

ORDINANCE NO. 2686

AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT FOR THE PURPOSE OF ACCEPTING ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$17,796.00, AND TO APPROVE A BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE SUCH CDBG FUNDS FOR THE PROJECTS OUTLINED IN THE 2021 CDBG ACTION PLAN.

WHEREAS, the Maryland State Office of the U.S. Department of Housing & Urban Development (“**HUD**”) has determined the City of Salisbury (“**City**”) qualifies as an entitlement community; and

WHEREAS, the City is, therefore, entitled to receive Community Development Block Grant (“**CDBG**”) funds directly from HUD, upon HUD’s approval of the City’s annual Action Plan; and

WHEREAS, the amount of CDBG funding awarded by HUD to the City for PY2021 was higher than the amount anticipated by the City, as set forth in the FY2022 Schedule C Form (the “**FY2022 Schedule C**”) that was accepted through the City’s FY2022 budget process; and

WHEREAS, the FY2022 Schedule C identifies anticipated PY2021 CDBG funding in the amount of \$388,000.00, however, for PY2021, HUD awarded the City CDBG funding in the amount of \$405,796.00, resulting in an award that is \$17,796.00 more than the anticipated amount of CDBG funding set forth in the FY2022 Schedule C; 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, the appropriations necessary to execute the purpose of the additional \$17,796.00 of CDBG funds awarded to the City by HUD for PY2021, as provided hereinabove, 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 U.S. Department of Housing & Urban Development (“**HUD**”), on behalf of the City of Salisbury (the “**City**”), for the City’s acceptance of Community Development Block Grant (“**CDBG**”) funds in the amount of \$17,796.00.

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

Section 2. The City of Salisbury’s Grant Fund Budget be and hereby is amended as follows:

- (a) Increase CDBG Revenue Account No. 12800–423300–XXXXX by \$17,796.00; and
- (b) Increase CDBG Operating Expense Account No. 12800–546006–XXXXX by \$17,796.00.

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

Section 3. 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 4. 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 5. 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 5.

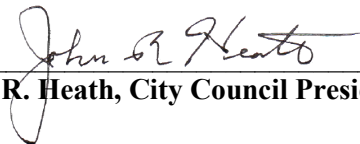
Section 6. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 27th day of September, 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 11th day of October, 2021.

ATTEST:



Kimberly R. Nichols, City Clerk



John R. Heath, City Council President

Approved by me, this 15th day of October, 2021.



Jacob R. Day, Mayor

Finance Department / HCDD

MEMO

To: Keith Cordrey

From: Deborah Stam

Subject: Ordinance – Budget Amendment – Acceptance / Appropriation of
Additional PY 2021 CDBG Funding

Date: September 17, 2021

The City of Salisbury has received a larger award of PY 2021 CDBG funding from the U.S. Department of Housing & Urban Development (HUD) than we anticipated / included on the FY22 Schedule C form. The amount of PY 2021 CDBG funding that was included on the FY22 Schedule C form was \$388,000, while the amount of PY 2021 CDBG funding awarded to the City of Salisbury by HUD was \$405,796, resulting in a difference of \$17,796. Those additional funds will need to be accepted / appropriated into the budget so that they may be expended.

Attached is an Ordinance approving a budget amendment of the City's Grant Fund to appropriate the additional \$17,796 in PY 2021 CDBG funds that have been awarded to the City. Those funds will be utilized for the projects included in the PY 2021 CDBG Action Plan

Please forward this information to the City Council to be placed on their agenda for first reading at the September 27, 2021 legislative meeting, and second reading / final passage at the October 11, 2021 legislative meeting. Thank you for your assistance.



Deborah J. Stam
Grants Manager
Finance Department / HCDD

Attachments

CC: Olga Butar
Kim Nichols
Julie English
Michael Sullivan