve and enhance the stream buffers in their backyards. Fairfax County's Watch the Green Grow program uses an ArcGIS StoryMap to encourage homeowner implementation of environmental-friendly practices such as planting a tree and stopping yard waste dumping in the stream buffer:

<https://storymaps.arcgis.com/stories/2f0d7b9a53ed403a92a8bbda1befc5e1>

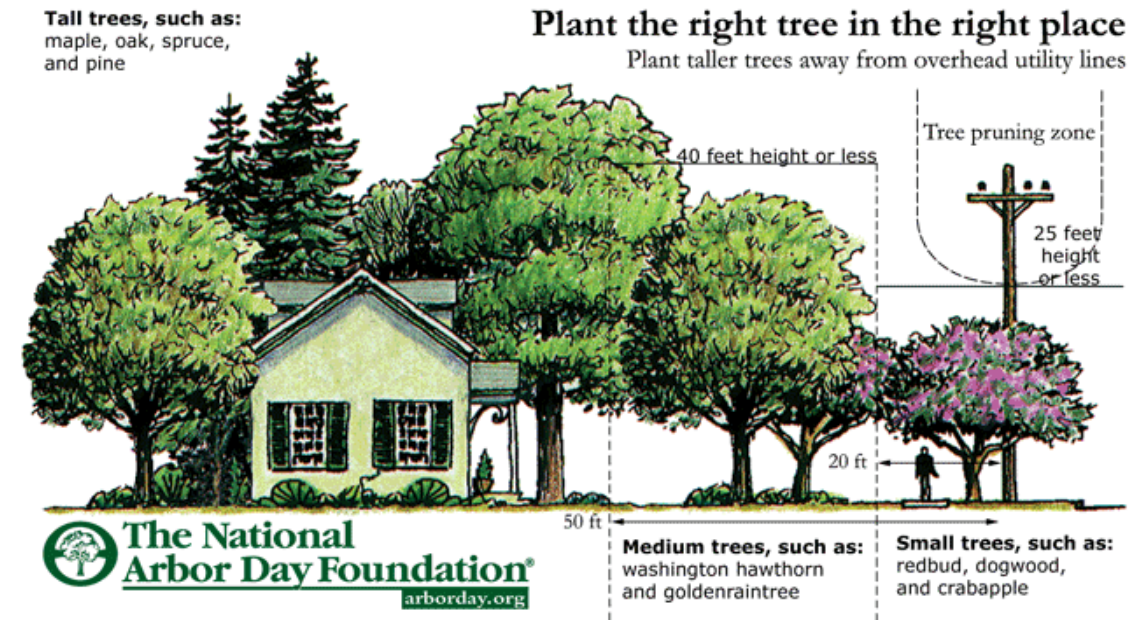


Figure 11: Right Tree Right Place Educational Campaign (Source: Arbor Day Foundation)

City Funded Efforts and Partnerships

Integrate Trees with Capital Improvement Projects and Restoration Opportunities:

Whenever possible, the City should encourage the use of trees in Capital Improvement Projects such as street repair or restoration opportunities such as the installation of a new bioretention facility.

Pursue Opportunities to Partner with Wicomico County Public Schools and Salisbury University:

Wicomico County Public Schools and Salisbury University are large landowners within the City boundary and potentially offer significant open space available for tree planting. Engaging schools and the University in tree canopy protection/enhancement projects can provide connectivity, increase the quality and width of stream buffers, improve water quality and provide habitat for target species. Potential plantable areas were identified in the Desktop Assessment discussed earlier in this document.

Inventory Existing Trees on City-owned Property: The City should conduct an inventory to maintain and enhance trees on City-property, including street trees. The age, type, and condition of trees should be noted so that maintenance and replacement can be completed as necessary. Tracking should also include tree mortality and removal rates over time so the City can anticipate the replacement rate needed to maintain tree canopy on City-owned land. The City should begin its effort in neighborhoods with the lowest tree canopy coverage in their street rights-of-way to identify potential tree replacement and new tree planting opportunities in these areas. As mentioned earlier in the report, the percentage of tree species in the City at high risk from pests or disease is unknown and an inventory would help to fill these data gaps.

Plantable Areas on Public Property

Pursue Funding to Implement Plantings for Priority Sites Identified in Concepts: The four sites identified in the concepts (see **Appendix E**) are priority sites for making progress towards the City's tree canopy goal. Maryland has several funding and incentive programs in place to support the expansion and maintenance of tree canopy programs (UMD EFC and ACB, 2019). Funding is available via grants administered by the Maryland Urban and Community Forestry Committee, the Chesapeake Bay Trust, and the Chesapeake and Coastal Bays Trust Fund.

Pursue Funding for Additional Plantable Areas on City-Owned Property: The desktop and field assessment evaluated plantable areas beyond the four that went to concept. The City should continue to pursue funding for these additional City-owned sites. Additionally, the City should direct and oversee volunteer planting efforts at these sites. General scoring for volunteer planting suitability is provided in **Appendix C**. Volunteer suitability scoring takes into account site readiness and appropriateness of the site for volunteers. The sites that scored the highest for volunteer planting suitability include:

- Lower Northside City Park
- Upper Northside City Park
- Lower Southside City Park
- Waterside Park and Playground
- Riverwalk (Northside)
- Riverwalk (Southside)
- Lake Street Park and Playground

Prioritization of plantable areas should also take socially vulnerable areas (**Figure 6**) into account. Addressing socially vulnerable areas may open up additional funding opportunities to the City for tree canopy expansion. For example, the TD Green Space Grant gives preference to areas that serve low- to moderate-income residents

(<https://www.arboday.org/programs/tdgreenspacegrants/eligibility.cfm>).

Plan and Fund for Tree Maintenance: As the City's tree inventory expands and grows the City should identify and earmark funds to provide for consistent funding of proactive tree maintenance such as tree pruning and replacement. Funding sources could include in-lieu fees, permit review fees, and/or earmarked capital improvement funds.

Table 9: Summary of Recommendations

Recommendation	Overarching Principal Addressed ¹	Priority (High, Medium, Low)
Programmatic		
Adopt Tree Canopy Goal	1, 2, 3	High
Modify Zoning Code	1	High
Privately-Owned Property		
Investigate Stormwater Management Utility Fee Credit	3	Low
Leverage Existing Tree Giveaway/Coupon Programs	3	Medium
Initiate a Public Education Program	3	High
City Funded Efforts and Partnerships		

Recommendation	Overarching Principal Addressed¹	Priority (High, Medium, Low)
Integrate Trees with Capital Improvement Projects and Restoration Opportunities	2	High
Pursue Opportunities to Partner with Wicomico County Public Schools and Salisbury University	2	Low
Inventory Existing Trees on City-owned Property	2	Medium
Plantable Areas on Public Property		
Pursue Funding to Implement Plantings Identified in Concepts	2	High
Pursue Funding for Additional Plantable Areas on City-Owned Property	2	Low
Plan and Fund Maintenance	2	Medium

1: Overarching Principals:

1. Prevent loss of tree canopy as parcels are developed
2. Maintain and expand tree canopy on City-owned/operated parcels
3. Encourage landowners to expand tree canopy on private lands

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Appendix A: Tree Canopy Classification Methodology

Land cover was derived from publicly available United States Department of Agriculture (USDA) National Agricultural Imagery Program (NAIP) high-resolution aerial imagery from 2018, which was the most recent data available for the study area. Aerial imagery was “leaf-on,” 4-band Red, Green, Blue, Near Infrared (R,G,B,NIR), and at 0.6 meter by 0.6 meter resolution. Imagery collection for full coverage of the City spanned two dates, August 15, 2018 and November 14, 2018. Because of the change in vegetation between August and November, imagery from each date was classified separately. The most recently available lidar data was from 2012, publicly available from the State Office of the USDA Natural Resources Conservation Service (NRCS). It was determined that this lidar data was too old to use as a primary source for land cover classification, however it was used for selective corrections.

A supervised, object-based classification was implemented using ArcGIS Pro software. Research and comparisons of land cover classification approaches have demonstrated that object-based methods can improve accuracy levels by 10-15% over pixel-based classification (Aplin and Smith 2008). An initial test was conducted for this study area, through an urban to rural transect sample, and demonstrated an initial approximately 10% greater accuracy with the object-based approach. Iterations and testing of different options within an object-based methodology, with visual and statistical accuracy review of the tests, yielded the following basic process for classification.

- R, G, and NIR bands were used for initial segmentation.
- A stack of 6 rasters was used for classification.
 - Four rasters (R,G,B,NIR) came directly from the NAIP imagery.
 - A fifth band was a normalized difference vegetation index (NDVI) derived from the NAIP imagery.
 - The sixth band was derived from NAIP imagery to create a texture raster. The intent of the texture raster is to help differentiate between the more variable texture of tree canopy and the more consistent texture of lawn and other non-tree vegetation. To create the texture raster each segment was used as a region of calculation. Within each segment a range statistic was applied to the G and the NIR bands. The average of the two values created a texture value.
- Six classes were trained for classification. Shadows were placed into a separate class for greater accuracy.
 - Tree canopy
 - Non-tree vegetation (all vegetated areas without tree canopy)
 - Non-vegetation (all surfaces without plant material, such as paving, buildings, water, and bare soil)
 - Shadows on and within tree canopy
 - Shadows on non-tree vegetation
 - Shadows on non-vegetation.
- The Random Trees classifier was applied.
- The six separate classes were assembled into three classes: tree canopy, non-tree vegetation, and non-vegetation.

- A preliminary accuracy assessment was conducted for August 2018 and November 2018 separately to direct further refinements.
- 2012 lidar was used for selected adjustments to further improve differentiation between tree canopy and non-tree vegetation.
 - First returns and ground returns were used to derive digital elevation and digital surface models. The elevation and surface models were used to calculate object heights over six feet.
 - Planimetric building data from the City was used to remove building objects leaving primarily tree cover.
 - Visual inspection of 2018 and 2012 aerial imagery identified areas of significant change, which were removed from the lidar data.
 - Areas of high concentration of lidar data indicating trees were used to adjust segments in specific areas of the City. Visual and statistical review helped to identify where to make these changes.
- Manual corrections were implemented in selected areas of highest confusion, referencing the 2018 aerial imagery.
- August 2018 and November 2018 were assembled into a single raster.
- A final accuracy assessment was conducted using 750 sample points, stratified by three classes and the two source imagery areas.

The final land cover classification demonstrates a 94.27% overall accuracy and a 0.9136 kappa coefficient (**Table A-1**). Kappa coefficient is a widely accepted metric to evaluate land cover classification agreement with a reference image. It measures how much better the classification is than what would be expected from random chance. A value of 0.80 or greater represents very good agreement with values of 0.90 and greater even stronger in agreement.

Table A-1: Land Cover Classification Accuracy Assessment

Land Cover Class	Tree Canopy	Non-Tree Vegetation	Non-Vegetation	Row Total	Users Accuracy
Tree Canopy	243	21	3	267	91.01%
Non-Tree Vegetation	9	198	3	210	94.29%
Non-Vegetation	1	6	266	273	97.44%
Column Total	253	225	272	750	
Producers Accuracy	96.05%	88.00%	97.79%		94.27%
					0.9136
					Overall Accuracy Kappa Coefficient

Appendix B: Plantable Areas – Desktop Methodology

Sixty-eight publicly owned sites, comprised of public parks, schools, and paper streets, were analyzed in a desktop assessment using the 2018 land cover data. "Potentially plantable area" consisted of non-tree vegetation landcover with utilities (based on available GIS data) removed and sports fields removed. Based on the city's description of planned future actions, the following three sites also considered future removal of paving and structures as potentially plantable area: Service center parking lot on Lake St, field operations utilities department at Lake St and W Isabella St, and the former Salkap property at 317-325 Lake St. All other sites considered impervious surface to not be potentially plantable area.

Table B-1 describes the metric and scoring system. **Table B-2** presents the results of the scoring.

The metric used to calculate connectivity was the "effective mesh" metric (Spanowicz and Jaeger 2019). The effective mesh metric measures the average area of contiguous tree canopy available to an individual animal if they were dropped on the site in a random location. This metric considers roads and other impervious surfaces to be a habitat fragmenting break between tree canopy patches.

The Jenks Natural Breaks data clustering method is used to group calculations for A through D into scores 1 (low) through 10 (high) for each indicator. This cluster method is commonly used in spatial analysis. It maximizes the numerical differences in values between groups, while minimizing the differences within groups. This method is useful for comparing values within a unique data set and finding distinctive numerical clusters within the data range. In this study it is particularly beneficial to find sites that are uniquely high scoring.

Table B-1. Plantable Areas Prioritization Metric

Indicator Label	Multiplier	Indicator	Field Names	Notes
A	45	Plantable Area	A_AREA_SF= Calculation result for this indicator. A_SCORE= Score for this indicator.	Total potentially plantable area within a site, in square feet units. The greater the total potentially plantable area, the higher the score.
B	35	Plantable Riparian Area	B_AREA_BUFFER_SF= Calculation result for this indicator. B_SCORE= Score for this indicator.	Total potentially plantable area (as defined in Indicator A), in square feet units, within 100' of stream edges, centerlines of small streams, and ponds. The greater the total plantable area in this indicator, the higher the score. This indicator relates to potential to improve water quality and riparian habitat.
C	10	Connectivity (Effective Mesh)	C_CONNECTIVITY_CHANGE= Calculation result for this indicator. C_SCORE= Score for this indicator.	This indicator looks not just at total tree canopy, but how connected that tree canopy is within the site. If all potentially plantable area (as defined in Indicator A) were to be reforested, this indicator measures the increase in tree canopy connectivity from current condition to the future reforested condition. This indicator factors in existing tree canopy within the site. The greater the increase in connectivity for this indicator, the higher the score.
D	10	Neighborhood Tree Canopy Context	D_NH_TREE_CANOPY= Calculation result for this indicator. D_SCORE= Score for this indicator.	In this indicator, sites in neighborhoods with the lowest existing tree canopy are considered to have the greatest need for additional tree canopy. Sites in neighborhoods with the lowest percentage of tree canopy receive the highest score.
SUM	100	Summary Score	SUM_SCORE= Summary score with multiplier applied.	Summary Score potential scores range from 100 (lowest) to 1000 (highest). Multipliers are applied to each indicator (A through D) to weight their relative contribution to the Summary Score.

Table B-2. Plantable Areas Prioritization Metric Results

Note: Dark green highlight indicates sites selected for field assessment.

SITE_ID	SITE_NAME	A_SCORE	B_SCORE	C_SCORE	D_SCORE	SUM_SCORE
28	Upper Southside City Park	9	10	8	2	855
40	Pemberton Elementary	9	9	6	6	840
30	Lower Northside City Park	9	8	10	2	805
47	WWTP- Soil Stockpile	10	7	9	2	805
36	Chipman First Grade Center	8	8	6	9	790
44	Field Operations Utilities Department	7	9	7	9	790
39	James M Bennett Senior High School	10	7	4	5	785
25	Upper Northside City Park	8	9	7	2	765
38	North Salisbury Elementary	8	9	3	6	765
27	Lower Southside City Park	8	8	10	2	760
13	Waterside Park and Playground	8	8	8	3	750
42	Parkside High School	10	5	5	7	745
43	Former Salkap- 317 to 325 Lake St	7	7	7	9	720
34	East Salisbury Elementary School	10	1	6	9	635
37	Prince Street Elementary School	8	4	3	9	620
29	Picnic Island	6	7	6	2	595
45	Service Center Parking Lot	7	4	5	9	595
4	Riverwalk (Northside)	5	7	2	10	590
24	Riverwalk (Southside)	5	7	2	10	590
46	WWTP- CAC Permit Conversion	7	5	7	2	580
35	West Salisbury Elementary School	10	1	5	1	545
26	Ward Museum	6	6	3	2	530
18	Lake Street Park and Playground	7	1	6	9	500
20	Market Street Park	4	6	2	9	500
3	Naylor Mill Walking/Bike Trail	7	1	8	7	500
12	Riverside Boat Ramp	4	6	1	10	500
33	Wicomico Middle School	9	1	4	2	500
32	Marina Riverwalk Park	4	5	1	10	465
41	Pinehurst Elementary	8	1	5	2	465
49	Paper Street- A	5	3	2	9	440
16	Doverdale Park and Playground	6	1	4	8	425
61	Paper Street- H	6	1	5	7	425
58	Paper Street- F	7	1	4	3	420
64	Paper Street- K	4	4	2	7	410
6	Jeanette P. Chipman Boundless Park and Playground	6	1	3	7	405
55	Paper Street- C	6	1	7	1	385
62	Paper Street- I	5	1	5	7	380
23	Memorial to War Veterans	4	2	4	8	370
11	Newtown Park	3	3	1	10	350
52	Paper Street- B	4	1	4	9	345
50	Paper Street- Linwood Ave A	4	1	3	9	335
15	Newtown-Camden Tot Lot Park and Playground	4	1	5	6	325
7	Monument Park	4	1	5	5	315
21	Elizabeth W. Woodcock Park and Playground	4	1	6	4	315
8	Riverwalk Park	2	3	1	10	305

SITE_ID	SITE_NAME	A_SCORE	B_SCORE	C_SCORE	D_SCORE	SUM_SCORE
31	Port of Salisbury Marina	2	3	1	10	305
2	Comfort Safety Zone Playground	3	1	2	9	280
9	Rose Street Boat Ramp	2	2	3	9	280
53	Paper Street- Raymond Rd	3	1	4	7	280
17	City Peace Monument Park	3	1	3	7	270
66	Paper Street- L	2	1	5	9	265
59	Paper Street- Healthway Dr	2	1	1	9	225
22	Clairmont Park	2	1	3	6	215
1	Westside Little League Park	3	1	2	2	210
19	Riverwalk Amphitheater	1	1	2	10	200
63	Paper Street- J	1	1	5	7	200
67	Paper Street- M	1	1	2	10	200
51	Paper Street- Grier Ave	2	1	1	5	185
65	Paper Street- Linwood Ave B	1	1	1	9	180
54	Paper Street- Elm St	1	1	1	8	170
5	Robins Nest Park	1	1	1	7	160
14	Johnson Lake Neighborhood Playground	1	1	2	5	150
10	Monument Square	1	1	1	5	140
48	Paper Street- Catherine St	1	1	1	4	130
56	Paper Street- D	1	1	2	3	130
57	Paper Street- E	1	1	1	4	130
68	Paper Street- Johnson Rd	1	1	1	3	120
60	Paper Street- G	1	1	1	2	110

Appendix C: Plantable Areas – Field Assessment Methodology and Results

For the field assessment, a modified version of CWP's Urban Reforestation Site Assessment (CWP. 2006) was used to collect data for 15 plantable areas as identified in the desktop assessment. Data was collected on tablets using ESRI's Survey123 platform. A description of the fields collected are provide in **Table C-1**. Prioritization of the plantable areas using field assessment results are provided in **Table C-2**.

Table C-1: Field Descriptions

Field Name	Description	Field Type and Options
Location	Plantable area site name	Select from list: Site names
Property	Property owner type	Select from list: City or Private
Landuse	Land use type	Text Entry
CliZone	Climate: USDA Plant Hardiness Zone	Prepopulated with hardiness zone 7b
CliSun	Climate: Sunlight Exposure	Select from list: Full sun (>= 6 hours per day direct sun) Part sun or filtered light (< 6 hours per day direct sun) Shade (< 3 hours per day direct sun)
CliMicro	Climate: Microclimate	Select from list: High wind exposure Re-reflected heat load Other
CLiMicroOth	Climate: Microclimate Other	Text entry Description for Other entry
TopLow	Topography: Low Lying Areas Present	Select from list: Yes/No
TopNote	Topography Notes	Text entry
VegRegion	Vegetation: Regional Forest Association	Text entry
VegCur	Vegetation: Current Vegetative Cover	Check all that apply: Mowed Turf Other Herbaceous None Trees or Shrubs
VegMowP	Vegetation: % mowed turf present onsite	Integer Field appears when Mowed Turf is selected from Current Vegetative Cover list
VegOthHerb	Vegetation: % other herbaceous vegetation present onsite	Integer Field appears when Other Herbaceous is selected from Current Vegetative Cover list
VegNoneP	Vegetation: % of no vegetation cover present onsite	Integer Field appears when None is selected from Current Vegetative Cover list
VegTreeP	Vegetation: % trees or shrubs present onsite	Integer Field appears when Trees or Shrubs is selected from Current Vegetative Cover list

Field Name	Description	Field Type and Options
VegTreeLis	Vegetation: List tree or shrub species to be preserved	Text entry Field appears when Trees or Shrubs is selected from Current Vegetative Cover list
VegInv	Vegetation: Asks if Are invasive plants or noxious weeds present?	Select from list: Yes/No
VegInvSpec	Vegetation: Note invasive species	Text entry Field appears when Yes is selected for invasive species presence
VegInvP	Vegetation: % invasive species present onsite	Integer Field appears when Yes is selected for invasive species presence
VegAdj	Vegetation: Is forest present adjacent to the site	Select from list: Yes/No
VegAdjSpec	Vegetation: What dominant species are present in adjacent forest	Text entry Field appears when Yes is selected for forest presence
VegAdjInv	Vegetation: Are invasive plants or noxious weeds present adjacent to the site?	Select from list: Yes/No
VegAdjInvS	Vegetation: Note invasive species adjacent to site	Text entry Field appears when Yes is selected for adjacent invasive species presence
VegAdjInvP	Vegetation: % invasive species present adjacent to site	Integer Field appears when Yes is selected for adjacent invasive species presence
SoiTexture	Soils: Texture	Select one from list: Clay Loam Sand
SoiCompact	Soils: Compaction	Select one from list: None Moderate Severe
SoiFeature	Soils: Other soil features	Select from list (can select multiple): Active or severe soil erosion Potential soil contamination Debris and rubble in soil Recent construction or other soil disturbance Other
SoiFeatNot	Soils: Soils features other	Text entry Description for Other entry
SoiNote	Soils: Other soil feature notes	Text
HydLHyd	Hydrology: Site Hydrology left side	Select one from list: Upland Riparian
HydRHyd	Hydrology: Site Hydrology right side	Select one from list: Upland Riparian

Field Name	Description	Field Type and Options
HydStorm	Hydrology: Stormwater runoff to planting site	Select from list (can select multiple): Bypasses site in pipe Upslope drainage area outfalls to site (note diameter below) Open channel directs flow across or around the site Shallow concentrated flows (ie. rills, gullies, sediment deposit) Sheetflow Unknown
HydStrmOut	Hydrology: Outfall pipe diameter (in)	Integer
HydLevee	Hydrology: Are Levees present?	Select from list: Yes/No
HydBank	Hydrology: Levee bank height in ft	Decimal
HydTable	Hydrology: Depth to water table, optional, in ft	Decimal
PlaSpace	Potential Planting Conflicts: Potential Space Limitations	Select from list (can select multiple): Overhead wires Pavement Structures Signs Lighting Underground utilities Other
PlaSpaceWi	Potential Planting Conflicts: Overhead wire height in ft	Decimal Field appears when Overhead wires are selected as potential conflict
PlaSpaceSi	Potential Planting Conflicts: Sign height in ft	Decimal Field appears when signs are selected as potential conflict
PlaSpaceLi	Potential Planting Conflicts: Lighting height in ft	Decimal Field appears when lighting is selected as potential conflict
PlaSpaceUt	Potential Planting Conflicts: Underground utility type	Text entry Field appears when underground utilities are selected as potential conflict
PlaSpaceOt	Potential Planting Conflicts: Other conflicts	Text entry Field appears when other is selected as potential conflict
PlaLimit	Potential Planting Conflicts: Other limiting factors	Select from list (can select multiple): Trash dumping/debris Deer, beaver, or other animal impacts Mowing conflict (site in mowed regularly) Wetland present Insect infestation or disease Heavy pedestrian traffic Other
PlaLimitTT	Potential Planting Conflicts: Trash type	Text entry Field appears when trash dumping is selected as a potential limiting factor

Field Name	Description	Field Type and Options
PlaLimitTV	Potential Planting Conflicts: Trash volume	Integer Field appears when trash dumping is selected as a potential limiting factor
PlaLimitTS	Potential Planting Conflicts: Trash source	Text entry Field appears when trash dumping is selected as a potential limiting factor
PlaLimitOt	Potential Planting Conflicts: Other	Text entry Field appears when other is selected a potential other limiting factor
LogAccess	Site Access: Accessibility of site	Select from list (can select multiple): Delivery access for planting materials Temporary storage areas for soils, mulch, etc. Heavy equipment access Volunteer parking Nearby facilities for volunteers
LogWater	Water Source: watering source for tree plantings	Select from list (can select multiple): Rainfall only Stormwater runoff Hose hook-up nearby (Note distance below) Irrigation system in place Overbank flow from river or stream Pumping from adjacent river or stream Fire hydrant nearby Other
LogHose	Water Source: Distance from Hose hook-up to planting area in ft	Integer
LogOther	Water Source: Other	Text entry Field appears when other is selected a potential water source
LogVol	Volunteer Suitability: Site suitable for volunteer planting efforts	Select from list: Yes/No
LogVolCom	Volunteer Suitability: Comment	Text entry
GenPlant	General: What type of planting could occur here	Text entry
GenComment	General: Comment field to capture additional notes about the site	Text entry

Table C-2: Assessment Plantable Sites Scoring

SITE_ID	SITE_NAME	Field Verified Plantable Area (SF) ¹	Field Verified Plantable Area Score ²	Feasibility 1 (worst) - 5 (best)				Volunteer Opportunity ⁵ 1 (worst) - 5 (best)	TOTAL SCORE (35 total possible points)
				Access ³	Site Prep ⁴	Water Source	Site Conflicts/ Planting Constraints ⁴		
28	Upper Southside City Park	136,760	9	5	4	3	4	4	29
47	WWTP- Soil Stockpile	241,612	10	3	2	3	5	2	25
30	Lower Northside City Park	102,040	8	4	4	5	4	5	30
25	Upper Northside City Park	43,874	7	4	4	4	3	5	27
27	Lower Southside City Park	61,409	7	3	4	2	4	5	25
13	Waterside Park and Playground	35,087	7	5	4	5	5	5	31
44	Field Operations Utilities Department	62,347	7	4	2	5	4	2	24
29	Picnic Island	18,013	6	5	3	5	4	4	27
43	Former Salkap- 317 to 325 Lake St	65,902	7	3	1	5	4	1	21
46	WWTP- CAC Permit Conversion	60,325	7	3	1	3	5	2	21
26	Ward Museum	18,257	6	5	4	5	3	2	25
45	Service Center Parking Lot	48,664	7	4	2	4	4	2	23
4	Riverwalk (Northside)	12,114	5	4	5	5	4	5	28
24	Riverwalk (Southside)	14,539	6	4	5	5	4	5	29
18	Lake Street Park and Playground	62,994	7	5	5	5	4	5	31

1: Indicates the most promising, but not necessarily all plantable areas

2: Desktop assessment methodology utilized to assign score

3: Evaluates ability for heavy equipment to easily access the site; space for stockpiles, etc.

4: Includes severe compaction and extensive invasive species removal

5: Includes utilities and existing use conflicts

6: Evaluates readiness and appropriateness of site for volunteer plantings

Appendix D: Plantable Areas Recommended Tree Species

* indicates species better adapted to wet conditions

Riparian Native Flowering/Ornamental Understory Trees

- American hornbeam (*Carpinus caroliniana*)
- Pawpaw (*Asimina triloba*)
- American holly (*Ilex opaca* var. *opaca*)
- Spicebush (*Lindera benzoin*)
- Sweetbay magnolia (*Magnolia virginiana*)

Riparian Native Shade Trees

- Sycamore (*Platanus occidentalis*)
- Red maple (*Acer rubrum*)
- Sweetgum (*Liquidambar styraciflua*)
- Black gum (*Nyssa sylvatica*)
- River birch (*Betula nigra*)
- Swamp chestnut oak (*Quercus michauxii*)
- Willow oak (*Quercus phellos*)
- American elm (*Ulmus americana*)
- Pin oak (*Quercus palustris*)
- Cherrybark oak (*Quercus pagoda*)*
- Loblolly pine (*Pinus taeda*)
- Bald cypress (*Taxodium distichum*)*
- Overcup oak (*Quercus lyrata*)*
- Swamp tupelo (*Nyssa biflora*)*

Upland Native Flowering/Ornamental Understory Trees

- Sassafras (*Sassafras albidum*)
- Flowering dogwood (*Cornus florida*)
- Eastern hop hornbeam (*Ostrya virginiana*)
- Eastern redbud (*Cercis canadensis* var. *canadensis*)
- American holly (*Ilex opaca* var. *opaca*)

Upland Native Shade Trees

- White oak (*Quercus alba*)
- Southern red oak (*Quercus falcata*)
- Northern red oak (*Quercus rubra*)
- Chestnut oak (*Quercus montana*)
- Black oak (*Quercus velutina*)
- Scarlet oak (*Quercus coccinea*)
- American beech (*Fagus grandifolia*)
- Virginia pine (*Pinus virginiana*)
- Loblolly pine (*Pinus taeda*)
- Black gum (*Nyssa sylvatica*)

Appendix E: Plantable Areas Concepts

December 2020

CITY OF SALISBURY
Tree Canopy Study

Plantable Areas Concept: Lake Street Park and Playground

Site Description

The Lake Street Park & Playground is located at 710 Lake Street, across the street from Chipman Elementary School and shares a parking lot with the First Baptist Church Family Life and Cultural Center. The park is 4.4 acres and has a recreational softball field, two lighted basketball courts with bleachers, a large playground area, a pavilion with picnic tables and grills, and a permanent concessions building with restroom facilities. The playground equipment includes a play set with a climbing wall and slides.

Aside from park amenities and associated hardscape features (i.e. paved paths), the majority of the current site cover consists of mowed turf and scattered individual trees. Overhead wires are located along the perimeter roads and an underground stormdrain pipe exits the site to the east from the center of the parcel.



Site Conditions at Lake Street Park and Playground

Planting and Maintenance Logistics

Site Consideration	Assessment
Sunlight exposure (full sun/partial sun/shady)	Full sun
Microclimate features (high wind exposure/excessive heat/other)	None
Steep slopes (>15%)	None
Low-lying area	None
Soil texture	Sandy loam
Soil compaction(none/moderate/severe)	Moderate pedestrian compaction
Invasive plants	None
Stormwater runoff to planting site	None
Potential planting conflicts	Sports area lighting, overhead wires

Site Consideration	Assessment
Site Access	Very good access from 3 sides of the parcel
Water source	Concessions building hose bib
Sea Level Rise considerations	Upland site

Summary of Planting Recommendations

Category	Recommendation
Planting Type	Upland Shade and Ornamentals
Planting Density	Landscape In-fill planting
Recommended Species	<p>Oaks (Red, White, Black, Chestnut & Scarlet)</p> <p>Evergreens (American holly, loblolly pine, Virginia pine, magnolia)</p> <p>Short stature flowering and ornamental trees near/under overhead utilities and around the perimeter of the parcel</p> <p>Shade trees beyond 200' outfield boundary and in-fill around amenities</p>



Salisbury Tree Canopy Study

Site: Lake Street Park and Playground
Salisbury, MD

Base Legend

- Assessment Site Boundaries
- Mean Sea Level 2100
- Mean Sea Level 2050
- Overhead wire (approx.)

Arborist Recommendations

- Non-native Invasive Treatment Recommended
- Water Access for Irrigation
- Riparian Flowering/Ornamental Tree Planting
- Riparian Shade Tree Planting
- Upland Flowering/Ornamental Tree Planting
- Upland Shade Tree Planting

0 37.5 75 150 US Feet



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December 2020

December 2020

CITY OF SALISBURY
Tree Canopy Study

Plantable Areas Concept: Lower Northside City Park

City Park (Scout Field)

Site Description

Due to the large size of this area and wide range in conditions, Lower Northside Park is discussed as Lower Northside City Park North and Lower Northside City Park South. The concept maps are reflect this divide.

Lower Northside City Park North

Lower Northside City Park North includes the Frances J. Tilghman Memorial Dog Park and is located near the intersection of Memorial Plaza and South Park Drive. Amenities include a dirt parking lot for vehicles with a large pavilion. The approximately 4.75 acre area has upland forest, riparian scrub-shrub, mowed grass and scattered mature trees with an off-lease dog area that is surfaced with a covering of sandy dirt and grass. There is no piped water at the this park but the Wicomico River (Beaverdam Creek) borders the park to the south. Overhead utilities are present along the northern and eastern edges of the park.



Site Conditions at Lower Northside City Park North

Lower Northside City Park South

Lower Northside City Park South includes Scout Field and is located within the Salisbury City Park on North Park Drive, approximately 500 feet south of the intersection with Hannibal Street. This open area of the park is approximately 2.25 acres of mowed grass surrounded by mature upland forest. Much of the forest edge contains non-native invasive species.



Site Conditions at Lower Northside City Park South

Planting and Maintenance Logistics

Lower Northside City Park North

Site Consideration	Assessment
Sunlight exposure (full sun/partial sun/shady)	Full to partial sun
Microclimate features (high wind exposure/excessive heat/other)	None
Steep slopes (>15%)	None
Low-lying area	Along the stream
Soil texture	Sandy
Soil compaction(none/moderate/severe)	Severe around parking area, moderate in dog run
Invasive plants	Along stream and forest edges
Stormwater runoff to planting site	Flows across the site from South Park Dr. to the stream
Potential planting conflicts	Overhead utilites
Site Access	Good access and parking throughout
Water source	Stream only
Sea Level Rise considerations	Minimal along stream

Lower Northside City Park South

Site Consideration	Assessment
Sunlight exposure (full sun/partial sun/shady)	Full sun
Microclimate features (high wind exposure/excessive heat/other)	Dry and windy
Steep slopes (>15%)	None
Low-lying area	Along canal edge
Soil texture	Sandy
Soil compaction(none/moderate/severe)	None
Invasive plants	Along the perimeter
Stormwater runoff to planting site	None
Potential planting conflicts	Occasional field use
Site Access	Good vehicle access off N. Park Drive

Site Consideration	Assessment
Water source	Municipal fire hydrant across N. Park Dr. near vehicle entrance
Sea Level Rise considerations	None

Summary of Planting Recommendations

Lower Northside City Park North

Category	Recommendation
Planting Type	Mix of Riparian Ornamental and Shade
Planting Density	Mix of landscape In-fill planting along stream and N Park Dr; reforestation in interior portion of parcel
Recommended Species	<p>Reforestation:</p> <p>Remove NNI in existing forest and stream edges</p> <p>Plant native floodplain forest along stream</p> <p>Red maple, Sweetgum, Tupelo, Bald cypress, Sycamore, Willow oak</p> <p>Landscape infill:</p> <p>Plant shade trees to in-fill existing canopy gaps and maintain open understory</p> <p>Oaks (Red, White, Black, Chestnut & Scarlet)</p> <p>Plant short stature flowering and ornamental trees under existing overhead utilities</p>

Lower Northside City Park South

Category	Recommendation
Planting Type	Primarily Upland Shade
Planting Density	Reforestation
Recommended Species	<p>Remove NNI in existing forest edge</p> <p>Plant with native upland forest</p> <p>Oaks (Red, White, Black, Chestnut & Scarlet)</p> <p>Evergreens (American holly, loblolly pine, Virginia pine, magnolia)</p>

City Park (Dog Park)

- Summary of Planting Recommendations



Salisbury Tree Canopy Study

Site: Lower Northside City Park North
Salisbury, MD

Base Legend

- Assessment Site Boundaries
- Mean Sea Level 2100
- Mean Sea Level 2050
- Overhead wire (approx.)

Arborist Recommendations

- Non-native Invasive Treatment Recommended
- Water Access for Irrigation
- Riparian Flowering/Ornamental Tree Planting
- Riparian Shade Tree Planting
- Upland Flowering/Ornamental Tree Planting
- Upland Shade Tree Planting

0 50 100 200 US Feet



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Lower Northside City Park South

Tree Planting Type	Area (ac)	Est. # of Trees
Upland Flowering/Ornamental	0.16	20
Upland Shade	2.62	181
Total	2.78	201

Salisbury Tree Canopy Study

Site: Lower Northside City Park South
Salisbury, MD

Base Legend

- Assessment Site Boundaries
- Mean Sea Level 2100
- Mean Sea Level 2050
- Overhead wire (approx.)

Arborist Recommendations

- Non-native Invasive Treatment Recommended
- Water Access for Irrigation
- Riparian Flowering/Ornamental Tree Planting
- Riparian Shade Tree Planting
- Upland Flowering/Ornamental Tree Planting
- Upland Shade Tree Planting



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CITY OF SALISBURY
Tree Canopy Study

Plantable Areas Concept: Riverwalk Park (Southside)

Site Description

The Riverwalk is a concrete pedestrian path from Route 13 to the Marina, along the Wicomico River, in Downtown Salisbury. The majority of the site consists of bulkhead along the water and discrete landscape beds which contain newly planted trees and shrubs. Hardscape and other amenities can be found throughout most of the park but the 1.24 acre section along the southern shoreline from Circle Ave to South Division St is primarily mowed grass with a gradual slope to a rip-rap shore. Scattered trees are present and multiple underground utilities enter the canal through this section. Water for irrigation exists as hose connections.



Site Conditions at Riverwalk Park (Southside)

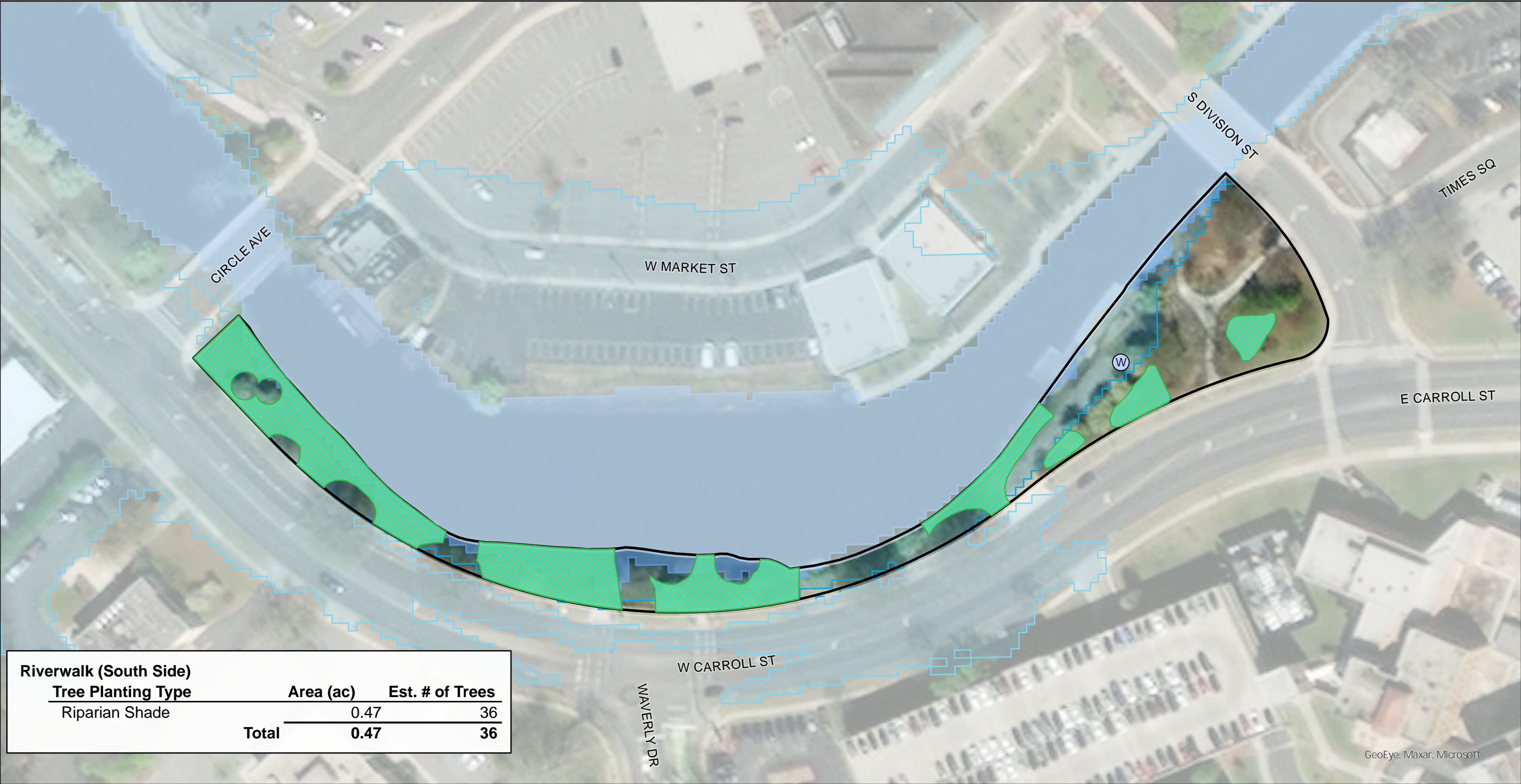
Planting and Maintenance Logistics

Site Consideration	Assessment
Sunlight exposure (full sun/partial sun/shady)	Full sun
Microclimate features (high wind exposure/excessive heat/other)	Reflective heat, flooding
Steep slopes (>15%)	None
Low-lying area	Along canal edge
Soil texture	Sandy
Soil compaction(none/moderate/severe)	Moderate near amenities
Invasive plants	Minor along shoreline
Stormwater runoff to planting site	None
Potential planting conflicts	Underground utilities, art installations
Site Access	Good along entire length, parking and storage limited
Water source	Irrigation hose bibs

Site Consideration	Assessment
Sea Level Rise considerations	Increased flooding along shoreline likely

Summary of Planting Recommendations

Category	Recommendation
Planting Type	Riparian Shade
Planting Density	Primarily Landscape Infill with some Reforestation
Recommended Species	<p>Landscape In-fill: Trees planted between existing vegetation and infrastructure to fill gaps in the tree canopy. Typical land cover/use is maintained as park/grass and trees are planted generally on center at 30' minimum spacing for shade trees and 20' spacing for understory trees. Appropriate species selection (shade vs. understory) is relative to any height restrictions</p> <p>Reforestation: Trees planted to convert land use/cover to unmaintained forest area and planted on center at maximum 20' spacing. Species selection should be a mixture of shade trees and understory. Remove NNI in existing canal edge. Plant native floodplain forest along canal. Species include Red maple, Sweetgum, Tupelo, Bald cypress, Sycamore, Willow oak, River birch based on overhead utilities.</p>



Riverwalk (South Side)

Tree Planting Type

Area (ac)

Est. # of Trees

Riparian Shade

0.47

36

Total

0.47

36

**Salisbury Tree
Canopy Study**

Site: Riverwalk (South Side)
Salisbury, MD

Base Legend

- Assessment Site Boundaries
- Mean Sea Level 2100
- Mean Sea Level 2050
- Overhead wire (approx.)

Arborist Recommendations

- Non-native Invasive Treatment Recommended
- Water Access for Irrigation
- Riparian Flowering/Ornamental Tree Planting
- Riparian Shade Tree Planting
- Upland Flowering/Ornamental Tree Planting
- Upland Shade Tree Planting

0 37.5 75 150 US Feet



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CITY OF SALISBURY
Tree Canopy Study

Plantable Areas Concept: Waterside Park and Playground

Site Description

Waterside Park and Playground is located on Parsons Road at the intersection with Fitzwater Drive. The park is 4.09 acres and has two basketball courts, a playground area, a pavilion with picnic tables and grills, and a community garden. A multi-purpose playing field and parking is proposed for the site in the future.

Aside from park amenities and associated hardscape features (i.e. paved paths), the majority of the current site cover consists of mowed turf and scattered individual trees. The east side of the park is bound by a tributary to the Wicomico River which has a narrow wooded riparian buffer that contains a mix of native and non-native unmaintained vegetation.



Site Conditions at Waterside Park and Playground

Planting and Maintenance Logistics

Site Consideration	Assessment
Sunlight exposure (full sun/partial sun/shady)	Full sun
Microclimate features (high wind exposure/excessive heat/other)	None
Steep slopes (>15%)	None
Low-lying area	Along the east parcel boundary
Soil texture	Sandy loam
Soil compaction(none/moderate/severe)	Moderate near recent basketball court
Invasive plants	In the forested riparian buffer
Stormwater runoff to planting site	None
Potential planting conflicts	Proposed multi-use field and parking, community garden

Site Consideration	Assessment
Site Access	Good access off Parsons Rd through vehicle gate
Water source	Hose bib at community garden, adjacent waterbody
Sea Level Rise considerations	Along riparian area near stream

Summary of Planting Recommendations

Category	Recommendation
Planting Type	Upland and Riparian Shade
Planting Density	Mix of landscape In-fill planting and reforestation
Recommended Species	<p>Landscape In-fill:</p> <p>Upland plant species community</p> <p>Oaks (Red, White, Black, Chestnut & Scarlet)</p> <p>Evergreens (American holly, loblolly pine, Virginia pine, magnolia)</p> <p>Shade trees between and around existing/proposed infrastructure</p> <p>Reforestation:</p> <p>Remove NNI in existing riparian buffer</p> <p>Expand forested buffer along stream with native floodplain forest</p> <p>Red maple, Sweetgum, Tupelo, Bald cypress, Sycamore, Willow oak</p>



Waterside Park and Playground

Tree Planting Type	Area (ac)	Est. # of Trees
Riparian Shade	0.31	33
Upland Shade	1.44	80
Total	1.75	113

Salisbury Tree Canopy Study

Site: Waterside Park and Playground
Salisbury, MD

Base Legend

- Assessment Site Boundaries
- Mean Sea Level 2100
- Mean Sea Level 2050
- Overhead wire (approx.)

Arborist Recommendations

- Non-native Invasive Treatment Recommended
- Water Access for Irrigation
- Riparian Flowering/Ornamental Tree Planting
- Riparian Shade Tree Planting
- Upland Flowering/Ornamental Tree Planting
- Upland Shade Tree Planting

0 37.5 75 150 US Feet



December 2020

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CITY OF SALISBURY, MARYLAND

REGULAR MEETING (VIA ZOOM MEETING)

APRIL 26, 2021

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 / Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow,
Procurement Director Jennifer Miller, Department of Infrastructure & Development Director
Amanda Pollack, Water Works Director Cori Cameron, Sustainability Coordinator Alyssa
Hastings, Police Chief Barbara Duncan, City Attorney Michael Sullivan, 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 and
remembering fallen Delmar Police Corporal Keith Heacock.*

PROCLAMATIONS

• **Arbor Day**

*City Administrator Julia Glanz presented the Arbor Day proclamation and urged all
citizens to plant trees. Arbor Day was first observed with the planting of more than one
million trees in Nebraska, and is observed throughout the Nation and the World. The
planting of trees develops civic pride and a sense of community. Trees can reduce the
erosion of topsoil, cut heating and cooling costs, moderate the temperature, clean the air,
produce life-giving oxygen, and provide habitat for wildlife. They increase property
values, enhance the economic vitality of business areas, and provide community
character.*

*Sustainability Coordinator Alyssa Hastings commended Wicomico Environmental Trust
(WET) on the last-minute planting of the Wicomico River Shoreline near Market Street
Inn. The 10 Bald Cypress trees would help stabilize the shoreline, collect nutrients from
the water, and help reduce flooding for years to come. She hoped to have more plantings
in the City in the near future. If anyone wanted to plant trees, reach out to her and she
would get it on the calendar.*

48 • **Fair Housing Month**

49 *Ms. Glanz presented the Fair Housing Month proclamation, as April 11, 2021 marked*
50 *the 53rd anniversary of the passage of Title VIII of the Civil Rights Act of 1968, known as*
51 *the Federal Fair Housing Act of 1968. This prohibits discrimination concerning the sale,*
52 *rental, and financing of housing regardless of race, color, religion, sex, disability, family*
53 *status or national origin. The Shore Housing Resource Board, Inc. is a private non-profit*
54 *organization of volunteers who represent area government, businesses, non-profit*
55 *agencies and individuals committed to promoting and educating others about Fair*
56 *Housing in Somerset, Wicomico and Worcester Counties.*

57
58 **ADOPTION OF LEGISLATIVE AGENDA**

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

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

64
65 *The Consent Agenda consisting of the following items was unanimously approved on a motion*
66 *and seconded by Ms. Jackson and Ms. Gregory, respectively:*
67

- *March 22, 2021 Legislative Session Minutes*
- *April 5, 2021 Work Session Minutes*
- **Resolution No. 3103**- *to approve the City's Action Plan for Community Development Block Grant funds for CDBG Program Year 2021*

68
69 **ORDINANCES** – presented by City Attorney Michael Sullivan

- 70
71 • **Ordinance No. 2660** – *1st reading- appropriating the necessary funds for the operation of*
72 *the Government and Administration of the City of Salisbury, Maryland for the period July 1,*
73 *2021 to June 30, 2022, establishing the levy for the General Fund for the same fiscal period*
74 *and establishing the appropriation for the Water and Sewer, Parking Authority, City*
75 *Marina, and Storm Water Funds*

76
77 *Mr. Boda moved and Ms. Jackson seconded to approve Ordinance No. 2660 for first*
78 *reading.*

79
80 *Mr. Boda moved to amend Ordinance No. 2660 by striking “in Room 301 of the City*
81 */County Government Office Building, 125 N. Division Street, Salisbury, Maryland” and*
82 *insert “via Zoom Video Conference” on the second to the last line of page one. Ms.*
83 *Jackson seconded, and the amendment was approved by unanimous vote in favor.*

84 *Ordinance No. 2660 for first reading, as amended, was unanimously approved.*

- 85
86 • **Ordinance No. 2661**- *1st reading- to amend water and sewer rates to increase rates by 6%*
87 *and making said changes effective for all bills dated October 1, 2021 and thereafter unless*
88 *and until subsequently revised or changed*
89

Ms. Blake moved and Ms. Jackson seconded to approve Ordinance No. 2661 for first reading.

Mr. Sullivan provided an amendment to Ordinance No. 2661, as follows: Insert Section 6 after Section 5, to read, "A public hearing on the proposed ordinance will be held at 6:00 PM on May 10, 2021 via Zoom Video Conference."

Mr. Boda moved to amend Ordinance No. 2661 as read by Mr. Sullivan. Ms. Blake seconded, and the amendment was unanimously approved.

Ordinance No. 2661 for first reading, as amended, was unanimously approved.

- **Ordinance No. 2662**- 1st reading- to set fees for FY 2022 and thereafter unless and until subsequently revised or changed

Ms. Jackson moved and Ms. Blake seconded to approve Ordinance No. 2662.

Mr. Sullivan provided the following amendment to Ordinance No. 2661: Insert Section 6 after Section 5, to read, "A public hearing on the proposed ordinance will be held at 6:00 PM on May 10, 2021 via Zoom Video Conference."

Ms. Blake moved to amend Ordinance No. 2662 as read by Mr. Sullivan. Mr. Boda seconded, and the amendment was unanimously approved.

Ordinance No. 2662 for first reading, as amended, was unanimously approved.

President Heath recognized and thanked Mr. William Hardin, who joined the Zoom meeting. Mr. Hardin requested the Fair Housing Month proclamation.

- **Ordinance No. 2663**- 1st reading- to amend Chapter 15.26 Rental Of Residential Premises of the Salisbury City Code by deleting Subsection 15.26.035 Rent Increases Barred During States Of Emergency

Mr. Boda moved, Ms. Gregory seconded, and the vote was unanimous to approve Ordinance No. 2663 for first reading.

Council comments included:

- Mr. Boda was happy the ordinance was being rescinded as things were getting back to normal.
- Ms. Jackson asked for everyone to be considerate of what others have gone through, and asked that tenants to do their best to pay or catch up on their rents.
- Ms. Blake thought it was necessary at the time to pass the legislation, but now that things were getting back to normal, it was time to move forward.
- Ms. Gregory agreed it needed to be done at the time, and she was glad they did it.

PUBLIC COMMENTS

Mr. William Hardin, President of Shore Housing Resource Board, thanked Council and the City of Salisbury for their ongoing support for their fair housing initiatives. He said it is often taken for granted because we all have nice houses, but there were those who experienced discrimination in housing. He encouraged everyone if aware of discrimination, to report it to the authorities.

Colin Zimmerman, Director of Government Affairs of the Coastal Association of Realtors, and City resident, echoed Mr. Hardin's comments. The Association took pride in April being Fair Housing Month. They had activities related to educating their members. He implored anyone to notify the Association should a violation occur. He thanked Council for repealing the rental restrictions.

ADMINISTRATION AND COUNCIL COMMENTS

Ms. Glanz remarked that there was funding coming from the Federal Government that should open up next week. The majority of the December stimulus had not been received to tenants yet. Everyone should receive grace until the money finds its way to where it needed to go. She extended her thoughts to the Town of Delmar and Corporal Heacock's family.

Mr. Boda concurred with everyone's prayers and thoughts to Corporal Heacock and the family assaulted. Keep supporting your restaurants, and tip your waitresses and drivers.

Ms. Jackson wished her mother a Happy 84th birthday. She thanked Ms. Glanz for acting quickly on the cars on Delaware Avenue and said she loved the way the Council and Administration worked together. There were housing problems in her district and in the City. She wanted City Council to discuss living conditions in an upcoming Work Session. COVID was real and still here. Maintain safety measures by wearing masks, social distance, sanitize, and stay safe. She visited the Vietnam Moving Wall, which was amazing and humbling, and recommended that everyone visit it.

Ms. Blake reminded the public to stop when school busses stopped. If healthy enough, please donate blood.

Ms. Gregory said that COVID was still here, and vaccination rates were not what they should be. Please get vaccinated.

President Heath asked everyone to wear their masks and support our local businesses. If the City of Salisbury and Wicomico County give millions of dollars out in two weeks to the people who need it, why couldn't our Federal Government get their act together and give the money to the people who need it the most?

Mr. Hardin said he appreciated the sentiments of sympathy to Delmar. He would relay the messages to the Delmar Mayors. Regarding Fair Housing, he could be reached at 410-896-2777, ext. 103.

ADJOURNMENT

With no further business to discuss, the Legislative Session was adjourned at 6:52 p.m.

CITY OF SALISBURY, MARYLAND
CLOSED SESSION
APRIL 12, 2021

TIME & PLACE: 6:42 p.m., Zoom Meeting of City Council
PURPOSE: to consult with counsel to obtain legal advice on a legal matter
VOTE TO CLOSE: Unanimous (5-0)
CITATION: Annotated Code of Maryland §3-305(b)(7)
PRESENT: Council President John “Jack” R. Heath, Council Vice President Muir Boda,
Councilwoman April Jackson, Councilwoman Angela M. Blake,
Councilwoman Michele Gregory, Deputy City Administrator Andy Kitzrow,
Department of Infrastructure and Development (DID) Director Amanda
Pollack, Procurement Director Jennifer Miller, City Attorneys Michael
Sullivan (exited at 6:52 p.m.) and Ashley Bosche, Attorney Dirk Widdowson,
City Clerk Kimberly Nichols
ABSENT: Mayor Jacob R. Day

The City Council convened in Legislative Open Session via a Zoom Meeting at 6:00 p.m. on April 12, 2021. At 6:42 p.m. President Heath immediately called for a motion to convene in Closed Session as permitted under the Annotated Code of Maryland §3-305(b)(7). Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous (5-0) to convene in Closed Session.

City Attorney Michael Sullivan explained why the additional legal counsel was sought. Council reached unanimous consensus to consider the Resolution on April 19, 2021 at a Special Meeting which would appoint the special counsel.

DID Director Amanda Pollack provided an overview of a contract which had the potential of leading into litigation.

Attorney Dirk Widdowson discussed options surrounding the action the City could take regarding the contract.

At 7:24 p.m., Mr. Boda moved, Ms. Gregory seconded, and the vote was unanimous (5-0) to adjourn the Closed Session.

Council convened in Open Session via Zoom at 7:26 p.m. and President Heath reported that Council received advice from counsel regarding a contract.

With no further business to discuss, the Open Session was then adjourned.

City Clerk

Council President

CITY OF SALISBURY, MARYLAND

SPECIAL MEETING VIA ZOOM

MAY 3, 2021

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/Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Fire Chief John Tull, Deputy Chief James Gladwell, City Attorneys Michael Sullivan, Laura Hay, and Ashley Bosche, and City Clerk Kimberly Nichols

The City Council convened in a Work Session via Zoom on May 3, 2021. Upon the adjournment of the Work Session at 5:36 p.m., President Heath called the Special Meeting to order.*

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson moved, Mr. Boda seconded, and the vote was unanimous to approve the Special Meeting agenda as presented.

ORDINANCE – *presented by City Attorney Michael Sullivan*

- **Ordinance No. 2665-** *1st reading- approving a budget amendment of the FY2021 General Fund Budget to appropriate funds to the Salisbury Fire Department’s Building Account for HVAC repairs*

Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance No. 2665 for first reading.

ADJOURNMENT

With no further business to discuss, the Special Meeting adjourned at 5:42 p.m.

City Clerk

Council President

CITY OF SALISBURY
WORK SESSION (VIA ZOOM MEETING)
MAY 3, 2021

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

Deputy City Administrator Andy Kitzrow, Department of Infrastructure & Development (DID)
Director Amanda Pollack, Fire Chief John Tull, Housing and Community Development Director
(HCDD) Ron Strickler, Director Bill Garrett, IT Assistant Director-GIS John O’Brien, City
Attorney Michael Sullivan, City Clerk Kimberly Nichols, and members of the Public and press.

On May 3, 2021 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:

Proclamation

Children’s Mental Health Matters Week

Deputy City Administrator Andy Kitzrow presented the proclamation declaring May 2-8, 2021 as Children’s Mental Health Matters Awareness Week. One in five children are diagnosed with a mental health condition in the United States, and early identification and treatment offer better opportunities to lead full, productive lives. Children’s Mental Health Matters is a Maryland Public Education Campaign co-sponsored by the Mental Health Association of Maryland and the Maryland Coalition of Families which coordinate non-profits, schools, agencies, and other partners to raise awareness of children’s mental health, reduce the stigma of mental health, encourage parents, and connect families with information and services. Obtaining an accurate diagnosis requires gathering information from sources including family, school, and others involved with the child. All citizens, government agencies, public and private institutions, businesses and schools were asked to change hearts, minds, and attitudes regarding mental health by embracing the theme, “Flip the Script on Mental Health.”

Mr. Kitzrow introduced Meredith Miller, Wicomico County Public Schools Mental Health Coordinator. She said the 2021 focus was to not just be healthy in the body, but in the minds. The Wicomico County Public Schools had activities going on throughout the week.

Blair Catlin-Brown, Social Worker from Salisbury Middle School said she was the first social worker at the school. This week they were doing activities with the children and the staff.

Councilwoman Blake, Social Worker from Choices Academy, said the students she worked with were from a vulnerable segment of the population. She said it was vital to break the stigma of mental health, and the more it was talked about, the more families were comfortable with it.

President Heath said the subject was near and dear to his heart since he was CEO of Lower Shore Enterprises for several years. He thanked them all for what they did.

Chesapeake Utilities Corporation- Somerset Natural Gas Project update

DID Director Amanda Pollack reported Chesapeake Utilities continued with the installation of the gas main through Salisbury and were approximately 64% complete to date. They could be finished by the end of June, and starting the tie-ins on the north side in late June. The City continued working with Chesapeake Utilities on the Rail Trail. The City received a Planting Plan from Chesapeake for the Lake Street Playground, which would be reviewed with Field Operations.

Ms. Blake asked if they would be doing a tree planting between EVO Brewery and Rt. 13. Ms. Pollack said they were not, as they did not want trees over their pipeline.

The update was for Council information and did not require consensus or action taken from Council.

Budget amendment to replace HVAC condensing unit at Fire Department

Fire Chief John Tull reported the request was for a budget amendment in the amount of \$31,945 to cover the unexpected cost of repairs to the HVAC system at the Headquarters facility. The system had a failed condensing unit and internal coil which resulted in no air conditioning in the entire building. The Fire Department consulted with Procurement and received a proposal from Electrical Automation Services, Inc. (EASI) who was awarded the City-wide contract for HVAC service and repairs.

Council reached unanimous consensus to advance the legislation to the Special Meeting following the Work Session.

Ordinance to amend the Fire Prevention Code (Chapter 8.11)

Chief Tull reported the amendment was the result of an annual review of the Fire Prevention Code based on FPA Code and departmental changes. The request was for additional permit requirements to fire hydrant or fire pump water flow test and the sale of consumer fireworks.

Mr. Boda asked for the fireworks fee, and Chief Tull said it would be \$250 for the sale of consumer fireworks in a stand-alone tent on commercial space, and \$125 for other commercial space for the sale of good within a building. It would be included in the FY22 Fees budget.

Ms. Jackson asked for explanation of Chapter 8.11.020, B.4.a.i., and Chief Tull replied it was a local amendment adopted that would allow the Fire Marshal to put different signage up on a building based on specific hazards encountered while in the buildings. This would allow units responding to be notified of the type of hazard in the building.

Council reached unanimous to advance the legislation to legislative session.

Budget Amendment to Purchase EnerGov Software

Deputy City Administrator Andy Kitzrow shared that the EnerGov discussion was back after it was previously presented in Work Session, and asked Council for their thoughts and questions.

Mr. Boda appreciated the additional information provided by Mr. Kitzrow. He thought it would make things much smoother and more efficient.

The following questions and concerns by Council were discussed:

- President Heath
 - Asked if the Construction Inspector was not hired due to COVID-19. Ms. Pollack said the job would be posted and hired before the end of the fiscal year.
 - Asked if The Planner I position was in the budget, and Ms. Pollack responded that it was in the budget.
 - Asked if the Administrative Assistant position was in the budget. Ms. Pollack said it was in the budget. They decided not to fill the two positions until the next fiscal year. Those savings were used to apply towards EnerGov. They wanted to fill the inspector vacancy, and hired someone. The new inspector was starting in May.
 - Asked if Ms. Pollack had problems with the \$127,000 coming from DID. She said the bulk of it was from Salaries and the associated health insurance from each of the three positions. There was also some overtime that the department would not need. She said she was comfortable with the transfer.
 - Asked if she had seen the new software and what she thought of it. Ms. Pollack said her staff received a demonstration and thought it would be more interactive. Her inspection staff was uploading PDFs. Instead of having a dynamic forum, they have to print, re-scan and upload as a PDF. This would make it more inclusive with the properties. If they had something associated with a property, they could see what HCDD posted, and HCDD could see what DID posted. Right now, the City did not have that. Permits and violations were currently in completely different systems. It would be nice to have all of the information on a property in one place.
 - Concerned since Munis had flaws and they were waiting for the next generation, which would come at a higher price. He asked how long the new system had been in use. Mr. Kitzrow said that each generation had upgrades. The City had explored EnerGov for at least three years. It was about five years old and a relatively newer software. Ms. Glanz said there were two divisions of the parent company. Munis was more clunky, but IS was going through the testing mechanism for the newest version to come to the City live in May or June. The web-based version would be more user-friendly. The EnerGov version was much more user-friendly and they paired together well. IT Director Bill Garrett had multiple discussions with their Tech staff ensuring it would integrate well. She said that Administration realized it was a lot of money and did not want to buy

software that would not work and that staff would not use. She indicated they felt that the price was well worth it for what the City would be gaining.

- Asked why the City did not put the project out for an RFP. Mr. Kitzrow said that because it was a Tyler Tech product, they were the only ones that would have it. They would not be going out for a formal solicitation for a proprietary software platform from a different company because that company would not be able to integrate with our current system through Munis and the other software platforms. He said it was sole source, and no other company offered the exact product.
- Asked if Boulder and Kansas City had Munis, and Mr. Strickler said they did.
- Asked if the use of these funds were reflected in the Financial Health Report provided by Mr. Cordrey the first day of the budget review. Mr. Kitzrow said that in Mr. Cordrey's presentation, with that any of the use of additional funds for things that were not already allocated from the total budget- it did not impact.
- His biggest issue was that the City was proposing taking \$19,000 from the Water & Sewer Fund and would be asking people to pay 6% more this coming year. Mr. Kitzrow said that because of the way the Water & Sewer Fund was set up with DID, it pulled from several accounts. Typically, with a lot of projects, a piece will come from Water & Sewer collective, whether it be from Salaries or just additional accounting when doing capital projects.
-

- Ms. Blake

- Asked if this was the same software that was on the "wish list" in the budget, and Mr. Kitzrow responded that it was and it had been there for a couple of years.
- Asked what was prompting the process earlier than going through the budget process. Mr. Kitzrow answered it was more of an accounting situation where the City was currently in the FY21 Budget with available funds. The last two years EnerGov was presented to Council, there were higher priorities and funding was unavailable.

- Mr. Boda

- Asked if landlords could pay fees using the system, and Mr. Strickler said they would want to set up new and renewal registrations payments.

Ms. Pollack said the vacant positions discussed had salaries shared 1/3 with the General Fund, 1/3 from Water, and 1/3 from Sewer.

Mr. Strickler said he reviewed documents and material from Boulder and Kansas City. Both municipalities were happy with the product, which rolled out in 2012. The City's ability to integrate daily work would increase. HCDD's current software, Comcate, did not communicate with Munis. When they moved information from Munis to Comcate and vice-versa, it cost a lot of time and man power. Integrating EnerGov with Munis was most important along with the ability for the user to access the system. He wanted to set up access for landlords to register properties through the system to eliminate the manpower it took with City employees.

Ms. Glanz said that HCDD had vehicular computer access and would be able to use the software. After the pandemic, the shift of computers to mobile devices could help eliminate some tablets.

Council reached consensus to advance the legislation to legislative agenda.

To amend Chapter 15.26 Rental OF Residential Premises of the Salisbury City Code by adding Subsection 15.26045 Fair Chance Housing

Office Intern Johanna Cooper discussed the ordinance that required all landlords and property managers to disclose all of their practices related to fees and background checks especially for criminal history on all promotional materials including the application and website. Required information would include description of fees, period of “lookbacks” on criminal histories and any other information related to background checks.

Ms. Glanz informed Council that Administration met with Salisbury Area Property Owners Association (SAPOA) at the end of March and had good conversation on the topic. There was consensus that the requirement was fair.

Mr. Boda said that anytime a credit check was done, the information of what was looked at should be given to the applicant beforehand.

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

City of Salisbury Zoo Commission Proposal

Mr. Kitzrow discussed the activities the Zoo Commission (ZC) created and fostered. Currently, the ZC operated through an independent accounting system. All of the staff (educators, part-time staff, gift shop and concession stand workers, and greeters) were paid through the City which received reimbursement through the ZC. The ZC received education grants to help fund the full-time salaries. The proposal to Council was for all operations at the Zoo to become in-house and the reimbursements from the ZC would not be line per line. The City would collect all the revenues associated with the programs and events, gate revenue, and gift shop and concession stand revenues. He explained that the ZC, a non-profit, would continue to be the City’s philanthropic arm to collect private donations and manage Community Foundation endowments.

Mr. Kitzrow informed Council that the programs and events would continue to be break-even ventures. Whatever the net remaining balance, once all revenue and expenditures for the year were calculated, the ZC would subsidize that with the money collected through private donations, endowments and grants. Council would not see another line item in the budget. There would be funding increases, but it would be a wash, with no budgetary impact. Mr. Kitzrow said it would keep the money in the City and give better control in the accounting of the programs.

President Heath, who currently sat on the ZC, informed Council the ZC’s decision was unanimous. The accounting would be a lot cleaner, and it would protect the ZC in terms of the funding they could collect through grants. It would not change the budget whatsoever.

Mr. Boda thought it would streamline the process and give more accountability on the money received and let the ZC focus on what they did best.

Council reached unanimous consensus to the proposal as presented by Mr. Kitzrow.

Administration and Council Comments

Mr. Kitzrow expressed the importance of being vaccinated and said that Mayor Day was back in town from his year serving in Africa.

Mr. Boda said it was a beautiful weekend and asked everyone to be vaccinated.

Ms. Jackson told President Heath, Mr. Boda and Ron Strickler that she wanted to discuss housing conditions in District 1. The conversation was necessary because she had received many calls on the conditions. Please get vaccinated, social distance, wear your mask and sanitize.

Ms. Blake asked those healthy enough to please donate blood. Last week, the region was in a critical place.

Ms. Gregory said she was thankful for the rain as her allergies were better. She asked the public to get their vaccinations.

Ms. Jackson wished Ms. Blake a happy birthday.

President Heath agreed with Ms. Blake that the region was in a crisis concerning blood and asked for donations. He asked if the audience had any questions or comments in the audience.

Public Comments

Colin Zimmerman with the Coastal Association of REALTORS told Council the association was supportive of the Fair Housing legislation, but the language stating “all promotional materials” concerned him because it meant radio, TV, billboards, and advertising. He wanted to ensure that everything they printed did not require a disclosure statement. He wanted “promotional materials” defined. Ms. Glanz said it was not the goal of the legislation, and revisions would be made prior to first reading.

Adjournment

With no further business to discuss, the Work Session was adjourned at 5:36 p.m. at which time President Heath called the Special Meeting to order.

City Clerk

Council President

CITY OF SALISBURY, MARYLAND

REGULAR MEETING (VIA ZOOM MEETING)

MAY 10, 2021

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 / Acting Mayor Julia Glanz, Deputy City Administrator Andy Kitzrow, Finance Director Keith Cordrey, Water Works Director Cori Cameron, Fire Chief John Tull, Deputy Chief James Gladwell, EMS Captain Chris Truitt, Mayor’s Office Administrative Assistant Julie English, City Attorneys Laura Hay and Michael Sullivan, 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

• **Huntington’s Disease Awareness Month**

City Administrator Julia Glanz presented the proclamation to declare May 2021 as Huntington’s Disease Awareness Month. One out of every 10,000 people (30,000 people) have been diagnosed with Huntington’s Disease, of which there is no cure. The disease causes a decline in physical, mental, and emotional abilities, is passed down in families, and frequently occurs between the ages of 30 to 50. It is described as having amyotrophic lateral sclerosis (ALS), Parkinson’s and Alzheimer’s Diseases all at once with symptoms including personality changes, involuntary movements, slurred speech, difficulty swallowing, depression, anxiety, forgetfulness, and impaired judgment. Trials underway worldwide hope to find a way to slow the progression and find a cure for the disease.

Asian American and Pacific Islander Heritage Month

Ms. Glanz presented the Asian American and Pacific Islander (AAPI) Heritage Month proclamation. APPI is observed each May to recognize the contributions of AAPI Americans to the history, culture, and achievements of the United States. In 1992, Congress designated each May as APPI Heritage Month to celebrate the arrival of the first Japanese immigrants to the United States on May 7, 1843 and the anniversary of the

completion of the transcontinental railroad on May 10, 1869. Most of the workers who laid the tracks were Chinese immigrants. AAPI Americans shaped the Nation's history and enriched its communities, yet are often the target of racism and violence. One in four AAPI Americans have experienced hate crime or violence, with 1 in every 10 in 2021.

The City joins the AAPI community in solidarity and denounces hate directed at all communities. All are welcome and equal, should live free of discrimination and violence, and deserve the ideals of equity and human rights guaranteed in the Constitution.

- **National Police Week**

Ms. Glanz presented the National Police Week proclamation to honor police officers and the sacrifice of those who died in the line of duty. There are more than 800,000 law enforcement officers in the United States. In 2019 there were 56,034 assaults against law enforcement officers resulting in more than 17,188 injuries. More than 22,600 officers in the United States have died in the line of duty since the first recorded death in 1786, and the names of these officers are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC. New names of 394 fallen heroes would be added to the Memorial this spring, including 295 officers who died in 2020 and 99 who died in previous years. The service and sacrifice of all officers who died in the line of duty were honored during the National Law Enforcement Officers Memorial Fund's 33rd Annual Candlelight Vigil on May 13, 2021. National Police Week took place on May 9-15, 2021. May 15, 2021 was designated as Peace Officers Memorial Day in honor of all fallen officers and their families, and all United States flags were flown at half-staff.

Ms. Glanz thought it appropriate that National Police Week was celebrated today after thousands of officers and community members came together to celebrate the life of Corporal Heacock from Delmar. She thanked the Police Department and Fire Department who helped with the funeral and kept things safe and running smoothly.

Police Chief Duncan thanked Ms. Glanz for honoring National Police Week and gave a special thanks to everyone who attended Delmar Police Department Corporal Keith Heacock's funeral services today.

- **Emergency Medical Services Week**

Ms. Glanz presented the Emergency Medical Services (EMS) Week proclamation. The City of Salisbury is committed to ensuring the safety and security of its citizens by providing the vital service of EMS 24 hours a day, seven days a week. The survival and recovery rate of people with sudden illness or injury improves with quality emergency care. EMS provide important out of hospital care including preventative medicine, follow-up care and access to telemedicine. The EMS System includes first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers. The City's Career and Volunteer EMS receive thousands of hours of specialized training and continuing education to enhance their lifesaving skills.

Ms. Glanz recognized Fire Chief John Tull, Deputy Chief James Gladwell and EMS Captain Chris Truitt on the Zoom call. Chief Tull said Captain Truitt was the person overseeing the Fire Department's very busy EMS service, and he did a phenomenal job with it. Captain Truitt said it was fitting that this year's EMS Week was "Caring for the Community." The Fire and EMS teams did that day in and day out, between the over 10,000 runs last year to the hundreds of SWIFT interactions. There were over 1,000 potential COVID patients and over 250 actual COVID patients transported.

President Heath thanked Captain Truitt for going above and beyond in the past year.

Ms. Glanz then recognized Stephan Feliciano, Chair of the Human Rights Advisory Committee. The committee made recommendations in support of the Asian-American community. Mr. Feliciano said the committee wanted to support other members of the community. He appreciated Council taking the time to listen to the community.

ADOPTION OF LEGISLATIVE AGENDA

Ms. Jackson 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:

- April 5, 2021 Closed Session Minutes (emailed separately)
- April 12, 2021 Legislative Session Minutes
- April 12, 2021 Closed Session Minutes (emailed separately)
- **Resolution No. 3104-** to approve the appointment of Hannah Cechini to the Human Rights Advisory Committee for the term ending May 2023

PUBLIC HEARINGS- FY22 BUDGET – presented by City Attorney Michael Sullivan

- **Ordinance No. 2660** – appropriating the necessary funds for the operation of the Government and Administration of the City of Salisbury, Maryland for the period July 1, 2021 to June 30, 2022, establishing the levy for the General Fund for the same fiscal period and establishing the appropriation for the Water and Sewer, Parking Authority, City Marina, and Storm Water Funds

City Attorney Michael Sullivan presented Ordinance No. 2660.

President Heath asked that anyone wishing to speak on Ordinance No. 2660 or any of the budget ordinances, or the Constant Yield Tax Rate to identify themselves to be sworn in. One person was sworn in.

President Heath opened the Public Hearing for Ordinance No. 2660 at 6:22 p.m. The following comments were received from one member of the Public:

- Speaker clarified that this hearing was for the FY22 Budget and not the fee schedule. President Heath confirmed this was for the FY22 Budget.
- Speaker challenged budget for Housing and Community Development, as a lot of things had a great deal of support in the community, and will do great things.
- Questioned how the expenses would be covered in the budget.
- Did not question the initiatives were needed, but concerned about where the funds would come from. If funded through grants, how would the City continue to fund them? If a new vehicle, would the old one be out of service as indicated, or would the City end up with two in service?
- There were details needing clarification and speaker said she trusted Council to examine the budget line by line to ensure the dollars were going where they needed to go and spent expeditiously and prudently.

President Heath closed the Public Hearing for Ordinance No. 2660 at 6:25 p.m.

- **Ordinance No. 2661**- to amend water and sewer rates to increase rates by 6% and making said changes effective for all bills dated October 1, 2021 and thereafter unless and until subsequently revised or changed

City Attorney Michael Sullivan presented Ordinance No. 2661 and provided an amendment to Ordinance No. 2661, as follows: On Line 82, strike \$16.64 and insert \$17.63.

President Heath opened the Public Hearing for Ordinance No. 2661 at 6:33 p.m., and as no one requested to speak, immediately closed it.

Ms. Blake moved and Ms. Jackson seconded to approve Ordinance No. 2661. Mr. Boda moved and Ms. Jackson seconded to amend Ordinance No. 2661 as read by Mr. Sullivan. The amendment passed on a 5-0 vote.

Ordinance No. 2661, as amended, was unanimously approved.

- **Ordinance No. 2662**- to set fees for FY 2022 and thereafter unless and until subsequently revised or changed

City Attorney Michael Sullivan presented Ordinance No. 2662 and provided an amendment to add the following at the end of the Fee Schedule on Page 17, as follows:

<u>Stand alone tent, stand or other commercial space predominately utilized for the sale of consumer fireworks</u>	<u>\$250</u>
<u>Other commercial space predominately utilized for the sale of goods other than consumer fireworks</u>	<u>\$125</u>

175 *President Heath opened the Public Hearing at 6:39 p.m. The following comments were*
176 *received from one member of the Public:*

- 177
- 178 • *Speaker was concerned about the \$15 increase in the fee schedule in Landlord*
179 *Licenses from \$60 to \$75 per year.*
- 180 • *The year was very rough for landlords.*
- 181 • *Speaker questioned some of the numbers in the fee schedule explanation from*
182 *Director of Housing and Community Development.*
- 183 • *The Admin Office Manager charge for new rentals for ½ hour of time billed at*
184 *\$15.85 per hour. The same Admin Office Manager charge for renewals for \$18.25*
185 *per hour. It looked like the same person was being charged out differently for*
186 *renewals and new registrations. They should be the same.*
- 187 • *The explanation included an automatic amount for re-inspections, if required. She*
188 *was unaware that re-inspections of new rental units were done. If a landlord needed*
189 *a reinspection, the fee should then be charged.*
- 190 • *It appeared there was enough money in the budget last year to do what was needed.*
191 • *Speaker suggested going to a staggered (3) year license to save labor and time.*
- 192

193 *President Heath closed the Public Hearing for Ordinance No. 2662 at 6:45 p.m.*

194

195 *Mr. Boda moved and Ms. Gregory seconded to approve Ordinance No. 2662.*

196

197 *Ms. Jackson moved to amend Ordinance No. 2662 as read by Mr. Sullivan and Ms. Gregory*
198 *seconded the motion. The amendment passed on a 4-1 vote, with Ms. Blake voting “nay.”*

199

200 *Ordinance No. 2662, as amended, failed on a 3-2 vote, with Mr. Boda, Ms. Blake and Ms.*
201 *Gregory voting “nay.”*

202

203 *Mr. Sullivan clarified that the budget ordinances were scheduled for second reading on May*
204 *24, 2021, and to the extent there was any legislative decision made on any of the three*
205 *ordinances, they were made whether or not to approve the amendments requested by the*
206 *Finance Department. They are not to approve or disapprove the ordinances themselves,*
207 *which would require them to be presented again for two readings and another public*
208 *hearing, which was not the intent of the legislative agenda. The motion made to Ordinance*
209 *No. 2662 was to approve the amendment to Ordinance No. 2662. He clarified that the*
210 *amendment failed. President Heath agreed, and Mr. Sullivan reported that Ordinance No.*
211 *2662 would be on the legislative agenda for second reading on May 24, 2021 without the*
212 *passage of the amendments.*

213

214 • **Constant Yield Tax Rate**

215

216 *Mr. Sullivan presented the Constant Yield Tax Rate information.*

217

218 *President Heath opened the Public Hearing at 6:54 p.m. and immediately closed the Public*
219 *Hearing, as there were no requests to speak.*

221 **ORDINANCES**

- 222
- 223 • **Ordinance No. 2663-** 2nd reading- to amend Chapter 15.26 Rental Of Residential
- 224 Premises of the Salisbury City Code by deleting Subsection 15.26.035 Rent Increases
- 225 Barred During States Of Emergency

226

227 *Ms. Jackson moved, Ms. Blake seconded, and the vote was unanimous to approve Ordinance*

228 *No. 2663 for second reading.*

- 229
- 230 • **Ordinance No. 2664-** 1st reading- approving a budget amendment of the FY2021
- 231 General Fund to appropriate funds for the purchase of software

232

233 *Ms. Jackson moved, Mr. Boda seconded, and the vote was 4-1 to approve Ordinance No.*

234 *2664 for first reading. President Heath cast the “nay” vote.*

- 235
- 236 • **Ordinance No. 2665-** 2nd reading- approving a Budget Amendment of the FY2021
- 237 General Fund Budget to appropriate funds to the Salisbury Fire Department’s Building
- 238 Account for HVAC repairs

239 *Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance*

240 *No. 2665 for second reading.*

- 241
- 242 • **Ordinance No. 2666-** 1st reading- to amend Chapter 8.11 of the Salisbury City Code,
- 243 entitled “The Fire Prevention Code”, for the purpose of adding new permits that are
- 244 required to be obtained from the Fire Marshal

245

246 *Ms. Blake moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance*

247 *No. 2666 for first reading.*

- 248
- 249 • **Ordinance No. 2667-** 1st reading- to amend Chapter 15.26 of the Salisbury City Code,
- 250 entitled “Rental Of Residential Premises”, by adding a new section 15.26.045 entitled “Fair
- 251 Chance Housing”

252

253 *Mr. Boda moved, Ms. Jackson seconded, and the vote was unanimous to approve Ordinance*

254 *No. 2667 for first reading.*

255

256 *President Heath recalled removing the requirement for advertising. Ms. Glanz confirmed it*

257 *was discussed, and she said there was a mix-up with not getting the updated version in the*

258 *packet. At the second reading, the ordinance would be amended.*

259

260 **PUBLIC COMMENTS**

261

262 *One member of the public provided the following comments:*

- 263
- 264 • *While speaker agreed there was likely a need for a new data management system for the*
- 265 *City, there were many comments and questions at one of the budget sessions. She requested*
- 266 *further discussion on other systems available to meet the needs of the City. The ongoing*

expense to maintain the system for the coming years would be more than currently budgeted. How many departments would benefit from the new system and what were the actual savings in cost to time, energy and improved efficiencies?

- Requested some clarification on the enforcement of Ordinance No. 2667 and what would be considered an infraction. Asked to include some draft language from the Attorney's office as to what they wanted to see as far as what would be permissible language.
- Asked if the City would be willing to absorb some of the additional liability that the landlords would be taking on in Ordinance No. 2667. The legal system was made up of several parts and the judicial part arrests people, and we need that for public safety. Was hesitant to promote having someone rent for him with a history of being arrested or convicted of assault on landlords, for example.
- There would be additional liabilities if the person brings harm to the neighbors.
- Supported Fair Housing, but who did Council want their neighbors to be? Was it fair to force others to take these people as their neighbors if Council did not want them as theirs.
- Ms. Glanz encouraged the speaker to re-read Ordinance No. 2667.

ADMINISTRATION AND COUNCIL COMMENTS

Ms. Glanz thanked everyone for the support earlier in the day. She hoped to be able to continue supporting the family of Corp. Heacock and the Town of Delmar moving forward. She hoped that vaccine appointments would continue to be made by those not vaccinated.

Mr. Boda said prayers were for the Town of Delmar and the family of Corp. Heacock.

Ms. Jackson hoped all had a happy Mother's Day. She reported twelve-year old children could receive their vaccine. Be safe, wear masks, sanitize and social distance.

Ms. Blake reminded the public to please donate blood, if healthy enough.

Ms. Gregory asked everyone to take their children to be vaccinated so that they could have fun with their friends this summer.

President Heath said the weather was going to good this week, so get outside and walk, and stay healthy.

ADJOURNMENT

With no further business to discuss, the Legislative Session was adjourned at 7:30 p.m.

City Clerk

Council President



MEMORANDUM

To: Julia Glanz, City Administrator
From: Julie English, Administrative Assistant III
Subject: Re-appointment to the Parks and Recreation Committee
Date: May 20, 2021

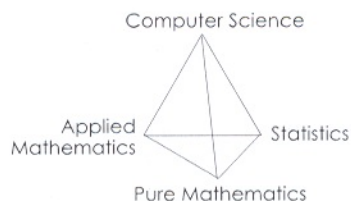
The following person would like to be re-appointed to the Parks & Recreation Committee for the term ending as indicated.

<u>Name</u>	<u>Term Ending</u>
Joseph Anderson	July 2024

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

Attachments

cc: Mayor Day



RICHARD A. HENSON SCHOOL OF SCIENCE AND TECHNOLOGY

DEPARTMENT OF MATHEMATICS AND COMPUTER SCIENCE

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faculty.salisbury.edu/~mathcsc/

Mayor Jacob Day
Mayor's Office
125 N. Division Street, Room 304
City of Salisbury, MD

April 30, 2021

Dear Mayor Day,

I am writing to put my name forward as a candidate to continue service as part of the the City of Salisbury Parks and Recreation Committee. This would be my second term on the committee, during which I believe we have made good recommendations to your office, which have been partially implemented and resulted in a more accessible, sustainable, and positive parks infrastructure for the area. I have served as vice-chairperson of this committee and would appreciate the opportunity to continue doing so, at your pleasure.

Although my formal education is not directly related to Parks and Recreation, or local government, I am capable of helping to research aspects of different projects to find and orchestrate practical solutions. As a scientist, I am willing to contribute to greater debate about the various aspects of the community recreation system, and to aid in community outreach and awareness with presentations, meetings, and workshops.

Finally, I love working as part of a team to help my community grow and be enjoyed by all. I'm passionate about educating people when I can teach, and sharing in their education when I can learn. I hope that with my interests and background I can help you and my fellow community members improve the city that we are all proud to call home.

Sincerely,
Joseph Anderson, Ph. D.
Assistant Professor
Department of Mathematics & Computer Science
Salisbury University

Joseph Anderson

Salisbury University
140 Devilbiss Hall
1101 Camden Ave
Salisbury, MD
21804

Email: jtanderson@salisbury.edu
Homepage: <http://faculty.salisbury.edu/~jtanderson>

Personal

Full name: Joseph Timothy Anderson

Born: 23 February 1990

Citizenship: I am a United States Citizen

Education

Ph.D., Computer Science and Engineering May 2017

The Ohio State University

Thesis: *Geometric Methods for Robust Data Analysis in High Dimension*

Thesis Advisor: Dr. Luis Rademacher (UC, Davis)

Academic Advisor: Anastasios Sidiropoulos

M.S. Computer Science and Engineering December 2015

The Ohio State University

Thesis: *Geometric Methods for Robust Data Analysis in High Dimension*

Advisor: Dr. Luis Rademacher

B.S. Mathematics, Saint Vincent College May 2012

B.S. Computing & Information Science, Saint Vincent College May 2012

Research Interests

Theoretical computer science, machine learning, convex geometry, data science, statistics, optimization, probability theory.

Experience

Salisbury University 2017–Current

Assistant Professor of Computer Science

The Ohio State University 2012–2017

Instructor: “Foundations I: Discrete Structures”

Graduate Research Assistant	
Teaching Assistant	
Research Fellow	
Saint Vincent College	2008–2012
Computing & Information Science Department Server Administrator	
Computing & Information Science Department Tutor	
Information Services Desktop Analyst	
University of New Orleans	Summer 2011
Undergraduate Research Fellow	
Ethix Systems, LLC	2010 - 2011
Programming Intern	

Publications

Peer-Reviewed Conference Proceedings

- J. Anderson, L. Rademacher “Efficiency of the floating body as a robust measure of dispersion”, ACM-SIAM Symposium on Discrete Algorithms, 2020.
- J. Anderson, N. Goyal, A. Nandi, L. Rademacher “Heavy-Tailed Analogues of the Covariance Matrix for ICA”, *Association for the Advancement of Artificial Intelligence*, 2017
- J. Anderson, N. Goyal, A. Nandi, L. Rademacher “Heavy-Tailed Independent Component Analysis”, *Foundations of Computer Science*, 2015
- J. Anderson, M. Belkin, N. Goyal, L. Rademacher, J. Voss “The more, the merrier: the blessing of dimensionality for learning large Gaussian mixtures”, *Conference on Learning Theory*, 2014
- J. Anderson, N. Goyal, L. Rademacher “Efficient Learning of Simplices”, *Conference on Learning Theory*, 2013
- J. Anderson, M. Gundam, A. Joginipelly, D. Charalampidis “FPGA Implementation of Graph Cut Based Image Thresholding” *IEEE Southeastern Symposium on System Theory*, 2012

Presentations

- J. Anderson, “Robust Signal Processing with the Convex Floating Body”, Joint American Mathematical Society and Mathematical Association of America National Meetings. Baltimore, MD. 2019
- J. Anderson, “Convex Geometry in Algorithms for Heavy-Tailed Statistics”, Mathematics Association of America MD/DC/VA Section Meeting. Lexington, VA. Spring 2018

Other

- J. Anderson, J. Austin, Y. Jing, L. Schneider, R. Shifler, and S. Wesolowski. (2018). “Faculty Writing Groups for Mathematicians” . MAA Focus, 38 (5).

Supervised Research

Thaigota, Sai. “Filtering Multivariate Data Through Convex Floating Bodies”. REU, Summer 2019.

Arausa, Christopher. “A Study on Parallel Machine Learning, Supervised Learning, and Reinforcement Learning”. REU, Summer 2019.

Bones, Lela. “Interpreting EEG Signals with OpenBCI Hardware”. National Conference of Undergraduate Research. 2019.

Kane, Cameron. “Developing New Accessibility Features Using Deep Learning and Data Generation”. National Conference of Undergraduate Research. 2019.

Lipiec, Andre. “Using Perlin Noise for Random Walk”. Salisbury University Student Research Conference. 2019.

Barnes, Samuel. “Software For Mapping Social Identities”. Salisbury University Student Research Conference. 2019.

Nigro, Vincent and Borden, James. “Financial Analytic Distribution: Quantifying Market Sentiment”. Salisbury University Student Undergraduate Research Conference. 2019.

Nguyen, Hieu and Schwartz, Ian. “Developing an AI Framework to Play Games Without Knowing the Rules”. REU, Summer 2018.

Ogunmolasuyi, Ayobami. “Parallelization of Machine Learning Algorithms”. REU, Summer 2018.

Yousif, Mahmoud and Bones, Lela. “Using Machine Learning to Read Your Mind”. Salisbury University Student Research Conference. 2018.

Teaching

Salisbury University

COSC 117 - Fundamentals of Programming	Fa17
COSC 120 - Computer Science I	Fa18
COSC 220 - Computer Science II	Fa17, Sp18, Sp19, Sp20
COSC 320 - Advanced Data Structures and Algorithm Analysis	Sp18, Fa18, Sp19, Sp20
COSC 362 - Theory of Computation	Fa17, Fa18, Sp19
COSC 420 - High-Performance Computing	Fa19
COSC/MATH 490 - Special Topics: Computational Topology	Fa18
COSC 490/MATH 501 - Methods of Teaching Computer Science	Sp20

The Ohio State University

Lecturer, Foundations I: Discrete Structures	Sp16, Au16
Teaching Assistant, Computability and Complexity	Sp14
Teaching Assistant, Foundations II: Data Structures and Algorithms	Au13

Activities and Service

Peer-Review

IEEE Transactions on Pattern Analysis and Machine Intelligence
 Elsevier Signal Processing
 Foundations of Computer Science (FOCS), 2019
 Conference on Learning Theory (COLT), 2019, 2018
 Conference of the Association for the Advancement of Artificial Intelligence (AAAI), 2017
 NSF Algorithmic Foundations Review Panel

Salisbury University

Chair, Salisbury University Faculty Financial Affairs Committee	Fall 2018-2021
Faculty Member, Upsilon Pi Epsilon International Honor Society for the Computing and Information Disciplines (ACM)	Spring 2018-Present
Instructor, STEM Saturdays	Fall 2018
Senior Personnel, REU Site: Exercise - Explore Emerging Computing in Science and Engineering	2018-2020
Member, Salisbury High School Mathematics Competition Committee	Fall 2018
Member, Henson School of Science STEM Outreach Committee	Fall 2018-Present
Member, City of Salisbury Parks and Recreation Committee	Summer 2018-2021
Member, Henson Scholarship Committee	Spring 2018
Member, Salisbury University Honors Faculty Fellows	Fall 2017
Judge, Joint Mathematics Meetings Undergraduate Poster Session	2018, 2019
Coordinator, Computer Science Academic Program Review	2018-2021

Ohio State University and St. Vincent University

Ohio State University Community Orchestra	Fall 2012-2014
President and Founder of Saint Vincent College Computer Science Colloquium Club	Fall 2011-2012
Saint Vincent College Marching Band	Fall 2009-2012
Saint Vincent College Camerata and Gregorian Schola	Fall 2008-2012
Alpha Lambda Delta Honor Society	Spring 2011-2012

Awards

INSPIRE-CS Fellowship

Salisbury Foundation Faculty Research Grant, 2018

Henson Faculty Travel Grant, 2018

Google Travel Grant - Conference on Learning Theory.

Ohio State University Research Fellowship Award.

A. J. Palumbo Student Research Grant, Saint Vincent College. PI: Joseph Anderson, Advisor: Br. David Carlson.

Saint Vincent College Computing & Information Science Academic Excellence Award, for top student in CIS department.

Saint Vincent College Computing & Information Science Scholarship Exam Winner, full tuition awarded.

Eagle Scout Award, BSA

Coursework and Skills

Statistical modeling/Bayesian analysis

Machine learning (kernel methods, PCA, neural networks)

Probability Theory

Randomized Algorithms

Convex geometry

Real Analysis, Topology

Matlab (optimization toolkit, signal processing toolkit, Gurobi plugin)

Mathematica

Python (with numerical analysis packages)

C, Objective-C, C++

MySQL, PostgreSQL, MongoDB

Javascript, PHP

References

Available upon request.



City of Salisbury

Jacob R. Day, Mayor

To: Mayor and City Council
From: Jennifer Miller
Director of Procurement
Date: May 24, 2021
Subject: Declaration of Surplus

The Department of Procurement received several requests for declaration of surplus:

Department of Field Operations

- Item(s): Vehicles (qty = 6)
- Method of disposal: Onsite auction

Salisbury Zoo

- Item(s): Outbuilding
- Method of disposal: Demolition

Salisbury Police Department

- Item(s): Duty weapon
- Method of disposal: Retirement gift

Additional details are in the departmental memos.

The Department of Procurement respectfully requests the approval of City Council to declare the noted items as surplus and to dispose of them as indicated.



MEMORANDUM

To: Jennifer Miller, Director of Procurement

From: Ben Baker, Deputy Director of Service

Subject: Surplus Vehicles (Additional)

Date: April 12, 2021

As requested, the Department of Field Operations has reviewed the attached list of approved surplus equipment and vehicles dated October 30, 2020, and determined that six additional vehicles can be considered for surplus. The vehicles tabulated below have reached the end of their service life and have been replaced or deemed too costly to repair.

VEHICLE I.D.	YEAR	DESCRIPTION	MAKE	MODEL	SERIAL #	MILES/HOURS
WM-3	2000	Van	Dodge	3/4 Ram Van	2B7JB21YSYK158428	103,156 mi
PM-4	1991	Pickup	Chevy	S-10	1GCCS19A4M8239342	347,626 mi
S-15	1984	Tractor Truck	Volvo/White		1WUADCJE3EN06910	288,961 mi
W-15	1991	F800 Dump Body	Ford	F800 Dump Body	1FDXK84A4MVA17902	46,524 mi
UTL-2	2001	F250 Utility Body	Ford	F250 Utility Body	1FDSX34L71EC60308	117,263 mi
UTL-8	2001	F250 Utility Body	Ford	F250 Utility Body	1FDSX34L91EC60309	170,773 mi

In accordance with the City of Salisbury Charter, Article XVI, Section SC16-8, it is understood that a favorable recommendation from both the Director of Procurement and the City Council is needed before the six vehicles are eligible for surplus.

If additional information is needed, please contact me at (insert contact information).

Attachments:

- Final List Auction DFO 10 30 20.xlsx
- Additional List Auction DFO 4-8-21.xlsx

cc: Jana Potvin, Director of Field Operations



MEMORANDUM

To: Jennifer Miller, Director of Procurement
From: Ben Baker, Deputy Director of Service
Subject: Surplus Zoo Education Holding Building
Date: April 15, 2021

The Salisbury Zoo has determined that the Education Holding Building has reached the end of its serviceable life and deemed too costly to repair. This building was completely overhauled, in 2010 when the interior ceiling, walls and floor were replaced and the roof was repaired due to a partially collapsed ceiling due to water damage. The prefabricated building offers water, electric, and HVAC for the Ambassador Animal Collection reptiles and amphibians.

The age of the building is unknown, but previously was a concession stand on Picnic Island approximately 18 years ago.

Although the roof appears structurally sound, -water was able to penetrate the roof and leak, undetected, behind the wall. Once the leak was detected, tiles were removed to check of damage. It was determined the wall and floor for approximately half of the interior of the building is architecturally compromised. The wood is rotted to the point holes can be poked through it. The exterior of the building has extensive damage as well with rotted wood all along the bottom edge of the walls.

In accordance with the City of Salisbury Charter, Article XVI, Section SC16-8, it is understood that a favorable recommendation from both the Director of Procurement and the City Council is needed before the building is eligible for surplus.

If additional information is needed, please contact me.

Attachments:



City of
Salisbury
Jacob R. Day, Mayor

MEMORANDUM



cc: Jana Potvin, Director of Field Operations

Department of Field Operations
500 Mack Ave.
Salisbury, MD 21801
www.salisbury.md



City of
Salisbury
Salisbury Police Department

DATE: April 13, 2021

TO: Chief Barbara Duncan
Chief of Police

FROM: Mpo B. Tucker

SUBJECT: SURPLUS WEAPONS – MPO V. Mosher

The Salisbury Police Department has a history of giving retiring Police Officers their duty weapon as a retirement gift. Therefore, I request permission to send the appropriate paperwork to the Purchasing Agent to declare, as surplus, one Glock Auto Pistol, 45 Caliber Model 21 Gen 4 with serial number BFRA664 for Mpo V. Mosher retired from the Salisbury Police Department on February 28, 2021. This weapon is valued at \$479.00.

Respectfully Submitted,

MPO B. Tucker

Mpo B. Tucker
Quartermasters Office
Administrative Division

Approved:

Chief Barbara Duncan

Chief Barbara Duncan
Chief of Police





MEMORANDUM

To: Julia Glanz, City Administrator
From: Andy Kitzrow, Deputy City Administrator
Subject: EnerGov Software
Date: May 20, 2021

Several Departments have discussed the benefits for the EnerGov Software package. Here are the following reasons to purchase this application for the City of Salisbury:

- Better run its operations and track activity on commercial and residential properties
- Improve the City's ability to issue code violations and citations, manage building and other City issued permits, and complete building and fire inspections.
- Significantly improve the City's ability to complete reporting and analysis for ongoing activity
- Enable several departments to effectively communicate via a central software platform

The cost of the software application package is \$193,232 and the total cost to departments in the General Fund is \$174,000. Completing the budget amendment will allow us to properly expense the purchase to the appropriate departments based on intended usage of the software.

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ORDINANCE NO. 2664

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**AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET
AMENDMENT OF THE FY2021 GENERAL FUND TO APPROPRIATE FUNDS FOR
THE PURCHASE OF THE ENERGOV SOFTWARE APPLICATION.**

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RECITALS

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WHEREAS, the City of Salisbury (the “City”) has determined the City requires the EnerGov software application to better run its local government operations and track activity on commercial and residential property; and

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WHEREAS, the EnerGov software will improve the City’s ability to issue code violations and citations, manage building permits and other municipal permits, and complete building and/or fire inspections for properties located within the City; and

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WHEREAS, the EnerGov software will also significantly improve the City’s ability to complete reporting and analysis for ongoing municipal activity and will enable various City departments to communicate more effectively with one another across a central software platform; and

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WHEREAS, the City estimates the total cost of the EnerGov software application package to be \$193,232.00 ~~and estimates the total cost to City departments in the General Fund to be \$174,000.00;~~ and

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WHEREAS, the appropriations necessary to execute the City’s purchase of the EnerGov software application package, for the reasons set forth hereinabove, must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury.

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**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF
SALISBURY, MARYLAND**, as follows:

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Section 1. The City of Salisbury’s Fiscal Year 2021 General Fund Budget be and is hereby amended as follows:

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(a) Increase Housing and Community Development Department Account No. 25200-577036 by ~~\$45,000.00~~ \$54,616.

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(b) Decrease Infrastructure & Development Department Account No. 31000-577036 by ~~\$45,000.00~~ \$35,384.

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(c) Decrease Business Development Account No. 11600-534308-200 by \$10,000 and Account No. 11600-555512 by \$6,232.

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(d) Decrease City Council Account No. 11000-555503 by \$3,000.

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**BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY,
MARYLAND**, as follows:

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Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

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Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

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Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

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Section 5. This Ordinance shall take effect from and after the date of its final passage.

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THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10th day of May, 2021 and thereafter, a statement of the substance of the Ordinance having been

1 published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____
2 day of _____, 2021.

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5 ATTEST:

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9 _____
10 **Kimberly R. Nichols, City Clerk**

_____ **John R. Heath, City Council President**

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13 Approved by me, this _____ day of _____, 2021.

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18 ~~***Julia Glanz, City Administrator***~~

19 ~~***for and at the direction of***~~ **Jacob R. Day, Mayor**
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ORDINANCE NO. 2666

**AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 8.11 OF
THE SALISBURY CITY CODE, ENTITLED "THE FIRE PREVENTION CODE",
FOR THE PURPOSE OF ADDING NEW PERMITS THAT ARE REQUIRED TO BE
OBTAINED FROM THE CITY OF SALISBURY FIRE MARSHAL'S OFFICE.**

RECITALS

WHEREAS, the ongoing application, administration and enforcement of the Salisbury City Code demonstrates the need for periodic review, evaluation and amendment; and

WHEREAS, the City of Salisbury has adopted the State Fire Prevention Code subject to local amendments; and

WHEREAS, the City of Salisbury desires to amend Chapter 8.11.020 of the Salisbury City Code for the purpose of establishing additional, specific permits that are required to be obtained from the City Fire Marshal's Office.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Chapter 8.11 of the Salisbury City Code, entitled "The Fire Prevention Code", be and is hereby amended by repealing the crossed-out language and adding the bolded and underlined language as follows:

Chapter 8.11 - THE FIRE PREVENTION CODE

8.11.020 - Amendments to the State Fire Prevention Code.

A. The National Fire Protection Association Life Safety Code 101 as referenced, amended, and promulgated by the State Fire Prevention Commission is adopted by the City with the following local amendment.

1. Fire prevention fees shall be established by resolution of the City Council.

B. The National Fire Protections Association Fire Code 1 as referenced, amended, and promulgated by the State Fire Prevention Commission is adopted by the City with the following local amendments:

1. The board of appeals shall be the building board of adjustments and appeals.

2. Any person who fails to comply with the provisions of the Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit, approval, or certificate may be subject to a municipal infraction not to exceed five hundred dollars (\$500.00) each day the violation continues.

3. Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction (AHJ) may result in municipal infractions not to exceed five hundred dollars (\$500.00) for each day the violation continues and the AHJ shall have authority to evacuate, vacate and order such building or structure to be closed to the public.

4. Include Annex E: Fire Fighter Safety Building Marking System, with local amendments.

a. Local amendments to Annex E are:

i. Add E. 1.3.6.1. The following letters shall be used to indicate special hazards assigned to the center of the Maltese cross:

A) "F" — Floor hazard

B) "R" — Roof hazard

C) "W" — Wall hazard

D) "H" — Holes in structure

- E) "S" — Stairs compromised
- F) "M" — Maze like, confusing layout

- ii. Add E. 1.3.6.2. Where the AHJ determines the conditions to be severe enough to limit all operational activity to a defensive mode only, a red "X" shall be placed through the center section of the Maltese cross.

- 5. Replace Subsection '10.10.1 Permits.' with 10.10.1 Open Burning Prohibited. Open burning, other than cooking and recreational fires compliant with the provisions of this Code, is prohibited.
- 6. Permits from the Fire Marshal are required for the following:
 - a. Installation/Modification of fire alarm and detection systems;
 - b. Installation/Modification of sprinkler or water spray systems;
 - c. Installation/Modification of standpipe systems;
 - d. Installation/Modification fire pumps;
 - e. Installation/Modification of water storage tanks for fire protection;
 - f. Installation/Modification of gaseous and chemical extinguishing systems;
 - g. Installation/Modification of foam systems;
 - h. Installation/Modification of smoke control systems;
 - i. Installation/Modification of flammable and combustible liquid storage tanks;
 - j. Installation/modification of emergency generators for fire protection systems;
 - k. Installation, modification, or removal from service of any private fire hydrants;
 - l. Fireworks displays; ~~and~~
 - m. To store, transport on site, dispense, use, or handle hazardous materials-;
 - n. To perform any fire hydrant or fire pump water flow test; and
 - o. To sell consumer fireworks.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. 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 Mayor and Council of the City of Salisbury held on the 10th day of May, 2021 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the ____ day of _____, 2021.

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ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

Approved by me, this _____ day of _____, 2021.

Jacob R. Day, Mayor

ORDINANCE NO. ~~2667~~

AN ORDINANCE OF THE CITY OF SALISBURY TO AMEND CHAPTER 15.26 OF THE SALISBURY CITY CODE, ENTITLED "RENTAL OF RESIDENTIAL PREMISES", BY ADDING A NEW SECTION 15.26.045 ENTITLED "FAIR CHANCE HOUSING".

RECITALS

WHEREAS, the Mayor and Council of the City of Salisbury desire to update the Salisbury City Code to adopt a fair chance housing policy to reduce the barriers to housing for individuals with a criminal history; and

WHEREAS, mass incarceration is a national and local crisis, and restoring the rights of people affected by mass incarceration is a national priority; and

WHEREAS, the U.S. Department of Justice has estimated one in every three adults in the United States has either an arrest or conviction record; and

WHEREAS, homelessness is a critical issue in the City of Salisbury and formerly incarcerated people are disproportionately affected by homelessness, which can prevent a formerly incarcerated person from getting a job, from visiting with their children, and from fulfilling other needs that are fundamental to reintegrating with the community after incarceration; and

WHEREAS, many landlords and landlord's agents require a criminal background check as part of the application process for rental housing, and information obtained from that criminal background check may be used to deny housing to otherwise qualified applicants; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has recognized the discriminatory impact that criminal background checks can have on homelessness and minority communities across the United States and ~~have imposed~~, accordingly, HUD has promulgated guidelines addressing the use of criminal background checks during the applicant screening process; and

WHEREAS, notwithstanding the aforesaid HUD guidelines, reliance on criminal background checks by landlords and landlord's agents creates additional barriers for previously incarcerated individuals and their families to access affordable housing; and

WHEREAS, for those persons with limited income and time constraints, the lack of transparency during the applicant screening process creates further difficulties and costs that could be avoided; and

WHEREAS, the Council of the City of Salisbury has concluded that it is in the best interest of the City (i) to increase transparency by landlords and landlords' agents to allow applicants to better understand the necessary qualifications considered to lease or rent a residential dwelling unit, and, (ii) accordingly, to amend the Salisbury City Code to require landlords and landlord's agents provide a transparency disclosure regarding the use of a Background Check Report (as defined herein) for rental applicants.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Chapter 15.26 of the Salisbury City Code, entitled "Rental of Residential Premises", be and is hereby amended by adding the bolded and underlined language as follows:

Chapter 15.26.045 – Fair Chance Housing Policy.

A. Definitions.

In addition to those "Definitions" set forth in Chapter 15.26.030, the following words have the following meanings:

"Agent" means a person authorized to make, contract, or authorize a Lease or to charge Rent for a Dwelling Unit on behalf of a Landlord.

"Applicant" means a person who seeks information about, visits, or applies to Rent or Lease a Dwelling Unit or who seeks to be added as a household member to an existing Lease for a Dwelling Unit.

"Arrest" means a record from any jurisdiction that does not result in a Conviction and includes information indicating that a person has been questioned, apprehended, taken into custody or detained, or held for investigation by a law enforcement, police, or prosecutorial agency and/or charged with, indicted, or tried and acquitted for any felony, misdemeanor, or other criminal offense.

"Background Check Report" means any report regarding an Applicant's Criminal History, including but not limited to those produced by the Federal Bureau of Investigation, Maryland State Police, other law enforcement agencies, courts, or any consumer reporting or tenant screening agency.

"Conviction" means a record from any jurisdiction that includes information indicating that a person has been convicted of a felony or misdemeanor or other criminal offense and for which the person was placed on probation, fined, imprisoned and/or paroled.

"Criminal History" means information transmitted orally or in writing or by any other means, and obtained from any source, including but not limited to the person to whom the information pertains, a government agency, or a Background Check Report, regarding one or more Convictions or Arrests; a Conviction that has been sealed, dismissed, vacated, expunged, voided, invalidated, or otherwise rendered inoperative by judicial action or by statute; a determination or adjudication in the juvenile justice system; a matter considered in or processed through the juvenile justice system; or participation in or completion of a diversion or a deferral of judgment program.

"Landlord" means the owner of a Dwelling Unit.

"Lease" means any agreement, written or verbal, that establishes or modifies the terms, conditions, rules, regulations or any other provisions concerning the use and occupancy of a Dwelling Unit.

"Owner" means:

(1) Any person having a legal or equitable interest in the Dwelling Unit, including, but not limited to a mortgagee and an assignee of rents;

(2) Any person who, alone or jointly or severally with others, shall have the charge, care, or control of any structure as executor, administrator, trustee or guardian of the estate of the owner; or

(3) Any person whose name appears on the property tax bill for a Dwelling Unit.

"Rent" means the amount charged for the right to possession and use of a Dwelling Unit.

B. Requirements for a Landlord and a Landlord's Agent.

1. ~~A~~Before a Landlord ~~and~~ a Landlord's Agent may charge an Applicant a fee to apply to Lease or Rent a Dwelling Unit, the Landlord or the Landlord's Agent shall disclose to ~~an~~the Applicant: (a) the charge or cost of the application for Lease or Rent of a Dwelling Unit; (b) if a Background Check Report will be conducted and, if so, how ~~fair~~far back the Background Check Report can extend, referred to as the "lookback period;" and, (c) ~~and~~ any exclusionary criteria used to screen an Applicant ~~before the Landlord or the Landlord's Agent may charge an Applicant a fee to apply to Lease or Rent.~~
2. A Landlord and a Landlord's Agent shall ~~also~~: (a) disclose ~~on all promotional materials and advertisements related to Renting or Leasing a Dwelling Unit~~ their the Landlord's or Landlord's Agent's policies and practices related to a Background Check Report ~~and shall~~on their website(s), within their application materials, and at their rental or leasing office(s); and, (b) provide notice of the requirements set forth in subsection B(1) above ~~in their~~within the Landlord's or Landlord's Agent's application materials, on their ~~websites, website(s), and at any Rental~~their rental or ~~Leasing offices, leasing office(s).~~

3. If a Landlord ~~and/or~~ a Landlord's Agent orders a Background Check Report for an Applicant, ~~they~~such Landlord or Landlord's Agent shall provide a copy of ~~that report~~the Background Check Report to the Applicant.

C. No Conflict with State or Federal Law.

This Chapter is not intended to conflict with state or federal law. If there is a conflict between the provisions of federal or state law and this Chapter, federal or state law shall control.

D. Effective Date.

The provisions of this Chapter shall take effect upon thirty (30) days after final adoption of this Ordinance. The City shall cause notice of this Ordinance to be mailed to all Landlords subject to Chapter 15.26 within ninety (90) days of final adoption of this Ordinance.

E. Enforcement.

Failure of a Landlord or Landlord Agent to comply with Chapter 15.26.045B shall result in the issuance of a municipal infraction and shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00) per violation.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect ~~from and~~thirty (30) days after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10th day of May, 2021 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2021.

ATTEST:

Kimberly R. Nichols, City Clerk

John R. Heath, City Council President

Approved by me, this _____ day of _____, 2021.

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~~Julia Glanz, City Administrator~~
~~for and at the direction of~~

Jacob R. Day, Mayor



MEMORANDUM

To: Julia Glanz, City Administrator
From: John W. Tull, Fire Chief
Subject: Budget Amendment – COVID-19 Expenses
Date: May 11, 2021

As you are aware, on March 13, 2020, the President of the United States declared that the ongoing Coronavirus Disease 2019 (COVID-19) pandemic was of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Since then, the City has incurred substantial expenses preparing for and responding to the COVID-19 pandemic.

Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Category B of the Federal Emergency Management Agency's (FEMA) Public Assistance program at a 75 percent federal cost share. In November 2020 the City received a reimbursement payment from FEMA in the amount of \$109,028.70 for this 75 percent cost share. The remaining 25 percent of our request was funded through the Wicomico County Health Department (WiCHD) from a direct allocation of funds received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act for COVID-19 related expenditures.

FEMA has now agreed to fund our reimbursement request at 100 percent. The attached documents show that we will receive additional funding based on the following:

- Project #37 – \$24,905.18
- Project #39 – \$11,437.71
- Total Award – \$36,342.89

Once we receive this funding, we will be required to process a refund check back to the WiCHD to return the CARES Act funds that we have received as part of our COVID-19 projects.

Attached you will find an Ordinance requesting the approval of a budget amendment to the grant fund for the purpose of accepting funds from the Federal Emergency Management Agency (FEMA) in the amount of \$36,342.89.

If you should have any questions or comments, please do not hesitate to contact me.

ORDINANCE NO. 2668

AN ORDINANCE OF THE CITY OF SALISBURY TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$36,342.89, AND TO APPROVE A BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS FOR OFFSETTING COVID-19 EXPENSES.

WHEREAS, on March 13, 2020, the President of the United States declared that the ongoing Coronavirus Disease 2019 (COVID-19) pandemic was of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, in accordance with Section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Category B of the Federal Emergency Management Agency's (FEMA's) Public Assistance program; and

WHEREAS, the City of Salisbury (the City) incurred substantial expenses preparing for and responding to the COVID-19 pandemic; and

WHEREAS, the City submitted a project grant application to FEMA for funding to offset expenses related to the acquisition of personal protective equipment (PPE) purchased in response to the COVID-19 crisis; and

WHEREAS, FEMA funding assistance was initially provided to the City at a seventy-five percent (75%) federal cost share rate, resulting in the City receiving a reimbursement payment of \$109,028.70; and

WHEREAS, FEMA has now elected to provide additional funding assistance to the City to cover the remaining twenty-five percent (25%) of the costs that were incurred; and

WHEREAS, the remaining twenty-five (25%) of the costs that were incurred by the City were previously covered by a grant from the Wicomico County Health Department (WiCHD), which they awarded to the City from the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds they received for COVID-19 related expenditures; and

WHEREAS, the City expects to receive reimbursement from FEMA in the amount of \$36,342.89 for the remaining twenty-five percent (25%) of COVID-19 related expenditures as reflected in the Exhibits attached hereto and incorporated herein as if fully set forth in this Ordinance; and

WHEREAS, the City will be required to forward the total amount of those funds to the WiCHD to reimburse them for the CARES Act grant funds previously awarded; and

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 Council of the City of Salisbury; 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 ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Mayor Jacob R. Day is hereby authorized to enter into a grant agreement with the Federal Emergency Management Agency, on behalf of the City of Salisbury, for the City's acceptance of grant funds in the amount of \$36,342.89.

48 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
49 **SALISBURY, MARYLAND**, as follows:

50
51 **Section 2.** The City of Salisbury's Grant Fund Budget be and hereby is amended as follows:

52 (a) Increase DHS / FEMA Revenue Account No. 10500-425120-18006 by \$36,342.89.

53 (b) Increase SFD Medical Expense Account No. 10500-546016-18006 by \$36,342.89.
54

55 **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
56 **SALISBURY, MARYLAND**, as follows:

57 **Section 3.** It is the intention of the Mayor and Council of the City of Salisbury that each provision
58 of this Ordinance shall be deemed independent of all other provisions herein.

59 **Section 4.** It is further the intention of the Mayor and Council of the City of Salisbury that if any
60 section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid,
61 unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication
62 shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other
63 provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

64 **Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as
65 if such recitals were specifically set forth at length in this Section 5.

66 **Section 6.** This Ordinance shall take effect from and after the date of its final passage.
67

68 **THIS ORDINANCE** was introduced and read at a Meeting of the Mayor and Council of the City of
69 Salisbury held on the _____ day of _____, 2021 and thereafter, a statement of the substance of the
70 Ordinance having been published as required by law, in the meantime, was finally passed by the Council
71 of the City of Salisbury on the _____ day of _____, 2021.

72 **ATTEST:**

73
74
75
76 _____
77 **Kimberly R. Nichols, City Clerk**

76 _____
77 **John R. Heath, City Council President**

78
79
80 Approved by me, this _____ day of _____, 2021.
81
82
83
84
85 _____
Jacob R. Day, Mayor

April 13, 2021

Mr. John Tull
Fire Chief
Salisbury
325 Cypress St
Salisbury, MD 21801-4060

Re: Increase to 100% Federal Share – PW# 37
(Grants Portal# 150565– COVID-19 Project)
Salisbury (FIPS# 045-69925-00)
COVID-19 Disaster (FEMA-4491-DRMD) – Public Assistance CFDA# 97.036

Dear Mr. Tull:

The Federal Emergency Management Agency (FEMA) has increased the Federal Share to 100% for Project Worksheet (PW) 37 (enclosed) for reimbursement of the COVID-19 response and recovery costs. The total reimbursement for this grant is the Federal Share of the project's total Eligible Costs. Payment in the amount of **\$24,905.18** is being processed.

PW#	Version	Eligible Costs	Reimbursement
37	0	99,620.74	74,715.56
37	1	0.00	24,905.18
Totals:		\$99,620.74	\$99,620.74

Total Reimbursement	99,620.74
Previous Payment (10/28/20)	(74,715.56)
Current Payment	\$24,905.18

In accordance with 44 CFR § 206.206 (enclosed), which governs the Public Assistance appeal process, you have 60 days from the date of receipt of this letter to appeal any action related to this disaster. Any appeal of a FEMA decision should be submitted through the Maryland Emergency Management Agency (MEMA) with supporting justification.

Thank you for your hard work throughout the COVID-19 response and recovery. If you have any questions regarding this project or its payment, please contact me at 410-517-3625.

Sincerely,

John Harding, Jr.
Public Assistance Grants Administrator

njl
2 enclosures

cc: Dave Shipley, Director, Wicomico County Emergency Management Agency

DR-4491

COVID-19 Disaster

**Department of Homeland Security
Federal Emergency Management Agency**

General Info

Project #	150565	PW #	37	Project Type	Work Completed / Fully Documented
Project Category	B - Emergency Protective Measures			Applicant	Salisbury, City of (045-69925-00)
Project Title	Salisbury COVID-19 Project			Event	4491DR-MD (4491DR)
Project Size	Small			Declaration Date	3/26/2020
Activity Completion Date	9/26/2020			Incident Start Date	1/20/2020
Process Step	Obligated			Incident End Date	Ongoing

Damage Description and Dimensions

The Disaster # 4491DR, which occurred between *01/20/2020* and *Ongoing*, caused:

Damage # 401126; Emergency Protective Measures (Damage for Project [150565] Salisbury COVID-19 Project)

During the incident period of 1/20/2020 through Ongoing, COVID-19 created an immediate threat to the health and safety of the general public requiring emergency response and protective measures.

- Provided Personal Protective Equipment (PPE), supplies, and cleaning materials/disinfectant for COVID-19 at City of Salisbury MD from 3/5/2020 to 6/30/2020.

Final Scope

401126 Damage for Project [150565] Salisbury COVID-19 Project

Work Completed – Streamlined COVID – 19 Application

In response to the COVID – 19 Public Health Emergency, the applicant utilized force account materials and contracts in taking the Emergency Protective Measures for the City of Salisbury.

Cost share for this version is 75%. All work and costs in this project fall between 03/05/2020 and 06/30/2020.

COVID – 19 Streamlined Application Disclosures:

Contracts must include a Termination for Convenience clause.

FEMA will not approve PA funding that duplicates funding or assistance provided by another Federal agency, including the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, CARES Act, and the United States Department of Agriculture.

FEMA will only reimburse for PPE/medical supplies and equipment provided to and used by Applicants and essential workers as necessary to prevent the spread of infection as directed by public health officials, not to exceed the duration of the HHS Public Health Emergency Declaration for COVID – 19.

Disinfection work consisted of using CDC approved methods and disinfectants, such as hand cleaning with wipes. No run off was associated with this work.

A. Facility disinfection by contractors.

B. Purchase and distribution/use of medical supplies & equipment (personal protective equipment)
Respirators, N95 Respirators, Medical gloves, Surgical masks, Medical gowns, Coveralls, Face shields.

C. Other purchase and distribution/use of medical supplies include: Digital thermometers, sanitizer, disinfectant wipes, cleaning supplies, acrylic barriers.

1. Force Account Materials: \$94,300.08

2. Contracts: \$5,320.66

Work Completed Total: \$99,620.74

Project Notes:

1. Scope and cost were developed based on applicant cost summaries and certification included in the Schedule EZ- Small Project Estimate.

2. Disposition of Purchased Supplies: Applicant must calculate the current fair market value of any unused residual supplies (including materials) that FEMA funded for any of its projects and determine the aggregate total. Applicant must provide the current fair market value if the aggregate total of unused residual supplies is greater than \$5,000. FEMA reduces eligible funding by this amount. See PAPPG V3.1 2018 page 29.

3. RFI response with the approval to remove of ineligible costs (Zoom memberships, software and hardware updates) in the amount of \$290.84 see attachment *Approval to remove ineligible costs.pdf*

Cost

Code	Quantity	Unit	Total Cost	Section
9001 (Contract)	1.00	Lump Sum	\$5,320.66	Completed
9009 (Material)	1.00	Lump Sum	\$94,300.08	Completed

CRC Gross Cost	\$99,620.74
Total Insurance Reductions	\$0.00
CRC Net Cost	\$99,620.74
Federal Share (100.00%)	\$99,620.74
Non-Federal Share (0.00%)	\$0.00

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
0	Eligible	Awarded	PA-03-MD-4491-PW-00037(34)	\$99,620.74	75 %	\$74,715.56	9/25/2020
1	Eligible	Awarded	PA-03-MD-4491-PW-00037(150)	\$0.00	25 %	\$24,905.18	3/28/2021

Drawdown History

EMMIE Drawdown Status As of Date	Obligation Number	Expenditure Number	Expended Date	Expended Amount
2/11/2021	4491DRMDP00000371	202025Z2-02102021	2/9/2021	\$74,715.56

Subgrant Conditions

- As described in 2 CFR, Part 200 § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a sub-recipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions, Part 200.333, (a) – (f), (1), (2). All records relative to this Project Worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the applicant's completion of all of its small projects and compliance with all environmental and historic preservation requirements within 180 days of the applicant's completion of its last small project.
- The terms of the FEMA-State Agreement are incorporated by reference into this project award under the Public Assistance grant and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Policy and Program Guide; and other FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the date of the declaration of this major disaster are incorporated by reference into this project award under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at 2 C.F.R. pt. 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. pt. 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The applicant must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the applicant commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.

Insurance

Additional Information

9/22/20 - Project re-worked with no changes to prior insurance determination.

Per the Deduction Section of the Streamlined Application, the Applicant is confirming that they do not have insurance for the activities identified in Section II of the Streamline Application Project worksheet. Further, Section II of the Streamlined Application Project, the Applicant has confirmed that a reasonable effort to recover insurance proceeds that they are entitled to receive from their insurer(s) has been taken.

This declaration is specific for the cost associated with the actions taken to protect the public health and safety of the general population from the COVID-19 Pandemic. No insurance proceeds are anticipated for these costs.

If in the event any part or all costs are paid by an insurance policy, a duplication of benefits from insurance will occur. Applicant must notify grantee and FEMA of such recoveries and the Sub-Grant award amount must be reduced by actual insurance proceeds.

FEMA requires the Applicant to take reasonable efforts to pursue claims to recover insurance proceeds that it is entitled to

receive from its insurer(s). In the event that any insurance proceeds are received for these expenses those proceeds must be reduced from FEMA Public Assistance funding to ensure no duplication of benefits has occurred.

Wil Notto, PA Insurance Specialist, CRC East

O&M Requirements

There are no Obtain and Maintain Requirements on **Salisbury COVID-19 Project**.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

EHP Additional Info

There is no additional environmental historical preservation on **Salisbury COVID-19 Project**.

Final Reviews

Final Review

Reviewed By Conzone, Connor W.

Reviewed On 09/23/2020 3:05 PM EDT

Review Comments

No comments available for the Final Review step

Recipient Review

Reviewed By Bender, Sara

Reviewed On 09/23/2020 3:52 PM EDT

Review Comments

No comments available for the Recipient Review step

Project Signatures

Signed By Tull, John

Signed On 09/23/2020

44 CFR § 206.206 Appeals

An eligible applicant, subgrantee, or grantee may appeal any determination previously made related to an application for or the provision of Federal assistance according to the procedures below.

- (a) **Format and Content.** The applicant or subgrantee will make the appeal in writing through the grantee to the Regional Director. The grantee shall review and evaluate all subgrantee appeals before submission to the Regional Director. The grantee may make grantee-related appeals to the Regional Director. The appeal shall contain documented justification supporting the appellant's position, specifying the monetary figure in dispute and the provisions in Federal law, regulation, or policy with which the appellant believes the initial action was inconsistent.
- (b) **Levels of Appeal.**
 - (1) The Regional Director will consider first appeals for public assistance-related decisions under subparts A through L of this part.
 - (2) The Associate Director/Executive Associate Director for Response and Recovery will consider appeals of the Regional Director's decision on any first appeal under paragraph (b)(1) of this section.
- (c) **Time Limits.**
 - (1) Appellants must file appeals within 60 days after receipt of a notice of the action that is being appealed.
 - (2) The grantee will review and forward appeals from an applicant or subgrantee, with a written recommendation, to the Regional Director within 60 days of receipt.
 - (3) Within 90 days following receipt of an appeal, the Regional Director (for first appeals) or Associate Director/Executive Associate Director (for second appeals) will notify the grantee in writing of the disposition of the appeal or of the need for additional information. A request by the Regional Director or Associate Director/Executive Associate Director for additional information will include a date by which the information must be provided. Within 90 days following the receipt of the requested additional information or following expiration of the period for providing the information, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal. If the decision is to grant the appeal, the Regional Director will take appropriate implementing action.

- (d) **Technical Advice.** In appeals involving highly technical issues, the Regional Director or Associate Director/Executive Associate Director may, at his or her discretion, submit the appeal to an independent scientific or technical person or group having expertise in the subject matter of the appeal for advice or recommendation. The period for this technical review may be in addition to other allotted time periods. Within 90 days of receipt of the report, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal.
- (e) **Transition.**
 - (1) This rule is effective for all appeals pending on and appeals from decisions issued on or after May 8, 1998, except as provided in paragraph (e)(2) of this section.
 - (2) Appeals pending from a decision of an Associate Director/ Executive Associate Director before May 8, 1998 may be appealed to the Director in accordance with 44 CFR 206.440 as it existed before May 8, 1998 (44 CFR, revised as of October 1, 1997).
 - (3) The decision of the FEMA official at the next higher appeal level shall be the final administrative decision of FEMA.

[63 FR 17110, Apr. 8, 1998; 63 FR 24970, May 6, 1998]

April 13, 2021

Mr. John Tull
Fire Chief
Salisbury
325 Cypress St
Salisbury, MD 21801-4060

Re: Increase to 100% Federal Share – PW# 39
(Grants Portal# 151361– COVID-19 Project 2)
Salisbury (FIPS# 045-69925-00)
COVID-19 Disaster (FEMA-4491-DRMD) – Public Assistance CFDA# 97.036

Dear Mr. Tull:

The Federal Emergency Management Agency (FEMA) has increased the Federal Share to 100% for Project Worksheet (PW) 39 (enclosed) for reimbursement of the COVID-19 response and recovery costs. The total reimbursement for this grant is the Federal Share of the project's total Eligible Costs. Payment in the amount of **\$11,437.71** is being processed.

PW#	Version	Eligible Costs	Reimbursement
39	0	45,750.85	34,313.14
39	1	0.00	11,437.71
Totals:		\$45,750.85	\$45,750.85

Total Reimbursement	45,750.85
Previous Payment (10/28/20)	(34,313.14)
Current Payment	\$11,437.71

In accordance with 44 CFR § 206.206 (enclosed), which governs the Public Assistance appeal process, you have 60 days from the date of receipt of this letter to appeal any action related to this disaster. Any appeal of a FEMA decision should be submitted through the Maryland Emergency Management Agency (MEMA) with supporting justification.

Thank you for your hard work throughout the COVID-19 response and recovery. If you have any questions regarding this project or its payment, please contact me at 410-517-3625.

Sincerely,

John Harding, Jr.
Public Assistance Grants Administrator

njl
2 enclosures

cc: Dave Shipley, Director, Wicomico County Emergency Management Agency

DR-4491

COVID-19 Disaster

**Department of Homeland Security
Federal Emergency Management Agency**

General Info

Project #	151361	PW #	39	Project Type	Work Completed / Fully Documented
Project Category	B - Emergency Protective Measures			Applicant	Salisbury, City of (045-69925-00)
Project Title	Salisbury COVID-19 Project 2			Event	4491DR-MD (4491DR)
Project Size	Small			Declaration Date	3/26/2020
Activity Completion Date	9/26/2020			Incident Start Date	1/20/2020
Process Step	Obligated			Incident End Date	Ongoing

Damage Description and Dimensions

The Disaster # 4491DR, which occurred between *01/20/2020* and *Ongoing*, caused:

Damage # 402128; Emergency Protective Measures (Damage for Project [151361] Salisbury COVID-19 Project 2)

During the incident period of 1/20/2020 through Ongoing, COVID-19 created an immediate threat to the health and safety of the general public requiring emergency response and protective measures.

- Provided Medical Care and Transport for COVID-19 precautionary transportation measures at City of Salisbury from 3/5/2020 to 6/30/2020.
- Provided Security for Traffic control at COVID-19 Testing Site. at Perdue Stadium, 6400 Hobbs Road from 5/1/2020 to 5/2/2020.
- Provided Disinfection for COVID-19 precautionary disinfection measures. at Paleo Water Plant, 2322 Scenic Drive, Salisbury MD from 3/17/2020 to 6/30/2020.
- Provided Disinfection for COVID-19 precautionary disinfection measures. at 1142 Marine Road, Salisbury MD from 3/18/2020 to 6/30/2020.

Final Scope

402128 Damage for Project [151361] Salisbury COVID-19 Project 2

Work Completed – Streamlined COVID-19 Application

In response to the COVID-19 Public Health Emergency, the applicant utilized force account labor, and equipment in taking the Emergency Protective Measures of medical transportation, disinfection of work places, and providing security for testing sites.

Cost share for this version is 75%. All work and costs in this project fall between 3/5/2020 and 6/30/2020.

COVID-19 Streamlined Application Disclosures:

FEMA will not approve PA funding that duplicates funding or assistance provided by another Federal agency, including the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, CARES Act, and the United States Department of Agriculture.

Under the COVID-19 Declarations, eligible emergency medical care costs are eligible for the duration of the Public Health Emergency, as determined by HHS.

City of Salisbury

- A. Police provided security and traffic control at COVID-19 testing site.
- B. Water personnel were brought in early to disinfect work areas.
- C. Fire department provided additional medical transportation in accordance with safety precautions developed for the treatment of suspected COVID-19 cases.
 - 1. Force Account Labor Overtime 1772.5 hours: \$36,190.63
 - 2. Force Account Equipment – 122 equipment hours: \$9,560.22

Work Completed Total: **\$45,750.85**

Project Notes:

- 1. Scope and cost were developed based on applicant cost summaries and certification included in the Schedule EZ – Small Project Estimate.

Cost

Code	Quantity	Unit	Total Cost	Section
9008 (Equipment)	1.00	Lump Sum	\$9,560.22	Completed
9007 (Labor)	1.00	Lump Sum	\$36,190.63	Completed

CRC Gross Cost	\$45,750.85
Total Insurance Reductions	\$0.00
CRC Net Cost	\$45,750.85
Federal Share (100.00%)	\$45,750.85
Non-Federal Share (0.00%)	\$0.00

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
0	Eligible	Awarded	PA-03-MD-4491-PW-00039(35)	\$45,750.85	75 %	\$34,313.14	9/25/2020
1	Eligible	Awarded	PA-03-MD-4491-PW-00039(151)	\$0.00	25 %	\$11,437.71	3/28/2021

Drawdown History

EMMIE Drawdown Status As of Date	Obligation Number	Expenditure Number	Expended Date	Expended Amount
2/11/2021	4491DRMDP00000391	202025Z6-02102021	2/9/2021	\$34,313.14

Subgrant Conditions

- As described in 2 CFR, Part 200 § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a sub-recipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions, Part 200.333, (a) – (f), (1), (2). All records relative to this Project Worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the applicant's completion of all of its small projects and compliance with all environmental and historic preservation requirements within 180 days of the applicant's completion of its last small project.
- The terms of the FEMA-State Agreement are incorporated by reference into this project award under the Public Assistance grant and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Policy and Program Guide; and other FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the date of the declaration of this major disaster are incorporated by reference into this project award under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at 2 C.F.R. pt. 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. pt. 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The applicant must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the applicant commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.

Insurance

Additional Information

9/17/20

Per the Deduction Section of the Streamlined Application, the Applicant is confirming that they do not have insurance for the activities identified in Section II of the Streamline Application Project worksheet. Further, Section II of the Streamlined Application Project, the Applicant has confirmed that a reasonable effort to recover insurance proceeds that they are entitled to receive from their insurer(s) has been taken.

This declaration is specific for the cost associated with the actions taken to protect the public health and safety of the general population from the COVID-19 Pandemic. No insurance proceeds are anticipated for these costs.

If in the event any part or all costs are paid by an insurance policy, a duplication of benefits from insurance will occur. Applicant must notify grantee and FEMA of such recoveries and the Sub-Grant award amount must be reduced by actual insurance proceeds.

FEMA requires the Applicant to take reasonable efforts to pursue claims to recover insurance proceeds that it is entitled to receive from its insurer(s). In the event that any insurance proceeds are received for these expenses those proceeds must be reduced from FEMA Public Assistance funding to ensure no duplication of benefits has occurred.

Wil Notto, PA Insurance Specialist, CRC East

O&M Requirements

There are no Obtain and Maintain Requirements on **Salisbury COVID-19 Project 2**.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Unanswered

This project is not a major federal action affecting the environment per Section 316 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5159. Additionally, in accordance with 36 CFR § 800.12(d) and 44 CFR § Part 9.5(c) (1), this project is exempt from NHPA, EO 11988, and EO 11990 reviews and the project is not an action that affects listed species and/or designated critical habitat, if such were present. In accordance with 3.2.A.2.a of the FEMA Instruction 108-1-1, this is a STATEX action and no documentation is required.

Final Reviews

Final Review

Reviewed By Conzone, Connor W.

Reviewed On 09/23/2020 7:04 AM EDT

Review Comments

No comments available for the Final Review step

Recipient Review

Reviewed By Bender, Sara

Reviewed On 09/23/2020 9:07 AM EDT

Review Comments

No comments available for the Recipient Review step

Project Signatures

Signed By Tull, John

Signed On 09/23/2020

44 CFR § 206.206 Appeals

An eligible applicant, subgrantee, or grantee may appeal any determination previously made related to an application for or the provision of Federal assistance according to the procedures below.

- (a) **Format and Content.** The applicant or subgrantee will make the appeal in writing through the grantee to the Regional Director. The grantee shall review and evaluate all subgrantee appeals before submission to the Regional Director. The grantee may make grantee-related appeals to the Regional Director. The appeal shall contain documented justification supporting the appellant's position, specifying the monetary figure in dispute and the provisions in Federal law, regulation, or policy with which the appellant believes the initial action was inconsistent.
- (b) **Levels of Appeal.**
 - (1) The Regional Director will consider first appeals for public assistance-related decisions under subparts A through L of this part.
 - (2) The Associate Director/Executive Associate Director for Response and Recovery will consider appeals of the Regional Director's decision on any first appeal under paragraph (b)(1) of this section.
- (c) **Time Limits.**
 - (1) Appellants must file appeals within 60 days after receipt of a notice of the action that is being appealed.
 - (2) The grantee will review and forward appeals from an applicant or subgrantee, with a written recommendation, to the Regional Director within 60 days of receipt.
 - (3) Within 90 days following receipt of an appeal, the Regional Director (for first appeals) or Associate Director/Executive Associate Director (for second appeals) will notify the grantee in writing of the disposition of the appeal or of the need for additional information. A request by the Regional Director or Associate Director/Executive Associate Director for additional information will include a date by which the information must be provided. Within 90 days following the receipt of the requested additional information or following expiration of the period for providing the information, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal. If the decision is to grant the appeal, the Regional Director will take appropriate implementing action.

- (d) **Technical Advice.** In appeals involving highly technical issues, the Regional Director or Associate Director/Executive Associate Director may, at his or her discretion, submit the appeal to an independent scientific or technical person or group having expertise in the subject matter of the appeal for advice or recommendation. The period for this technical review may be in addition to other allotted time periods. Within 90 days of receipt of the report, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal.
- (e) **Transition.**
 - (1) This rule is effective for all appeals pending on and appeals from decisions issued on or after May 8, 1998, except as provided in paragraph (e)(2) of this section.
 - (2) Appeals pending from a decision of an Associate Director/ Executive Associate Director before May 8, 1998 may be appealed to the Director in accordance with 44 CFR 206.440 as it existed before May 8, 1998 (44 CFR, revised as of October 1, 1997).
 - (3) The decision of the FEMA official at the next higher appeal level shall be the final administrative decision of FEMA.

[63 FR 17110, Apr. 8, 1998; 63 FR 24970, May 6, 1998]