

## ORDINANCE NO. 2699

**AN ORDINANCE OF THE CITY OF SALISBURY AUTHORIZING THE MAYOR TO ACCEPT ADDITIONAL GRANT FUNDING FROM THE MARYLAND DEPARTMENT OF THE ENVIRONMENT (MDE) BAY RESTORATION FUND (BRF) AND TO APPROVE A BUDGET AMENDMENT TO THE FY 2022 GENERAL FUND BUDGET TO APPROPRIATE SUCH MDE BRF FUNDS FOR REPAIR AND MAINTENANCE PROJECTS TO BE COMPLETED AT THE WASTE WATER TREATMENT PLANT.**

**WHEREAS**, the City of Salisbury is eligible to receive Operation and Maintenance (O&M) grant funds from the Maryland Department of the Environment (MDE) through the Bay Restoration Fund (BRF) based on the performance of the Wastewater Treatment Plant; and

**WHEREAS**, the City's FY22 Budget Ordinance No. 2660, Schedule C listed the MDE BRF O&M Grant for FY22 in the amount of \$255,000.00; and

**WHEREAS**, due to the exemplary performance of the Wastewater Treatment Plant in calendar year 2020, the City was awarded \$439,966.00 in MDE BRF O&M Grant funds, resulting in an award that is \$184,966.00 more than the anticipated amount of BRF O&M funding set forth in the FY22 Schedule C; and

**WHEREAS**, the City has received payment in full for the total grant award amount from MDE and desires to utilize those funds to implement projects at the Wastewater Treatment Plant; and

**WHEREAS**, the Department of Water Works desires to replace the HVAC system in the main operations building and design and construct upgrades to the electrical system; and

**WHEREAS**, the two projects are part of the operations and maintenance of the Wastewater Treatment Plant and are therefore eligible uses for the BRF O&M grant funds; 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 \$184,966.00 of BRF O&M funds awarded to the City by MDE for FY22, 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 accept grant funds from the Maryland Department of the Environment ("MDE"), on behalf of the City of Salisbury (the "City"), for the City's acceptance of Bay Restoration Fund Operation and Maintenance funds in the amount of \$184,966.00.

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

**Section 2.** The City of Salisbury's FY22 General Fund Budget be and hereby is amended as follows:

- (a) Increase MDE Revenue Account No. 60100-425800 by \$184,966.00; and
- (b) Increase WWTP HVAC Construction Expense Account

No. 96216-513026-55519 by \$100,500.00.

- (c) Increase WWTP Electrical System Upgrade Design Account  
No. ~~XXXXXX~~-513020-~~XXXXXX~~ by \$180,000.00.
- (d) Increase WWTP Electrical System Upgrade Construction Account  
No. ~~XXXXXX~~-513026-~~XXXXXX~~ by \$159,466.00.

**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.

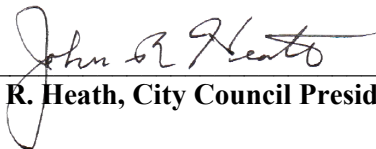
**Section 5.** The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 5.

**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 22<sup>nd</sup> day of November, 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 13<sup>th</sup> day of December, 2021.

**ATTEST:**

  
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**Kimberly R. Nichols, City Clerk**

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

Approved by me, this 14th day of December, 2021.

  
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**Jacob R. Day, Mayor**



**To:** Julia Glanz, City Administrator  
**From:** Cori Cameron, Director of Water Works  
**Subject:** Wastewater Treatment Plant Electricity and Main Building HVAC  
**Date:** November 9, 2021

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The WWTP experienced several electrical emergencies in the last two years. The Department of Water Works had an electrical systems evaluation completed by GHD to identify any additional potential electrical issues at the plant. The report summarizes all of the items that need repairs or additional testing. There is an urgent need for these repairs to keep from any further power failures or electrical damage at the plant. A complete loss of power at the plant could be catastrophic.

The main operations building for the WWTP currently has two different failing HVAC systems. Part of this system is crumbling and some offices do not have any heat or air. Both were funded to be combined and replaced in FY 22. Bids were received at \$190,500 and the Department of Water Works had \$90,000 to complete this project.

The Wastewater Treatment Plant received a BNR Operations and Maintenance Grant from MDE for the FY22 year in the amount of \$439,966. The Department of Water Works would like to move this money into project accounts to complete the engineering design for the WWTP electric \$180,000 and the HVAC for the main building \$100,500. We would like to request the remaining \$159,466, go in the electric project account towards the engineering construction. The additional engineering construction request will be in the FY23 CIP.

Authorized By:

Cori Cameron, Director of Water Works