



MARYLAND

**SALISBURY CITY COUNCIL
WORK SESSION AGENDA**

**MARCH 21, 2016
COUNCIL CHAMBERS
GOVERNMENT OFFICE BUILDING**

- 4:30 p.m. Presentation – CareFirst HealthCheck – Jean Sewell
- 5:00 p.m. Authorizing the Mayor to Expend ESG Funds – Theo Williams
- 5:15 p.m. Accepting Funds from Edward Byrne Memorial JAG – Chief Duncan/Theo Williams
- 5:30 p.m. Council Authorizing Mayor’s Grant Expenditures – Theo Williams
- 5:45 p.m. Fire Station #2 Utilities Easement – Rick Hoppes
- 6:00 p.m. Mayor’s Council in Support of People with Disabilities Name Change – Tom Stevenson
- 6:10 p.m. Revolving Loan Bankers’ Review Committee Name Change – Tom Stevenson
- 6:20 p.m. CAFO (Confined Animal Feeding Operation) – Council Discussion
- 6:45 p.m. Motion to convene in **CLOSED SESSION** in accordance with the Annotated Code of Maryland 10-508(a)(14)

*Times shown are approximate. Council reserves the right to adjust the agenda as circumstances warrant.
The Council reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland 10-508(a).*

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson
From: Theo Williams
Subject: Resolution to Expend FFY15 Emergency Solutions Grant Funds
Date: March 8, 2016

Each year, the City of Salisbury applies for and receives an allocation of state and federal funds to combat homelessness through the Emergency Solutions Grant program. This program is administered by the MD Department of Housing and Community Development. The city applies for these funds on behalf of three homeless service agencies: Diakonia, Samaritan Ministries, and Village of Hope. We received \$121,102 in total funding, distributed as followed:

- Diakonia: \$71,885
- Samaritan Ministries: \$25,555
- Village of Hope: \$23,662

Our funding allocation this year represents an 8% decrease from the previous year, most likely a result of a slight decrease in our homeless numbers between FY13 and FY14. FY15 saw an increase in our homeless numbers, so we should expect an increase in FFY16 ESG funding. These funds are utilized by these agencies for maintenance of operation of their emergency shelter, and, in the case of Diakonia, funding for homeless prevention and “rapid re-housing.” I am happy to answer any other questions you, the Mayor, or council may have.



Maryland Department of Housing and Community Development

LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lt. Governor

KENNETH C. HOLT
Secretary

ELLINGTON CHURCHILL, JR.
Deputy Secretary

RECEIVED
MAR 04 2016
BY: [Signature]

March 1, 2016

Ms. Deborah Stam
Director of Community Development
City of Salisbury
125 N. Division Street
Salisbury, MD 21801

Dear Ms. Stam: [Signature]

Enclosed is the fully executed FFY 2015 Grant Agreement for the U.S. Department of Housing and Community Development (HUD) Emergency Solutions Grants Program (ESG), under which the City of Salisbury has been awarded **\$121,802.00** by the Department of Housing and Community Development (DHCD). The grantee number is 16ESG-17-2015. The CDFA Number is 14.231. This funding will support homeless assistance administered by the following service providers. This agreement includes funding provided by the State of Maryland, under the State's ESG:

<u>Service Provider</u>	<u>ESG Funding</u>
Village of Hope	\$23,662.00
Samaritan Ministries, Inc.	\$25,555.00
Diakonia	\$71,885.00

Please contact me at (301) 429-7521 or via email at karen.ashby@maryland.gov if you have any questions about the grant agreement, or other aspects of the Program.

Sincerely,

[Signature]

Karen E. Ashby, Assistant Director
Office of Community Programs

Enclosure



Resolution No. ____

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MD DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) FOR THE PURPOSE OF EXPENDING GRANT FUNDS IN THE AMOUNT OF \$121,102.

WHEREAS, the City of Salisbury applied for funds through the MD DHCD's Emergency Solutions Grant Program; and

WHEREAS, the MD DHCD has awarded the City of Salisbury funds in the amount of \$121,802; and

WHEREAS, the City of Salisbury will act as a pass-through entity for Village of Hope, receiving \$23,662; Samaritan Ministries, Inc., receiving \$25,555; and Diakonia, receiving \$71,885; and

WHEREAS, the City of Salisbury must enter into a grant agreement with the MD DHCD defining how these funds must be expended; and

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

NOW, THEREFORE BE IT RESOLVED THAT, the Council of the City of Salisbury, Maryland does hereby authorize Mayor Jacob R. Day to enter into a grant agreement with the MD DHCD, budget the requisite funds, and expend the awarded funds accordingly.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on March __, 2016 and is to become effective immediately.

ATTEST:

Kimberly R. Nichols
CITY CLERK

John "Jack" R. Heath
CITY COUNCIL PRESIDENT

APPROVED BY ME this ____ day of _____, 2016.

Jacob R. Day
MAYOR

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson
From: Theo Williams
Subject: Resolution to Expend FFY15 Justice Assistance Grant Funds
Date: March 8, 2016

The Salisbury Police Department annually applies for and receives grant funding through the Dept. of Justice's Edward Byrne Memorial Justice Assistance Grant (JAG). These funds are used for SPD's various technological needs. This year, we received \$27,871, an 18% decrease in funding from the previous year, as a result of a drop in our crime numbers. These funds will be used by SPD in order to:

- Purchase asset management software for SPD's Procurement Division and Quartermaster's Office
- Large monitoring screens & camera controllers for SPD's upgraded video recording system
- Replacing and upgrading old & obsolete computer, computer accessory, and software

If you have any other further questions, please let me know.

Resolution No. ____

A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE'S BUREAU OF JUSTICE ASSISTANCE FOR THE PURPOSE OF EXPENDING GRANT FUNDS IN THE AMOUNT OF \$27,871.

WHEREAS, the City of Salisbury applied for funds through the Department of Justice's Edward Byrne Memorial Justice Assistance Grant Program; and

WHEREAS, the Department of Justice has awarded the City of Salisbury funds in the amount of \$27,871; and

WHEREAS, these funds are to be used to purchase asset management software, upgrade its video recording camera system, and various computer-related purchases; and

WHEREAS, the City of Salisbury must enter into a grant agreement with Department of Justice, defining how these funds must be expended; and

WHEREAS, § 7-29 of the Salisbury City Charter forbids the Mayor from entering into an contract that requires an expenditure not authorized by the City Council;

NOW, THEREFORE BE IT RESOLVED THAT, the Council of the City of Salisbury, Maryland does hereby authorize Mayor Jacob R. Day to enter into a grant agreement with Department of Justice and expend the awarded funds accordingly.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on March __, 2016, and is to become effective immediately.

ATTEST:

Kimberly R. Nichols
CITY CLERK

John "Jack" R. Heath
CITY COUNCIL PRESIDENT

APPROVED BY ME this ____ day of _____, 2016.

Jacob R. Day
MAYOR

INTER

OFFICE

MEMO

COMMUNITY DEVELOPMENT

To: Tom Stevenson
From: Theo Williams
Subject: Council Authorizing Mayor's Grant Expenditures
Date: March 8th, 2016

Mr. Cordrey was kind enough to provide a summary of my proposal:

- Currently the council grants authorization process takes between 2-3 months
- This forces SPD to expend funds out of other accounts, which may cause accounting problems
- The proposal is thus:
 - 1 – Schedule C added to budget which will list grants grant administrators want authorized during year.
 - 2 - The schedule will only serve as support as authorized by council when an award letter is received.
 - 3 – Only when the award letter is received will the grant account be set up with appropriations.
 - 4 – For grants that were not on Schedule C, the grant administrator/specialist can submit a resolution which will be placed on the consent agenda.

As part of my duties as Grants Specialist, I am evaluating many of our internal processes in dealing with grants. One stumbling block that I have identified in our internal processes is the amount of time it takes to get from the point when a grant administrator receives a notice of funding to the point that a project account is created in Munis. Currently this process can take two to three months to complete. For many grants, particularly SPD's grants, they cannot afford to wait up to a quarter before expending funds and are forced to expend funds out of their internal accounts or past-year grant accounts. After the grant expenditure is authorized by council and the project account is created, those funds are transferred into this new account. The

main stumbling block in this process is the resolution authorizing the expenditure.

Here is an example of one timeline for accepting a grant, the FY16 Stop the Gun Violence grant:

June 30th: SPD received notice of funding from GOCCP

July 1st: Grant term begins.

July 12th: SPD had to begin spending funds in order to cover OT expenditures.

July 21st: Col. Meienschein prepared and upload the memo & resolution to Asana.

August 17th: Grant goes to work session

September 14th: Grant expenditure is authorized by council at a legislative session

~September 21st-September 28th: Resolution is signed by council president and Mayor and the resolution is sent out to relevant parties and Finance Dept.

October 8th: Project account (23228) is created

As you can see, this is an inordinately long process. In total, this entire process took nearly three and a half months to complete. The largest chunk of this process is council's authorization of the grant expenditure (July 21st – September 21st). I am thus laying out a number of different options to speed up this process.

The current delay is causing a couple of accounting challenges. Some of SPD's grants require that an additional 30% of the overtime salary be utilized for fringe. SPD's current fringe package, however, exceeds 30% of the officer's salary. Thus, at the end of every grant period, the Dept. of Internal Services has to work with SPD in order to transfer the excess fringe out of the grant account and into SPD's fringe accounts. Since SPD must expend these funds even when a project account is not created in Munis, they may charge these funds to the previous year's account. Although a transfer out of the previous year's account occurs once the new account has been set-up, until that occurs, the Department of Internal Services cannot transfer out the excess fringe and close out the account. This can, quite obviously, lead to accounting errors and misrepresentations of available funds.

Alternatively, if SPD charges these grant funds to their internal OT account, their OT account

will appear to be underfunded until a new project account is created to cover the current year's grant. Furthermore, by having the grant-funded OT intermingled with the regular OT, requesting for reimbursement from the granting agency can be difficult. Col. Meienschein and Dee Lehman must compare officer's time sheets for the relevant grant-funded OT with the OT line item in Munis. If the OT is charged directly out of the relevant grant account, the reimbursement information can be taken directly from the grant account.

After consultations with SPD and Dept. of Internal Services, I propose a number of changes. My goal is to satisfy council's desire to be informed of ongoing grant programs, while at the same time ensure that our internal processes run smoothly. Wicomico County currently adds an additional schedule to their annual budget, which lists their projected annual grants. By doing so, the County Council authorizes the county government to enter into a grant agreement, budget accordingly, and authorizes the expenditures. I propose that we add such a schedule to our annual budgets moving forward. A proposed "Schedule C" has been included in the work session package. The amounts listed under the column "Previous Year Allocation," will serve as a reference only. The final budgeted amounts will be dependent upon the final amount awarded. The Munis project account in the Grant Fund *will not* be created at the beginning of the fiscal year. Instead, the account will be created when the relevant department receives the award letter. The same internal processes will be followed once the award letter is received.

For non-annual grants, or grants that we do not receive a formulaic appropriation, the process of bringing these grants to council, under this proposal, will only be modified slightly. As opposed to the resolution authorizing the expenditure going before work session and then being placed on the consent agenda at the following legislative session, I propose that these resolutions go straight on the consent agenda of a legislative session. The Grants Specialist will be present at these legislative sessions to answer any immediate questions that council may have.

In order for council to be aware of and ask questions about the city's current grants, I propose that council schedule a quarterly council discussion on the status of all grants over that quarter. Discussion topics may include a list of all grants expenditures authorized over that quarter, what

those grants are going towards, any grant projects that have been completed, the financial status of the grant fund, any anticipated grant funding, etc. Council could take this time to ask the grants specialist any questions that they might have. The relevant department head(s) could also attend these quarterly council discussions in order to answer any technical questions that council may have.

I look forward to discussing this proposal with council. Please let me know any and all questions that you and the Mayor may have.

Exhibit C: Anticipated Expenditures from Grant Funding

Grant Name	Previous Year Allocation	Start Date	End Date	Funding Source	Funding Dept./Agency
Community Development Dept.					
FFY16 Emergency Solutions Grant	\$ 121,108	10/1/2016	7/30/2018	State	DHCD
Salisbury Police Department					
FY17 Bulletproof Vest Partnership	\$ 21,049	7/1/2016	6/30/2017	State	GOCCP
FFY17 Circuit Court Drug Court	\$ 6,000	10/1/2016	9/30/2017	County	Circuit Court
FY17 Eastern Shore Information Center	\$ 25,000	6/1/2016	5/31/2017	State	MSP
FFY16 Edward Byrne Memorial JAG	\$ 27,871	10/1/2016	9/30/2019	Federal	Dept. of Justice
FY17 Gun Violence Reduction Initiative	\$ 34,500	7/1/2016	6/30/2017	State	GOCCP
FFY17 MD Highway Safety	\$ 9,100	10/1/2016	9/30/2017	State	MVA
FY17 Safe Streets Program	\$ 208,000	7/1/2016	6/30/2017	State	GOCCP
FFY17 U.S. Marshals' Program	\$ 27,000	10/1/2016	9/30/2017	Federal	US Marshals
Total	\$ 479,628				

Expenditures are only authorized up to the amount included in official award from the grantor.



*From the Office
of the
Fire Chief*

To: Tom Stevenson, City Administrator

Date: 10 March 2016

A handwritten signature in blue ink, appearing to be "R. Hoppes", written over the "From:" field.

From: Richard A. Hoppes, Chief of the Department

Subject: Utilities Easement Request for Fire Station # 2

The Salisbury Fire Department is working with Delmarva Power to bury the electric service feed into the new Fire Station # 2 project. This is a request for a new easement for the now combined land parcels where the new fire station is being constructed.

Delmarva Power prepared the attached Utility Easement Agreement. The agreement has been reviewed by the City's legal department and follows language previously used for easement agreements from other City owned projects. The agreement allows Delmarva Power to install and maintain the electric equipment that will be buried underground and running through the property.

Unless you or the Mayor have further questions, please forward a copy of this memo, the ordinance, and the Utility Easement Agreement to the City Council for their consideration.

Attachments: Utilities Easement Ordinance_Fire Station 2
City Salisbury UEA - Brown Street Firehouse
Utilities Easement_ Exhibit A

**This is a Department Specific Communication Intended for Internal Use Only
Unauthorized Use is Strictly Prohibited**

Tax Parcel No.: 1418, Map 0104
Wicomico County, Md.

Prepared By & Delmarva Power & Light Company
Return To: Right- of-Way Department
2530 N. Salisbury Blvd.
Attn: Real Property
Salisbury, MD 21801

UTILITY EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT, made this _____ day of _____, 2016, between THE CITY OF SALISBURY, a Municipal Corporation of the State of Maryland, (“Grantor”) and DELMARVA POWER & LIGHT COMPANY, a corporation of the State of Delaware and the Commonwealth of Virginia (“Delmarva”),

WITNESSETH:

WHEREAS, Grantor is the owner of land located in the State of Maryland, the County of Wicomico, which land abuts on Brown Street, Salisbury, and is recorded in the Land Records for Wicomico County, Maryland in Liber 3796, Folio 413, Liber 3796, Folio 425, Liber 3796, Folio 419, Liber 3796, Folio 407, Liber 1205, Folio 841, Liber 3801, Folio 372 and Liber 3801, Folio 377.

For and in consideration of the payment by Delmarva of the sum of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Delmarva a perpetual easement and right of way and agrees as follows:

1. Delmarva shall have the right to install, operate, maintain, add to, extend, relocate and remove its ELECTRIC (X), GAS (_), COMMUNICATION (X), and other appropriate facilities, and accessories and appurtenances thereto to extend Delmarva’s systems and to provide services to Delmarva’s service areas; including any other cables, conduits, fiber optic cables and wires on, over, under and across Grantor’s land which may become necessary to provide such services as shown on Exhibit “A” attached hereto and made a part hereof and designated as a 5,491.17 +/- square feet Easement Area.
2. The facilities installed pursuant to this agreement shall remain the property of Delmarva and all maintenance, repairs and removals of said facilities shall be the responsibility of Delmarva.
3. Delmarva shall have the right to trim, remove, and/or otherwise maintain all trees and underbrush located 15 feet on each side of the centerline of Delmarva’s facilities.
4. Delmarva shall have the rights of ingress, egress and regress to and over Grantor’s land as necessary for the enjoyment of the rights granted herein.

5. Grantor agrees not to place any improvements, including trees or other foliage, within 10 feet of the opening side of any enclosed equipment installed under the terms of this Agreement and shall not construct any structures or improvements over or under the utility facilities permitted by this Agreement, without written permission from Delmarva.
6. Grantor shall have the right to use the land covered by this Agreement for any lawful purpose not inconsistent with or in contravention of the rights of Delmarva.
7. Grantor covenants that it is seized of and has the right to convey the foregoing easement, rights and privileges; agrees that Delmarva shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges.
8. Grantor agrees that this Utility Easement Agreement shall be binding upon and inure to the benefit of Grantor and Delmarva and their respective heirs, personal representatives, administrators, successors and assigns.
9. Grantor hereby certifies that the actual monetary consideration paid for this Agreement is \$1.00.
10. Delmarva's utility facilities installed hereunder may, without further consideration, be relocated to conform to new or reestablished highway limits, upon written permission given by Grantor.
11. Delmarva shall restore the surface of Grantor's property to the condition it was prior to any disturbance caused by, and upon completion of, any installation, operation or maintenance of its facilities.

As agent on behalf of Delmarva, I certify that this document was prepared by Delmarva.

Name: Lori Van Hoy
Title: Real Estate Representative

AREA INTENTIONALLY LEFT BLANK

WITNESS our hands and seals the day and year aforesaid.

THE CITY OF SALISBURY

WITNESS:

By: _____ (SEAL)

Name: _____

Title: _____

STATE OF COMMONWEALTH OF

)

COUNTY OF

) SS

)

BE IT REMEMBERED, That on the ____ day of _____, 2016, personally came before me, a notary public, the within named Grantor, _____ party(ies) to this indenture and known to me personally to be such, and acknowledged said Agreement to be his/her act of said individual(s) or the act and deed of the corporation or partnership for which he/she signed.

My commission expires: _____

Notary Public

Seal/Stamp Here
Notary

Print Name: _____

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator JG
Subject: Resolution to Rename the Mayor's Council in Support of People with Disabilities
Date: March 6, 2016

Attached please find a resolution approving the name change of the Mayor's Council in Support of People with Disabilities to the Disability Advisory Committee. The proposed name change is in line with the Mayor Day's Boards and Commissions Recommendation he discussed with Council at the February 1, 2016 Work Session. This name change was recommended by the members of the current Mayor's Council in Support of People with Disabilities.

Unless you or the Mayor have additional questions, please advance this memorandum and resolution of support to the City Council for approval.

Attachment: Resolution to Rename the Mayor's Council in Support of People with Disabilities to the Disabilities Advisory Committee

1 **Resolution No.**

2 **A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND TO RENAME**
3 **THE MAYOR’S COUNCIL IN SUPPORT OF PEOPLE WITH DISABILITIES TO THE**
4 **DISABILITY ADVISORY COMMITTEE**

5
6 WHEREAS, citizens with disabilities deserve an equitable opportunity to participate in,
7 benefit from and relish the opportunities that the community provides, such as housing,
8 employment, transportation, communications, education and entertainment; and

9 WHEREAS, this Council serves as a resource for the Mayor and the City of Salisbury
10 relative to issues involving the City’s continuing ADA (Americans with Disabilities Act)
11 compliance and/or concerns thereof, expressed by its citizens; and

12 WHEREAS, the Mayor’s Council in Support of People With Disabilities exists as a
13 means by which the people with disabilities of Salisbury can formally and efficiently express
14 concerns relative to accessibility and accommodations; and

15 WHEREAS, the aforementioned Council will continue to advise and assist with
16 developing and maintaining a depository of related information for all concerned citizens; and

17 WHEREAS, it shall also continue to assist the Mayor, through advocacy, education, and
18 referral, with developing a broad appreciation, and understanding of the attributes of people with
19 disabilities, and

20 NOW, THEREFORE BE IT RESOLVED, by the Salisbury City Council that The
21 Mayor’s Council in Support of People with Disabilities is hereby renamed, the Disability
22 Advisory Committee.

23 THE ABOVE RESOLUTION was introduced, read and duly passed at a meeting of the Council
24 of the City of Salisbury held on the ____day of _____, 2016, and is to become effective
25 immediately upon adoption.

26
27 ATTEST:

28
29 _____
30 Kimberly R. Nichols, City Clerk

John R. Heath, City Council
President

32

33

34 Approved by me this _____ day of _____, 2016.

35

36

37 _____

38 Jacob R. Day, Mayor

INTER

OFFICE

MEMO

OFFICE OF THE MAYOR

To: Tom Stevenson, City Administrator
From: Julia Glanz, Assistant City Administrator
Subject: Resolution to Rename the Revolving Loan Bankers' Review Committee
Date: March 16, 2016

Attached please find a resolution approving the name change of the Revolving Loan Bankers' Review Committee. The proposed name change is in line with the Mayor Day's Boards and Commissions Recommendation he discussed with Council at the February 1, 2016 Work Session. This name change will better reflect the duties of the committee. The proposed name change is the Revolving Loan Bankers' Review Advisory Committee.

Unless you or the Mayor have additional questions, please advance this memorandum and resolution of support to the City Council for approval.

Attachment

1 **Resolution No.**

2 **A RESOLUTION OF THE CITY OF SALISBURY, MARYLAND TO RENAME**
3 **THE REVOLVING LOAN BANKERS’ REVIEW COMMITTEE TO THE REVOLVING**
4 **LOAN BANKERS’ REVIEW ADVISORY COMMITTEE**

5 WHEREAS, there currently exists a committee entitled the “Revolving Loan Bankers’
6 Review Committee;” and

7 WHEREAS, the Revolving Loan Bankers’ Review Committee consists of four (4)
8 members; and

9 WHEREAS, the Revolving Loan Bankers’ Review Committee members are employed by
10 Banks having local offices in the City; and

11 WHEREAS, this committee works to support the development of the local economy; and

12 WHEREAS, the Revolving Loan Bankers’ Review Committee members have
13 commercial lending experience, and subsequently review revolving loans submitted to the City;
14 and

15 WHEREAS, these members are appointed by the Mayor with the consent of the City
16 Council, in order to serve four (4) year terms; and

17 WHEREAS, the City believes that the name of the committee should be changed to better
18 reflect the duties of the committee.

19 NOW, THEREFORE BE IT RESOLVED, by the Salisbury City Council that the
20 Revolving Loan Bankers’ Review Committee is hereby renamed, the Revolving Loan Bankers’
21 Review Advisory Committee.

22 THE ABOVE RESOLUTION was introduced, read and duly passed at a meeting of the Council
23 of the City of Salisbury held on the ____ day of ____, 2016, and is to become effective
24 immediately upon adoption.

25
26 ATTEST:

27
28 _____
29 Kimberly R. Nichols, City Clerk

John R. Heath, City Council
President

33 Approved by me this _____ day of _____, 2016.

34

35

36 _____

37 Jacob R. Day, Mayor

38