

ORDINANCE NO. 2791

AN ORDINANCE OF THE CITY OF SALISBURY TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE NATIONAL ENDOWMENT OF THE ARTS (NEA) FOR THE PURPOSE OF ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$10,000, AND TO APPROVE A BUDGET AMENDMENT TO THE GRANT FUND TO APPROPRIATE THESE FUNDS TO BE USED FOR ELIGIBLE EXPENSES ASSOCIATED WITH THE 81ST NATIONAL FOLK FESTIVAL.

WHEREAS, the City of Salisbury in February 2020 submitted a Grant for Arts Projects application to the National Endowment for the Arts (NEA), an independent federal agency established by Congress, for financial assistance in opportunities for public engagement with the arts and arts education, specifically to include assistance with the 81st National Folk Festival; and

WHEREAS, NEA has awarded Grant for Arts Projects funds to the City of Salisbury in the amount of \$10,000; and

WHEREAS, the \$10,000 granted to the City by NEA will be utilized to provide funding for the 81st National Folk Festival and to reimburse a portion of funds spent by the City on artist fees, interpretive signage, marketing, and photography costs associated with this event;

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 John R. Heath, on behalf of the City of Salisbury, is hereby authorized to enter into a grant agreement with the National Endowment for the Arts, for the City's acceptance of grant funds in the amount of \$10,000, to be allocated for assistance with the 81st National Folk Festival.

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 NEA Revenue Account No. 10500-4XXXXX-XXXXX by \$10,000.
- (b)** Increase Operating Expense Account No. 10500-546006-XXXXX by \$10,000.

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.

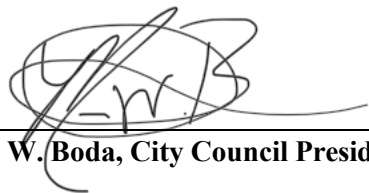
Section 6. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 10th day of April, 2023 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 24th day of April, 2023.

ATTEST:

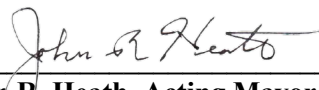


Kimberly R. Nichols, City Clerk



Muir W. Boda, City Council President

Approved by me, this 28th day of April, 2023.



John R. Heath, Acting Mayor



City of Salisbury

MEMORANDUM

To: City Council

From: Allen Swiger, ABCD Director
Scott Roberts, ABCD Assistant Director

Subject: NEA Grants for Arts Projects Grant

Date: 3/28/23

Attached is an Ordinance to accept funding from the National Endowment for the Arts (NEA), NEA Grants for Arts Projects. The purpose of the Grants for Arts Projects is to provide comprehensive and expansive funding opportunities for communities. Through project-based funding, the program supports opportunities for public engagement with the arts and arts education, for the integration of the arts with strategies promoting the health and well-being of people and communities, and for the improvement of overall capacity and capabilities within the arts sector.

This funding, in the amount of \$10,000, will be utilized to reimburse funds spent on artist fees, interpretive signage, marketing and photography spent on the 81st National Folk Festival.

Included is the Grant Award Terms, Notice of Action and Projected Budget Form.

OFFICIAL NOTICE OF ACTION

National Endowment for the Arts

Action Taken: Award

Date of Action: 5/3/2021

Award Date: 5/3/2021

FEDERAL AWARD INFORMATION

Federal Award ID Number (FAIN)	1865707-55-21
Award Recipient	City of Salisbury, Maryland
Award Recipient Unique Entity Identifier	030321699
Period of Performance	10/1/2021 - 12/31/2022
Budget Period	10/1/2021 - 12/31/2022
Assistance Listing Number/Title	45.024 Promotion of the Arts_ Grants to Organizations and Individuals
Does the award support Research & Development?	No
Award Description	To support the Maryland Folk Festival.
Grant Program and Office	Grants for Arts Projects, Folk & Traditional Arts

AWARD AMOUNTS

Amount of Federal Funds Obligated by this Action	\$10,000.00
Total Amount of Federal Funds Obligated	\$10,000.00
Total Amount of the Federal Award	\$10,000.00

RECIPIENT CONTACTS

Role	Name
Authorizing Official	Andy Kitzrow (User Name - AKitzrow) akitrow@salisbury.md
Grant Administrator	Caroline O'Hare (User Name - COHare) cohare@salisbury.md
Project Director	Caroline O'Hare (User Name - COHare) cohare@salisbury.md

REMARKS

1. COST SHARE

A non-federal cost share of 100% (1:1 match) is required unless otherwise indicated in the *Terms and Conditions/Important Information* document (20 USC § 954(e)).

2. The National Endowment for the Arts provides this award support pursuant to 20 USC §954-955.

3. ACCEPTANCE OF AWARD

Submission of a Payment Request constitutes your agreement to comply with all the terms and conditions of the award and indicates your acceptance of this award.

4. GENERAL TERMS AND CONDITIONS

This award is subject to the *General Terms and Conditions for Grants and Cooperative Agreements to Organizations* (GTCs), which outline the administrative requirements that apply to your award and your obligations as a recipient. You are responsible for reviewing these GTCs; failure to comply may result in the disallowance of project expenditures and/or the reduction or withdrawal of National Endowment for the Arts support for your project.

The administration of this award and the expenditure of award funds are subject to any specific terms and conditions of this award, which may be attached as additional pages of the award notification, the *Terms and Conditions/Important Information*, and the GTCs (as noted above).

The GTCs implements Title 2 of the Code of Federal Regulations (2 CFR) including Subtitle A-Office of Management and Budget Guidance for Grants and Agreements and Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, or Part 200), as revised August 13, 2020

5. HOW TO MANAGE YOUR AWARD AND eGMS REACH HANDBOOK

The *How to Manage Your National Endowment for the Arts Award and eGMS REACH Handbook* is a companion piece to the GTCs. It includes information about reporting requirements, requesting payment, changes to your project, and other important information.

6. All material can be found on our website at <https://www.arts.gov/grants/manage-your-award/awards-after-oct1-2017>.

OFFICIAL NOTICE OF ACTION

National Endowment for the Arts

[7. CONTACT INFORMATION](#)

Email: grants@arts.gov Phone (202) 682-5403.

AWARDING OFFICIAL



Meg Kowalik
Lead Grants Management Specialist

NATIONAL ENDOWMENT FOR THE ARTS - IMPORTANT INFORMATION

Recipient: City of Salisbury, Maryland
Federal Award ID Number (FAIN): 1865707-55-21
Period of Performance: October 1, 2021 to December 31, 2022
Project: To support the Maryland Folk Festival.

GENERAL TERMS AND CONDITIONS

This award is subject to the *General Terms and Conditions for Grants and Cooperative Agreements to Organizations* (GTCs), which outline the administrative requirements that apply to your award and your obligations as a recipient. You are responsible for reviewing these Terms; failure to comply may result in the disallowance of project expenditures and/or the reduction or withdrawal of National Endowment for the Arts' support for your project.

The administration of this award and the expenditure of award funds are subject to any specific terms and conditions of this award, which may be attached as additional pages of the award notification, the Terms and Conditions/Important Information, and the GTCs (as noted above).

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HOW TO MANAGE YOUR AWARD AND NATIONAL ENDOWMENT FOR THE ARTS eGMS REACH HANDBOOK

The *How to Manage Your National Endowment for the Arts Award and eGMS REACH Handbook* is a companion piece to the GTCs. It includes information about reporting requirements, requesting payment, changes to your project, and other important information.

All materials and instructions for managing your award can be found on our website at www.arts.gov/grants/manage-your-award/awards-after-oct1-2017

COST SHARE

A non-federal cost share of 100% (1:1 match) is required unless otherwise indicated below.

- **Total Amount of Federal Award:** \$10,000.00
- **Total Approved Cost Share as Required by 20 USC 954(e):** \$10,000.00
- **Total Amount of the Federal Project including Approved Cost Share:** \$20,000.00

BUDGET AND OTHER NOTES

The project budget submitted 2/26/2021 is approved.

The approved project budget is derived from your application, revised budget, and/or other communication. All costs must be incurred within the period of performance listed on your award Notice of Action. It is understood that the approved budget reflects estimated expenditures and that actual, allowable expenditures will be reported on all financial reports.

Unallowable costs that have been removed from your budget cannot be supported with Federal or cost share/matching funds and should not be included on any future reports for this award.

The budget cannot include overlapping project costs with any other direct Federal grant including awards

made directly by the National Endowment for the Arts or another Federal Agency (e.g., NEH, HUD, etc.) per 2 CFR §200.306 and Arts Endowment's Legislation. Arts Endowment funds that are sub-granted to you through a state or regional arts agency, or a local arts organization, or supporting your project through a partner, cannot be claimed as cost share/match on this award per 2 CFR §200.306 and NEA Legislation.

All activities supported with Arts Endowment or cost share/matching funds, including performance/touring activities as well as publications, websites, or other media projects, must be made accessible to people with disabilities in compliance with Section 504 and the ADA.

Any airfare charged to the award, whether domestic or foreign, may not exceed the value of the basic least expensive unrestricted accommodations class offered by a commercial carrier (2 CFR §200.475(d)). You are required to follow the provisions of the Fly America Act. See the General Terms & Conditions for additional information. Payments to foreign nationals and/or non-compliant travel to or from countries sanctioned by the U.S. Treasury Department's Office of Foreign Asset Control are unallowable.

Proper documentation must be maintained for all costs in the budget, including all salaries charged, in whole or in part, to this award (per 2 CFR §200.302, .334, .430(i)), as well as for all in-kind contributions claimed (per 2 CFR §200.302 and .334).