1. May 26, 2020 Agenda/CARS

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RESOLUTION FOR AN AMENDMENT
TO THE CHARTER OF THE
CITY OF CAMBRIDGE, MARYLAND

CHARTER RESOLUTION NO. CR-2020-01

A RESOLUTION OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND
PASSED PURSUANT TO THE AUTHORITY OF ARTICLE XI-E OF THE
CONSTITUTION OF MARYLAND AND §§ 4-302(1) AND 4-304 OF THE LOCAL
GOVERNMENT ARTICLE OF THE MARYLAND ANNOTATED CODE TO AMEND
§§ 3-20 AND 3-26 THE CHARTER OF THE CITY OF CAMBRIDGE FOR THE
PURPOSES OF PROVIDING THAT PROVIDING THAT THE MAYOR AND THE
COMMISSIONERS OF CAMBRIDGE SHALL EACH RECEIVE COMPENSATION IN
THE FORM OF AN ANNUAL SALARY AND MAY RECEIVE ADDITIONAL
COMPENSATION AS SET FORTH FROM TIME TO TIME BY ORDINANCE;
PROVIDED, HOWEVER, THAT NO CHANGE SHALL BE MADE IN THE
COMPENSATION FOR THE MAYOR OR THE COMMISSIONERS OF CAMBRIDGE
DURING THE TERM FOR WHICH THEY WERE ELECTED, AND FURTHER
PROVIDED THAT ANY ORDINANCE MAKING ANY CHANGE IN THE
COMPENSATION FOR THE MAYOR AND/OR THE COMMISSIONERS OF
CAMBRIDGE SHALL BE PASSED PRIOR TO THE MUNICIPAL ELECTION TO
ELECT THE NEXT SUCCEEDING MAYOR AND COMMISSIONERS OF
CAMBRIDGE AND SHALL ONLY TAKE EFFECT AS TO THE NEXT SUCCEEDING
MAYOR AND COMMISSIONERS OF CAMBRIDGE; PROVIDING THAT THE TITLE
OF THIS CHARTER AMENDMENT RESOLUTION SHALL BE DEEMED A FAIR
SUMMARY AND GENERALLY RELATING TO THE COMPENSATION FOR
ELECTED OFFICIALS IN THE CITY OF CAMBRIDGE.

WHEREAS, pursuant to Article XI-E, § 3 of the Constitution of Maryland, the
Commissioners of Cambridge, as the legislative body of the City of Cambridge, Maryland (the
"City"), are authorized and empowered to amend the Charter of the City of Cambridge (the
"Charter"); and

WHEREAS, pursuant to Article XI-E, § 4 of the Constitution of Maryland, an
amendment to the Charter shall be proposed either by a resolution of the Commissioners of
Cambridge or by a petition containing the signatures of at least twenty (20) percent of the
registered voters of the City and filed with the Commissioners of Cambridge; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't §§ 4-302(1) and 4-304, the
Commissioners of Cambridge may initiate a proposed amendment or amendments to the Charter
by a resolution which, except as otherwise specified in the subtitle, is ordained or passed as in
the usual course of considering resolutions in the City government, by a majority of the
Commissioners of Cambridge, and the same shall be subject to the right of referendum; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 5-206(b), municipalities may set
the compensation of their municipal officers and employees; and
WHEREAS, pursuant to §§ 3-20 and 3-26 of the Charter, the Mayor and the Commissioners of Cambridge, respectively, shall each receive an annual salary as compensation for services rendered; and

WHEREAS, on January 27, 2020, the Commissioners of Cambridge voted to establish an ad hoc Compensation Advisory Committee for the purpose of making recommendations to the City Council as to the compensation to which the City’s elected officials (i.e., the Mayor and the Commissioners of Cambridge) should be entitled during their terms of office; and

WHEREAS, on or about April 7, 2020, the Compensation Advisory Committee issued its Final Report and Recommendations in which it recommended, in part, that the Commissioners of Cambridge amend the Charter for the purposes of specifying that the Mayor and the Commissioners of Cambridge may receive other forms of compensation in addition to an annual salary; and

WHEREAS, the Commissioners of Cambridge are desirous of amending the Charter for the purpose of providing that the Mayor and the Commissioners of Cambridge shall each receive compensation in the form of an annual salary and may receive additional compensation as set forth from time to time by ordinance; provided, however, that no change shall be made in the compensation for the Mayor or the Commissioners of Cambridge during the term for which they were elected, and further provided that any ordinance making any change in the compensation for the Mayor and/or the Commissioners of Cambridge shall be passed prior to the municipal election to elect the next succeeding Mayor and Commissioners of Cambridge and shall only take effect as to the next succeeding Mayor and Commissioners of Cambridge; and

WHEREAS, pursuant to Md. Code Ann., Local Gov't § 4-304(a)(2), a public hearing on the amendments to the Charter as set forth herein was held on July 13, 2020, notice of which was published on June 7, 2020 and June 21, 2020 in the Star Democrat, a newspaper of general circulation in the City, with the first publication occurring more than 21 days prior to the public hearing; and

WHEREAS, the Commissioners of Cambridge, to provide for the reasonable and appropriate representation of the citizens of the City and to provide for the better management and governance of the City and its affairs, deems it necessary and appropriate for the good government and citizens of the City to amend certain provisions of the Charter as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF CAMBRIDGE, that pursuant to the authority of Article XI-E of the Constitution of Maryland and § 4-301, et seq. of the Local Government Article of the Maryland Annotated Code, the Charter of the City of Cambridge (as published in Chapter 19, Volume 1 of Compilation of Municipal Charters) be, and the same is hereby, amended as follows:

Charter Amendment Resolution No. CR-2020-01
SECTION 1. Section 3-20 of the Charter is hereby amended as follows:

Section 3–20. Mayor; election, compensation, veto powers.

The mayor shall be nominated in the manner set forth in Section 3-10 of this Charter and shall be elected by the voters of the entire City for a term of four (4) years, or until his or her successor takes office, and the election for mayor shall be held at the same time as the commissioners, the qualifications for the office of mayor being the same as those of the commissioners as expressed in Section 3-5 of this Charter. The mayor shall receive compensation in the form of an annual salary and may receive additional compensation as set from time to time by an ordinance passed by the commissioners in the regular course of business; provided, however, that no change shall be made in [the salary] the compensation for any mayor during the term for which he/she was elected. The ordinance making any change in the [salary paid to] compensation for the mayor, either by way of increase or decrease, shall be [finally ordained] passed prior to the municipal election to elect the next succeeding mayor, and shall take effect only as to the next succeeding mayor. In addition to the powers, hereinafter vested in him/her, said mayor shall have the power to veto any ordinances passed by the commissioners. Every ordinance passed by the commissioners, before it becomes valid, shall be presented to the mayor; if he or she approved it, he or she shall sign it, but if not, he/she shall return it with his/her objections to the commissioners. If, after reconsideration thereof, four-fifths (4/5) of the commissioners vote affirmatively for said ordinance, it shall become valid. If any ordinance shall not be returned by the mayor within six (6) days after it shall have been presented to him/her, the same shall become valid.

SECTION 2. Section 3-26 of the Charter is hereby amended as follows:

Section 3–26. Commissioners; compensation, expenses.

[(a) Salary and compensation. Until July 8, 1980 each of the five commissioners shall receive an annual salary of $1,000.00 as compensation for services rendered and in addition thereto shall receive annually the sum of $300.00 for travelling and other expenses. After July 8, 1980 the annual salary of said commissioners shall be as established pursuant to subsection (b) below and they shall each be entitled to request from budgeted items such amounts necessary for permitted expenses. Should any commissioner fail to attend more than one-thirteenth of the regularly scheduled meetings of the commissioners, then the sum of $80.00 shall be deducted from said annual salary for each unexcused meeting not attended in excess of one-thirteenth of the regularly scheduled meetings. Absences from meetings for legitimate purposes may be excused by the remaining commissioners.

(b) Changes. The salaries of the commissioners shall be] The commissioners shall receive compensation in the form of an annual salary and may receive additional compensation as established from time to time by ordinance passed by the commissioners in the regular course of business[.]; provided, however, that [the salaries] no change shall be made in the compensation [specified at the time any commissioner takes office shall not be changed during the period] for any commissioner during the term for which [that commissioner] he/she was elected. The ordinance making any change in the [salaries paid to] compensation
for the [several] commissioners, either by way of increase or decrease, shall be passed prior to the municipal election to elect the next succeeding commissioners, and shall take effect only as to the next succeeding commissioners [thereafter elected].

AND BE IT FURTHER RESOLVED that, in this Resolution, unless a section of the Charter is expressly repealed in its entirety and reenacted, new or added language is underlined and in italicized type, and deleted text is enclosed in [bold brackets]. Language added after the date of introduction is in italicized, boldface type and text deleted after the date of introduction is crossed out twice and enclosed in bold brackets.

AND BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Resolution, it being the intent of the Commissioners of Cambridge that this Resolution shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.

AND BE IT FURTHER RESOLVED that, to the extent that any section of the Charter is in conflict with the provisions of this Resolution, such section or sections be and hereby are repealed to the extent of such conflict.

AND BE IT FURTHER RESOLVED that the date of adoption of this Resolution is July 13, 2020, and the Charter amendment enacted by this Resolution shall become effective upon the fiftieth (50th) day after adoption, or on September 1, 2020, unless a proper petition for a referendum hereon shall be filed on or before the forty-second (42nd) day after adoption, or on August 24, 2020, as provided by law, the fortieth (40th) day after adoption being a Saturday. A complete and exact copy of this Resolution shall be posted at City Hall, 410 Academy Street, Cambridge, Maryland 21613, or another main municipal building or public place, for a period of at least forty-two (42) days following its adoption, or until August 24, 2020, and the title to this Resolution, being a fair summary of the Charter amendment enacted hereby, shall be published in a newspaper of general circulation in the City not less than four (4) times, at weekly intervals within a period of at least forty (40) days, starting immediately after the date of its adoption, or between July 14, 2020 and August 22, 2020.

AND BE IT FURTHER RESOLVED that as soon as the Charter amendment enacted by this Resolution shall become effective, either as herein provided or following a referendum, the City Manager shall send by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services of the State of Maryland, the following documents or information concerning the Charter amendment: (1) the complete text of this Resolution; (2) the date of the referendum election, if any, held with respect thereto; (3) the number of votes cast for or against this Resolution by the Commissioners of Cambridge or in a referendum; and (4) the effective date of the Charter amendment.
AND BE IT FURTHER RESOLVED that the City Manager is hereby authorized and
directed to carry out the provisions of the foregoing Recitals; and as evidence of compliance
herewith, the City Manager shall cause to be affixed to the minutes of the Commissioners of
Cambridge for the meeting at which this Resolution is adopted: (1) a certificate to the effect that
this Resolution was duly and properly posted as provided herein; (2) an appropriate certificate of
publication in the newspaper in which the fair summary of this Charter Amendment Resolution
shall have been published as provided herein; and (3) the return receipt of the mailing as
provided herein.

This Charter Amendment Resolution was introduced at a public meeting of the
Commissioners of Cambridge, held on the 26th day of May, 2020, and having been reviewed and
considered for final action, was duly adopted on the 13th day of July, 2020.

ATTEST: THE COMMISSIONERS OF CAMBRIDGE

______________________________________________
Patrick C. Comiskey, City Manager

______________________________________________
Victoria Jackson-Stanley, Mayor

Introduced the 26th day of May, 2020
Adopted the 13th day of July, 2020
Effective the 1st day of September, 2020

Charter Amendment Resolution No. CR-2020-01
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RESOLUTION NO. 20-006

A RESOLUTION OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND TO APPROVE THE RECEIPT OF FINANCING FOR THE BAYLY ROAD SIDEWALK IMPROVEMENT PROJECT (THE “PROJECT”), AS MORE FULLY SET FORTH IN THE MEMORANDUM OF UNDERSTANDING FOR THE BAYLY ROAD SIDEWALK SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROJECT (THE “MOU”) WITH THE STATE HIGHWAY ADMINISTRATION ON BEHALF OF THE MARYLAND DEPARTMENT OF TRANSPORTATION (“MDOT SHA”), EITHER DIRECTLY BY MDOT SHA OR THROUGH OTHER DEPARTMENTS OR AGENCIES OF THE STATE OF MARYLAND.

WHEREAS, the Commissioners of Cambridge encourage students to walk and bike to school where appropriate space exists to do so safely; and

WHEREAS, certain funds have been set aside in the Fixing America’s Surface Transportation Act (the “FAST-Act”) that provides funding certainty for the purpose of providing funding for the Safe Routes to School Program (“SRTS”) to help communities make it safer for students to walk and bike to school and encourage them to do so by awarding up to eighty percent (80%) of funding with at least a twenty percent (20%) match by the project sponsor; and

WHEREAS, MDOT SHA is responsible for the oversight of projects financed with SRTS funding; and

WHEREAS, the City of Cambridge (the “City”) has been awarded up to Two Hundred Thousand Dollars ($200,000) in SRTS funding for the Project, as more fully described in the MOU, which will consist of the installation of curb and gutter and a five (5) foot wide sidewalk along the south side of Bayly Road starting at Mace’s Lane and heading east and ending at Goldsborough Avenue; and

WHEREAS, pursuant to the requirements of SRTS funding, the City shall be responsible for at least twenty percent (20%) of the total Project cost, which is estimated to be Two Hundred Fifty Thousand Dollars ($250,000); and

WHEREAS, the Project will provide a material benefit to the City and its residents; and

WHEREAS, the Commissioners of Cambridge are desirous of accepting the SRTS funding as set forth in the MOU upon the terms and conditions set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF CAMBRIDGE, that the Commissioners of Cambridge hereby endorse the Project and approve the receipt of SRTS funding in the amount of Two Hundred Thousand Dollars ($200,000) or eighty percent (80%) of the actual Project cost, whichever is less, with the City being responsible for the remainder thereof.
AND BE IT FURTHER RESOLVED THAT the Mayor is hereby authorized to execute documents and take any action necessary to carry out the intent of this Resolution.

AND BE IT FURTHER RESOLVED THAT, upon adoption, copies of this Resolution shall be sent to the State Highway Administration on behalf of the Maryland Department of Transportation.

AND BE IT FURTHER RESOLVED THAT, in executing this Resolution, the Mayor hereby certifies that this Resolution is true and correct and duly adopted by the Commissioners of Cambridge.

ATTEST: 

THE COMMISSIONERS OF CAMBRIDGE

______________________________
Patrick C. Comiskey
City Manager

______________________________
Victoria Jackson-Stanley
Mayor

Adopted the 26th day of May, 2020
Effective the 26th day of May, 2020
MEMORANDUM OF UNDERSTANDING
for
Bayly Road Sidewalk Safe Routes to School Infrastructure Project

THIS MEMORANDUM OF UNDERSTANDING (MOU) executed in duplicate, effective this __ day, in the month of __________, 2020, by and between the State Highway Administration of Maryland Department of Transportation, acting for and on behalf of the State of Maryland, hereinafter called the “MDOT SHA”, and The Commissioners of Cambridge, a Maryland municipal corporation, hereinafter called the “PROJECT SPONSOR”.

WHEREAS, certain funds have been set aside in the Fixing America’s Surface Transportation Act (FAST-Act) that provides funding certainty for the purpose of providing funding for the Safe Routes to School Program, hereinafter called “SRTS”, to help communities make it safer for students to walk and bike to school and encourage them to do so, hereinafter called “SRTS FUNDING”; and

WHEREAS, SRTS FUNDING may be used to reimburse a PROJECT SPONSOR for those eligible project expenses paid relating to an AWARD, as defined herein, up to eighty (80) percent with a twenty (20) percent match, and is subject to State and Federal requirements; and

WHEREAS, the PROJECT SPONSOR and the MDOT SHA acknowledge the need to define the responsibilities and obligations of each party with regard to the PROJECT, as described herein; and

WHEREAS, MDOT SHA is responsible for the oversight and assistance to the PROJECT SPONSOR projects financed with federal funds in accordance with Title 23 U.S.C.; 23 CFR 635.105; containing regulations (general and permanent rules published in the Federal Register) relating to highways including 2 CFR 200. Regulations based on Civil Rights requirements in 49 CFR Part 21, the Uniform Relocation Assistance and Real Property Policies, and other Federal laws and regulations, set forth procedures whereby services and facilities of the PROJECT SPONSOR may be utilized on federally aided projects and require that an agreement be executed between MDOT SHA and the PROJECT SPONSOR setting forth the conditions under which any project would be implemented; and

WHEREAS, MDOT SHA determines a sub-recipient of Federal funds is able to satisfy the criteria set forth in 23 U.S.C. 106 (g)(4); and

WHEREAS, the PROJECT SPONSOR has adequate project delivery systems and sufficient accounting controls to properly manage projects; and

WHEREAS, the PROJECT SPONSOR is staffed and equipped to perform work satisfactorily and cost effectively and adequate staffing and supervision exists to manage the Federal project; and

WHEREAS, MDOT SHA finds the PROJECT can be satisfactorily completed in an economic and expedient manner under the direction of the PROJECT SPONSOR and the PROJECT SPONSOR is adequately staffed and suitably equipped to direct PROJECT work, subject to the approval of MDOT SHA; and
WHEREAS, the MDOT SHA and the PROJECT SPONSOR hereby agree that the PROJECT will be a benefit to all parties of this MOU and would promote the safety, health and general welfare of the citizens of the City of Cambridge, Dorchester County and the State of Maryland.

NOW, THEREFORE, in consideration of the premises and of the mutual promises between the MDOT SHA and the PROJECT SPONSOR, as set forth herein, the adequacy of which is hereby acknowledged, the parties hereby agree to the following:

I. DEFINITIONS

A. “ACTUAL PROJECT COST” is the total actual cost to construct the PROJECT. The ACTUAL PROJECT COST may be more or less than the ESTIMATED PROJECT COST and will be determined after the PROJECT has been completed.

B. “APPLICATION” is the written document submitted by the PROJECT SPONSOR describing the PROJECT.

C. “AWARD” is the amount of SRTS FUNDING allocated for this PROJECT.

D. “AWARD LETTER” is the written document from MDOT SHA awarding funds for the PROJECT to the PROJECT SPONSOR.

E. “ESTIMATED PROJECT COST” is the total estimated cost to design, develop and construct the entire PROJECT. The ESTIMATED PROJECT COST includes but is not limited to design, construction, utility relocation and required right-of-way acquisitions.

F. “MATCH” is the monetary and non-monetary contribution toward activities directly related to the ACTUAL PROJECT COST. MATCH includes contributions by the PROJECT SPONSOR and can include partners and funding sources other than the TRANSPORTATION ALTERNATIVES PROGRAM. The MATCH shall be at least twenty percent (20%) of the ACTUAL PROJECT COST.

II. PROJECT DESCRIPTION

The PROJECT may be used for the planning, design and construction of infrastructure-related projects, including preliminary site preparation, maintenance of traffic, excavation, drainage, pavement and pavements markings, landscaping, construction activities, construction management, inspections and materials testing that will substantially improve the ability of students to walk and bicycle to school. Eligible infrastructure-related projects may include:

- Sidewalk improvements
- Traffic calming and speed reduction improvements
- Pedestrian and bicycle facilities
- Off-street bicycle parking facilities
- Traffic diversion improvements in the vicinity of schools
The PROJECT shall consist of:
  • Installation of curb, gutter and five (5)-foot-wide sidewalk along the south side of Bayly Road starting at Mace’s Lane heading East and ending at Goldsborough Avenue.

The PROJECT will be constructed on property owned in fee simple by, or on perpetual easements held by the PROJECT SPONSOR, or if on MDOT SHA right-of-way, via an MDOT SHA District Office permit issued to the PROJECT SPONSOR. The PROJECT will be owned and maintained by the PROJECT SPONSOR.

III. PROJECT FUNDING

A. The PROJECT term will be a total of thirty-six (36) months or three (3) years. All PROJECT activities shall begin on the execution date of this MOU and continue for thirty-six (36) months. The following activities will be completed during the stated time period:

  i. PROJECT SPONSORS must have the PROJECT ready to advertise within two (2) years from the kickoff meeting or June 30, 2020, whichever occurs first. Projects that do not meet this requirement may have the funding withdrawn.

  ii. All PROJECT activities, including the installation of curb, gutter and sidewalk, must be completed on or before the end of the PROJECT term set out above.

  iii. PROJECTS will be reviewed annually by SRTS Program Manager and, if necessary, be reevaluated by MDOT SHA to ensure progress is timely. Any significant delays may result in having funding withdrawn.

  iv. In the event that all or part of the PROJECT activities and/or invoices for such PROJECT activities are not received before the term ends, all or part of the AWARD may be withdrawn, and the PROJECT closed out.

   a. In the event that funding is withdrawn, (i) all obligations of the MDOT SHA with regard to the PROJECT or any withdrawn portion of the PROJECT will cease; and (ii) the MDOT SHA shall not be liable for any expense of any kind incurred by the PROJECT SPONSOR with respect to all or any part of the PROJECT.

  v. If the PROJECT cannot be completed as described in this MOU, then the SRTS FUNDING AWARD will be withdrawn and the PROJECT SPONSOR shall return to the MDOT SHA all SRTS FUNDING AWARD monies previously paid to the PROJECT SPONSOR immediately upon request by MDOT SHA. If the PROJECT SPONSOR fails to return the SRTS FUNDING AWARD monies due to PROJECT non-completion, as stated herein, then the MDOT SHA may:
a. within thirty (30) days of receipt of the invoice by the PROJECT SPONSOR, MDOT SHA will notify the PROJECT SPONSOR in writing that MDOT SHA will make a deduction from the PROJECT SPONSOR’s share of Highway User Revenues in an amount equal to the SRTS FUNDING AWARD monies paid to the PROJECT SPONSOR; or

b. within thirty (30) days of receipt of the invoice by the PROJECT SPONSOR, MDOT SHA will notify the PROJECT SPONSOR in writing stating that MDOT SHA will refer the overdue amount to the Central Collection Unit, at 300 Preston Street, Room 500, Baltimore, MD 21201-2365.

B. The AWARD shall not exceed $200,000 or eighty percent (80%) of the ACTUAL PROJECT COST, whichever is less.

C. The ESTIMATED PROJECT COST for the PROJECT is $250,000. The basis for determining the ESTIMATED PROJECT COST is contained in the APPLICATION, included herein by reference.

D. The SRTS FUNDING AWARD for the PROJECT shall be used only for approved activities as stated within this MOU and as evidenced by invoices that have been approved by MDOT SHA and the SRTS Program Manager. The SRTS FUNDING AWARD shall not be redirected by the PROJECT SPONSOR for any other reason.

E. Any excess SRTS FUNDING AWARD not utilized for the PROJECT shall not be distributed to the PROJECT SPONSOR and shall remain with MDOT SHA for redistribution to other programmed projects at the sole discretion of MDOT SHA.

F. If the ACTUAL PROJECT COST exceeds the ESTIMATED PROJECT COST, the PROJECT SPONSOR shall be solely responsible for such additional costs. The AWARD shall not be increased to reflect the higher ACTUAL PROJECT COSTS.

G. If the ACTUAL PROJECT COST is less than the ESTIMATED PROJECT COST, the AWARD may be reduced to eighty percent (80%) of the ACTUAL PROJECT COST.

H. If any part of the SRTS FUNDING AWARD obligated by this MOU will be used to purchase capital equipment having a unit cost of $100 or more and a useful life of at least one year, separate written approval (in addition to the MOU) shall be obtained from the SRTS Program Manager prior to initiating the purchase.

I. If the unit cost is $5,000 or greater, written approval shall be obtained through SRTS and FHWA. Approval shall be obtained by submitting a request in writing to the SRTS PROGRAM MANAGER, detailing a clear justification to support the request. Reimbursement Reports covering any such equipment not previously approved in writing will be denied.
J. If any part of the SRTS FUNDING AWARD funds obligated by this MOU will be used to purchase Educational Materials (including booklets, brochures, posters, fact sheets, book covers, book marks, materials designed to be distributed to the public at large), incentive items (including pens, mugs, and materials designed to be distributed to the public at large), and paid media (including TV, radio, and print PSAs, as well as press items), separate written approval (in addition to this MOU) shall be obtained from SRTS Program Manager prior to initiating the purchase. The Pre-Approval Request shall be submitted using the Educational Material/Incentive Item/Media Request.

a. Once approval is obtained, the SRTS and MDOT SHA logo will be provided to be included with equipment, fliers, newsletter, and incentive/media items.

K. All educational material to be provided shall include reasonable accommodations for the people who are hearing impaired and who have limited English proficiency in compliance with the Americans with Disabilities Accessibility Guidelines as established in pursuant to the Americans with Disabilities Act of 1990 (ADA), as amended. Requests for reimbursement for any such items not previously approved in writing will be denied.

L. If any part of the SRTS FUNDING AWARD funds obligated by this MOU will be used to cover Travel not specified in the MOU (location/purpose/name(s)/position(s)/number of days), a Pre-Approval Request for travel shall be submitted prior to initiating the expense. Approval by the STRS Program Manager is required prior to initiating the expense. Requests for reimbursement for any such travel not previously approved in writing will be denied.


IV. PROJECT MATCH

A. The MATCH is estimated to be $50,000. All match activities must be directly related to the proposed SRTS project.

B. The MATCH shall include non-federal cash towards ACTUAL PROJECT COST equal to at least twenty percent (20%) of the final AWARD, as contributed towards SRTS funded construction activities.

C. With the exception of National Recreational Trail funds, any funds, grants for activities paid for in whole or part by the United States Department of Transportation, shall not be used as or considered to be a part of the cash portion of the MATCH. (e.g. Sidewalk Retrofit Program funds, Community Safety and Enhancement funds, or Urban Street Reconstruction funds)
D. The amount of MATCH required for any other funds, grants or activities paid by MDOT SHA, the Maryland Department of Transportation or the United States Department of Transportation may not be used as MATCH for the PROJECT.

E. Maintenance activities, maintenance equipment and other non-essential PROJECT activities do not qualify as MATCH and are not eligible for reimbursement.

V. THE PROJECT SPONSOR SHALL

A. Prior to the advertising of PROJECT work, prepare and submit to MDOT SHA, environmental studies and environmental documentation required for the PROJECT under applicable State and/or federal law including, but not limited to, those required to obtain National Environmental Policy Act (NEPA) approval.

B. Prior to the commencement of PROJECT work, apply for and obtain all permits required by federal, State or local authorities, including but not limited to Erosion and Sediment Control, Storm-Water Management, Critical Areas, and Wetlands, Utility Permits, Traffic Control Plans, and any required permit issued by the MDOT SHA’s District Office, if any part of the PROJECT is located within or along MDOT SHA right-of-way.

C. Coordinate and conduct any required public hearings or requests for public input.

D. Obtain the approval of MDOT SHA prior to hiring a design consultant or project manager.

E. Prior to issuance of any Request for Proposal (RFP), submit an Expression of Interest and any proposed RFP to MDOT SHA for review and approval.

F. All State and federal regulations pertaining to consultant selection must be followed.

G. PROJECT SPONSOR must construct the PROJECT in compliance with MDOT SHA Business Standards and Specifications.

H. Project Sponsor must comply with the State and Federal procurement requirements as set forth in Section 18.36 Procurement of 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments or 49 CFR Part 19 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations (as applicable).

I. Submit the PROJECT design plans, specifications and estimates for MDOT SHA review and written comment. In addition:
i. The PROJECT shall comply with the design requirements of the ADA Act; the PROJECT design shall not include features that would make it more difficult for people with disabilities.

ii. If the PROJECT is unable to comply with the ADA design requirements, a design waiver shall be requested. The PROJECT may proceed to advertisement or construction if it meets the mandatory conditions set forth in these guidelines or has been granted a design waiver.

a. Design waivers should be sent to SRTS Program Manager and the Director of Highway Development.

J. In the event the PROJECT impacts utilities within any MDOT SHA right-of-way, the PROJECT SPONSOR shall determine the date the right-of-way was acquired by the utility company (or the date said utility was installed), and the date the MDOT SHA acquired the right-of-way.

i. If the utility company's right-of-way ownership or installation preceded the MDOT SHA's ownership, the PROJECT SPONSOR shall be solely responsible for the design and relocation of the utilities.

ii. If the MDOT SHA's ownership preceded the utility company's right-of-way ownership or installation, the MDOT SHA may consider exercising its prior rights and may request the utility company move the utility at the sole expense of the utility company.

K. Coordinate and supervise the advertisement, bid process, and award of the PROJECT contract, including, but not limited to, the following:

i. Prepare advertisement package in accordance with State and federal procurement laws and regulations and submit to the MDOT SHA for review and written approval prior to advertisement.

ii. Advertise for bids in accordance with State and federal procurement laws and regulations after the MDOT SHA has provided written approval of the bid package.

iii. Notification must be sent to SRTS Program Manager and the Federal Aid Program group of the bid date to have a MDOT SHA representative attend.

iv. Open bids in accordance with State and federal procurement laws and regulations.

v. Evaluate the bids to determine which bidder will receive the award. The award shall be made to the lowest responsive and responsible bidder.

vi. Submit to MDOT SHA documentation of all bidders, bid costs and a recommendation of award. Award of the contract cannot be given to a prospective bidder until MDOT SHA has concurred with the recommendation and issues a Written Notice to Proceed (NTP).
vii. Prepare the Concurrency in Award package (CIA), in accordance with State and Federal procurement laws and regulations and submit to MDOT SHA for review and written approval prior to giving the apparent lowest responsive and responsible bidder the approval to proceed.

viii. After written receipt of the concurrence in award (CIA) from MDOT SHA, the contract will receive award and issued Notice to Proceed (NTP) to the lowest responsible responsive bidder.

ix. Provide the Data Universal Numbering System (DUNS) to the PROJECT SPONSOR, to the MDOT SHA Office of Equal Opportunity (MDOT SHA OEO), for the SRTS FUNDING (including, if applicable, the Contractor and Subcontractor DUNS) as well as meeting any and all reporting requirements by that same office, to comply with the Federal Funding Accountability and Transparency Act of 2006, including amendments.

L. Have complete and full legal access for the use of all real property interests required for any aspect of the PROJECT prior to invoicing MDOT SHA for reimbursement under the SRTS FUNDING AWARD.

M. Coordinate and supervise engineering and construction activities by administering the construction contract for the PROJECT and providing such activities as construction engineering, construction inspection, and materials testing and certification, in accordance with federal and State requirements.

i. Materials field-testing must be performed by an inspector that has been certified by the MDOT SHA.

ii. Materials testing must be performed by a laboratory that has been certified by the MDOT SHA.

N. Hold a pre-construction meeting with the contractor to which MDOT SHA representatives (District Engineer, Assistant District Engineer of Construction, Materials Engineer, Utility Engineer, Construction Inspection and SRTS Program Manager) are present.

O. Construct the PROJECT using SRTS FUNDING, in accordance with applicable design standards. Use the project documents, from the time of approval, for advertisement should meet current MDOT SHA book of standards and the currently adopted standard specifications for construction and materials.

i. Construct the PROJECT to be accessible to individuals with physical disabilities in accordance with the ADA Act Federal and State requirements; the PROJECT design shall not include features that would make it more difficult for people and disabilities.

ii. Construction Permits - Prior to the advertisement of PROJECT work, coordinate with MDOT SHA to resolve any conflict(s) with utility companies within the PROJECT limits; purchase or obtain permanent
easements to all properties within the PROJECT limits; and coordinate with any state or local agencies for the required traffic control plan approvals. Any fee or easement obtained for this project must be obtained in accordance with federal and State acquisition requirements.

iii. Liability Insurance - Provide MDOT SHA with evidence of adequate liability insurance to cover third party claims arising from the PROJECT as set forth in the MDOT SHA Standard Specifications for Construction and Materials and addendums in force on the date of this MOU.

P. The PROJECT SPONSOR shall require the contractor to provide a surety performance bond in the amount of the ACTUAL PROJECT COST to ensure that the PROJECT will be constructed if the contractor defaults. PROJECT SPONSOR shall also require a surety payment bond in the amount of the ACTUAL PROJECT COST to ensure that the contractor pays its subcontractors and suppliers, as required by the MDOT SHA Standard Specifications for Construction and Materials and addenda in force on the date of this MOU.

Q. Perform, at the PROJECT SPONSOR's sole responsibility and cost, all maintenance of the useful life of the PROJECT, both during and after completion of the PROJECT. This includes, but is not limited to, graffiti removal, painting, cleaning, trash removal, security, and enforcement of regulations and laws affecting the PROJECT.

R. In all bid solicitations for funded PROJECT work or materials exceeding $10,000, the PROJECT SPONSOR shall include a non-discrimination clause as specified by the Maryland Department of Transportation and U.S. Department of Transportation.

S. The PROJECT SPONSOR shall notify all bidders that it will affirmatively ensure that in any contract entered into pursuant to its advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to its invitation and will not be discriminated against on the grounds of political or religious opinion or affiliation, race, creed, sex, national origin, or physical/mental handicap in consideration of an award.

T. Upon request by MDOT SHA, submit for MDOT SHA review and written comment, design plans, specifications and estimate at major design milestones. Unless otherwise designated by MDOT SHA, such milestones shall be:

i. preliminary design at thirty (30) percent;
ii. semi-final design at sixty-five (65) percent;
iii. final review at ninety-five (95) percent and
iv. Plans, Specifications and Estimates at one hundred (100) percent.

U. Invoice the MDOT SHA on a quarterly basis (after activities have begun) for actual costs incurred and paid by the PROJECT SPONSOR in accomplishing the
PROJECT activities. Each invoice shall be accompanied by sufficient documentation, in the sole discretion of the MDOT SHA, to evidence actual costs incurred.

i. A fully executed MOU needs to be in place prior to any work beginning. Work started prior to a fully executed MOU will be denied.

ii. Withhold a five (5) percent retainage from the contractor, calculated on the PROJECT estimated cost, until the project is satisfactorily complete.

iii. Before construction is complete, PROJECT SPONSOR must contact SRTS Program Manager and MDOT SHA District Assistant District Engineer of Construction to schedule a final inspection prior to final invoice and retainage being paid.

iv. The final invoice for reimbursement shall include a written certification from the PROJECT SPONSOR to MDOT SHA that all activities associated with the SRTS FUNDING AWARD have been completed in accordance with State and Federal law and this MOU.

V. The PROJECT SPONSOR, to the maximum extent permitted by law, hereby agrees to indemnify, defend and save harmless the State of Maryland, MDOT SHA, and their respective members, officers, agents, employees and contractors from and against any and all claims, actions, damages, liability and expenses, including reasonable attorneys' and other professional fees, in connection with the loss of life, personal injury, or damage to property arising out of or in any way connected to the PROJECT caused by any act or failure to act by the PROJECT SPONSOR, its contractors, or its agents.

VI. THE MDOT SHA SHALL

A. Provide timely review and comment and ultimately approval of all documents and matters related to the PROJECT, e.g., design plans, specifications, estimates, media items, equipment, etc. all of which must be submitted by the PROJECT SPONSOR to MDOT SHA.

B. Following receipt of the required PROJECT documents from the PROJECT SPONSOR, provide PROJECT certification of acceptance in accordance with United States Code, Title 23 federal requirements.

C. Provide oversight inspection and review of the PROJECT to assure all obligations are being met.

D. Review CIA package and notify PROJECT SPONSOR in writing that they may award the contract to the lowest, responsive, responsible bidder.

E. Reimburse the PROJECT SPONSOR by providing SRTS FUNDING AWARD within thirty (30) days following the receipt of the completed Reimbursement Invoice and supporting documentation which cover actual PROJECT costs.
i. If charges are disputed by MDOT SHA, disputed amounts will not be paid until dispute is resolved.

VII. REPORTING

A. A completed Progress Report shall be submitted for each grant quarter by the 5th of January, April, July and October and is due to SRTS Program Manager, regardless of the amount of progress made during the reporting period. Progress Report format will be provided by MDOT SHA. Failure to submit timely quarterly reports may delay or withhold reimbursement payment and future funding.

B. A completed SRTS Reimbursement Invoice covering the most recent calendar quarter (or month as agreed upon by the PROJECT SPONSOR and SRTS), shall be submitted by the PROJECT SPONSOR to the SRTS Coordinator by the dates given. The reimbursement invoice will not be processed without the Progress Report and accompanying supporting documentation. Reimbursement invoices must follow the format set forth by MDOT SHA.

C. Failure to provide timely SRTS invoices and progress reports could jeopardize the continuation of funding for the PROJECT and consideration for future projects. Regular updates, regardless of the amount of information provided, allows the SRTS Coordinator to know that the project is on track.

D. All SRTS Reimbursement Forms shall be accompanied by copies of invoices or other suitable supporting documentation, to be provided with the Reimbursement Invoice, as follows:

i. **Salaries and benefits paid to positions** (e.g., Project Coordinator, Project Director and data analyst.) Supported under a project - An Activity Report shall be completed and submitted for each employee (full or part-time) paid through this PROJECT, covering the same period as the Reimbursement Report. Indicate the date, number of hours and a description of the activities/tasks performed on the project during the period covered by the report.
   a. Salary documentation for law enforcement agencies/crossing guards should be summarized on the SRTS Enforcement Log.
   b. SRTS funds should not be used to pay crossing guard salaries, as these are reoccurring costs. SRTS funds may be used for crossing guard training programs. An agenda of the training attended will need to be provided as supporting documentation.

ii. **Travel** – Copies of expense reports and/or copies of receipts, tickets or other supporting documentation.

iii. **Contractual Services** – Copies of consultant/contractor invoices, detailing service costs billed, which include individual dates, hours, activities or other supporting documentation.

iv. **Equipment** – Copies of vendor invoices itemizing costs billed.
v. **Other Direct Costs** – Copies of vendor invoices itemizing costs billed.

E. Requests for reimbursement shall be limited to those expenditures made consistent with the provisions of this MOU and the cost principles set forth with the SRTS program.

F. Reimbursement extends only to those costs incurred during the period of the PROJECT, and for which periodic Reimbursement Reports are submitted no later than one month after the end of the reporting period, and in the case of the final Reimbursement Report, one month after the PROJECT Period End Date.

G. Reimbursement claims received after that time will be considered for payment on a case-by-case basis with prior written justification explaining the expected delay submitted by the Project Director.


I. A completed Equipment Accountability Report shall be submitted with the applicable Reimbursement Report when reimbursement is requested. It is the responsibility of the PROJECT SPONSOR to institute and maintain required inventory records consistent with 49 CFR Part 18.32 DOT Implementation of Common Rule: Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and the Code of Maryland Regulations (COMAR) 21.05.07. All equipment shall be used for the purposes originally authorized in the PROJECT for as long as needed for those purposes and may not be encumbered for other uses as long as such need exists.

**VIII. GENERAL**

A. This MOU and the rights and liabilities of the parties hereto shall be governed in accordance with Maryland State law.

B. All publications exhibit and final products that use these funds must utilize the SRTS and MDOT SHA logos for recognition purposes.

C. The MDOT SHA will incur no additional responsibility for reimbursement of ACTUAL PROJECT COST after the PROJECT closeout package has been accepted and processed.

D. Formal approval of the MOU and the obligation and subsequent reimbursement of funds to it are contingent upon the availability of anticipated Federal funds, as determined by Congress, Maryland statute, or other federal or state action, or the following PROJECT Conditions.

E. Pursuant to the requirements of the State Finance and Procurement Article of the
Annotated Code of Maryland and any amendments thereto; the Maryland Governor's Executive Order barring discrimination; Section 22(a) of the Federal-Aid Highway Safety Act of 1968 (23 USC 22(a)); and Section 504 of the Rehabilitation Act of 1973 as amended (29 USC 794), employment in connection with this project will be provided without regard to political or religious opinion or affiliation, race, color, creed, sex, national origin, or physical or mental handicap. The PROJECT SPONSOR is subject to and shall comply with the above cited requirements and with Title VI of the Civil Rights Act of 1964 (PL 88-352), to the end that no person shall, on the grounds of political or religious opinion of affiliation, race, creed, sex, national origin, or physical/mental handicap, be excluded from participation in, be denied benefits of, or be otherwise subject to any discrimination under this project.

F. Only steel, iron, and manufactured items produced in the United States shall be used in carrying out this Project, in accordance with the provisions of the Buy America Act (23 USC 101 Note), unless a waiver request has been submitted to and approved by the U.S. Secretary of Transportation.

G. The signatories for the PROJECT SPONSOR certify that the PROJECT SPONSOR and Fund Recipient will provide a drug-free workplace in accordance with the Federal Drug-free Workplace Act of 1988 (49 CFR Part 29 Subpart F).

H. The PROJECT SPONSOR shall not, nor will it make any award or permit any award (sub-grant or contract) at any tier to any party which is debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549 - Debarment and Suspension.

I. With regard to federal contracts, grants, loans and cooperative agreements, the signatories for the PROJECT SPONSOR certify to the best of their knowledge and belief that pursuant to 31 USC 1352, they are in compliance with the Lobbying Restrictions placed on the use of federal funds.

J. None of the funds under this MOU will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with FHWA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, such as invited testimony before a legislative body, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.
K. All individuals employed by a State or local agency whose principal employment is in connection with an activity that is paid in whole or in part by federal funds from a federal agency, have been informed of the provisions of 5 USC, Government Organization and Employees; Part II, Civil Service Functions and Responsibilities; Chapter 15, Political Activity of Certain State and Local Employees; Sections 1501 through 1508. This statute does not apply to individuals employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization. (See: 5 USC §§ 1501-1508 and 5 CFR 151).

L. In accordance with Section 4 of Executive Order 13513 – Federal Leadership On Reducing Text Messaging While Driving, the signatories for the PROJECT SPONSOR certify that the PROJECT SPONSOR will seek to adopt and enforce policies that ban text messaging while driving government-owned or company-owned or -rented vehicles, or while driving privately-owned vehicles when on official project business or when performing any work for or on behalf of the PROJECT. This includes PROJECT SPONSOR employees and contractors, or consultants hired by the PROJECT SPONSOR to perform work on the project.

M. Other Conditions, as directed:

i. Law Enforcement Agencies: If the grantee or sub-grantee agency is a Law Enforcement Agency, the following additional Conditions will apply:

   a. Any law enforcement agency receiving funds from SRTS for overtime enforcement will be required to complete the “Law Enforcement Reporting Form” for each overtime detail or reporting period. Failure to complete the Reporting Form will result in a denial of payment for those overtime details.

   b. Any law enforcement agency receiving funds from SRTS for overtime enforcement is strongly encouraged to have their associated officer(s) attend the National Highway Traffic Safety Administration (NHTSA) Conducting a Complete Traffic Stop training.

   c. Any law enforcement agency receiving overtime funds from SRTS for pedestrian enforcement is strongly encouraged to have their associated officer(s) attend NHTSA’s Pedestrian Enforcement Training, when training is available. In addition, the agency is strongly encouraged to have one representative attend at least one meeting per year of the Statewide Pedestrian/Bicycle Safety Task Force.

   d. Any law enforcement agency receiving funds from SRTS for overtime enforcement is strongly encouraged to follow the guidelines established for vehicular pursuits as issued by the International Association of Chiefs of Police that are currently in effect.

   e. SRTS funds should not be used to pay crossing guard salaries, as
these are reoccurring costs. SRTS funds may be used for crossing
guard training programs. An agenda of the training attended will
need to be provided as supporting documentation.

f. Salary documentation from law enforcement agencies’ overtime
may be summarized on official letterhead by payroll period, event
or location, indicating the number of officers participating, by
agency, with the hours and salaries for the period, event or location.

ii. **Budget Modifications:** If the costs reflected in the Cost Categories of the
MOU need to be adjusted, written approval shall be obtained from the
SRTS Program Manager prior to making any expenditure. Approval for
Project Modifications shall be obtained by submitting a Project
Modification Request, detailing a clear justification to support the request.

iii. **Reimbursement of a person’s Salary/Benefits** is limited to that proportion
of the person’s time actually devoted to Project Activities. Written
documentation shall be made available upon request.

iv. **Travel** costs shall comply with the PROJECT SPONSOR’s regulations
provided they are at least as stringent as Travel Management Services,
http://www.dbm.maryland.gov/Pages/TravelManagementServices.aspx as
published by the Maryland Department of Budget and Management
(DBM). In the absence of agency regulations, reimbursement for travel
costs shall be in accordance with the state travel regulations and cannot
exceed the Meal and Trip Reimbursement Limits set by DBM.

v. **Paid Media:** Any funds obligated by this MOU for the purchase of Paid
Media are subject to the requirements set forth in the NHTSA-issued
Guidelines for States Using 402 Funds for Purchasing Advertising Space
for Highway Safety Messages. The PROJECT SPONSOR shall provide
detailed plans of how it will use and assess the paid advertising
campaign(s) in conformance with these guidelines.

vi. **Consultants/Outside Contractors:** For any PROJECT activities in this
MOU that will be carried out from the employment of a consultant or other
contractor, approval for the statement of work and/or specifications shall
be submitted in writing to the SRTS Program Manager prior to the
assignment of work. Requests for reimbursement for such consultant
services not previously approved will be denied.

vii. **Program Income:** The PROJECT SPONSOR shall notify SRTS in writing
of any anticipated and/or actual program income directly generated by this
PROJECT as soon as that information is known. Unless otherwise
stipulated in writing, program income shall be accounted for in project
records and deducted from total allowable expenditures to determine net
allowable expenditures.

N. Pursuant to the requirements of 49 CFR Part 18, Sect. 18.42 - Retention
and Access Requirements for Records, the PROJECT activities covered by this MOU
are subject to audit. Therefore, all documents and records subject to audit shall be
retained by the MDOT SHA and PROJECT SPONSOR for a minimum of seven (7) years after the Final Acceptance of the PROJECT by the MDOT SHA. If there is an action resulting from an audit or other action started before the expiration of the seven-year period, the records shall be retained until completion of the action and resolution of all issues, or the end of the seven-year period, whichever is later. SRTS, as well as other State agencies and appropriate federal authorities have the right of access to any books, documents, papers, or other records in order to perform audits and examinations or make excerpts and transcripts for as long as the records are retained.

O. All infrastructure funded within a SRTS grant shall be conducted and administered in accordance with applicable federal, state and local laws, rules and other requirements, using acceptable financial management, record-keeping, procurement and property control systems as outlined in 49 CFR Part 18 - Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments or 49 CFR Part 19 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations, as applicable.

i. Single Audits: Provisions of the Single Audit Act of 1996 (P.L. 104-156) and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations, require an agency/organization which expends more than $500,000 in federal funds in a year to provide a single or program-specific audit for each year. A PROJECT SPONSOR meeting this criterion shall ensure the submittal of one copy of each required audit report directly to the Federal Audit Clearinghouse within 30 days of the report's issuance. The audit shall study and evaluate the internal accounting and administrative controls to the extent considered necessary to assess the integrity of the systems as required by generally accepted auditing standards, the standards for financial and compliance audits contained in the Standards for Audit of Governmental Organizations, Programs, Activities, and Functions issued by the U.S. General Accounting Office, the Single Audit Act of 1996, and the provisions of OMB Circular A-133. As part of the Project Application, the PROJECT SPONSOR shall provide the link to the most recent single audit from the Federal Audit Clearinghouse Web site. Agencies or organizations which are not subject to the provisions of OMB Circular A-133 shall provide an annual audit report of their agency's/organizations financial statements.

P. All parties to this MOU shall comply with the requirement of APPENDIX A (2 pages) and APPENDIX E (1 page) of MDOT SHA's Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A, which generally set forth non-discriminatory regulations and other civil rights related regulations. APPENDIX A and APPENDIX E are attached hereto and incorporated herein as substantive parts of this document.

Q. The term "Acts" in Appendix A refers to Title VI of the Civil Rights Act of 1964. The term "Regulations" in Appendix A refers to 49 C.F.R. Part 21 and 28 C.F.R.
The term “Recipient” in Appendix A refers to “MDOT SHA.”

R. All notices and/or invoices, if to the PROJECT SPONSOR, shall be addressed to:

George W. Hyde, P.E.
City Engineer
City of Cambridge
Department of Public Works
1025 Washington Street
Cambridge, MD 21613
Phone: 410.228.1955
Email: ghyde@choosecambridge.com

If to MDOT SHA:

Mr. James Meredith, District 1 Engineer
State Highway Administration
District 1 Office
660 West Road
Salisbury, MD 21801
Phone 410-677-4006
E-mail: jmeredith@mdot.maryland.gov

All invoices for SRTS FUNDING AWARD approved for payment by the Regional Construction Engineer shall be forwarded for processing to:

Christy Bernal, Safe Routes to School Program Manager
Regional and Intermodal Planning Division
Maryland State Highway Administration
Mail Stop C-502
707 N. Calvert Street
Baltimore Maryland 21202
Phone: 410.545.5659
Toll Free: 1.888.204.4828
E-mail: cbernai@mdot.maryland.gov
IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their proper and duly authorized officers, on the day and year first above written.

MARYLAND DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ADMINISTRATION

Witness

By: __________________________ (SEAL)
        Tim Smith, P.E.
        Acting Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

RECOMMENDED FOR APPROVAL

Assistant Attorney General

C. Scott Pomento, P.E.
Director Office of Planning and Preliminary Engineering

William J. Bertrand
Director Office of Finance
THE COMMISSIONERS OF CAMBRIDGE

ATTEST:

Witness

By: __________________________ (SEAL)
   Victoria Jackson-Stanley
   Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

RECOMMENDED FOR APPROVAL

Assistant City Attorney

Patrick Comiskey
City Manager
APPENDIX A OF THE TITLE VI ASSURANCES

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees as follows:

1. Compliance with Regulations: The Contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the Contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. Information and Reports: The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish the information, the Contractor will so certify to the Recipient or the Federal Highway Administration as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

   a. withholding payments to the Contractor under the contract until the Contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The Contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the Contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.
APPENDIX E OF THE TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects):
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not):
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).
The City Commissioners conducted the City business on Monday, May 11, 2020 by way of a conference call because of the Corona Virus threat. The Mayor was stationed at her normal station in the City Commission Meeting Room on Gay Street. City Commissioners conference called into the meeting utilizing Webex. Citizens were able to observe the meeting by going online to TownHallStreams.com. Citizens were invited to call in their public comments by calling the mayor during the meeting at 410-228-5808.

Mayor Victoria Jackson Stanley called the meeting to order at 6:00 p.m. All the city Commissioners were present on the conference call including the City Attorney Chip MacLeod, City Police Chief Mark Lewis, City IT Director Dale Price, and City Manager Patrick Comiskey. Commissioners Rideout, Sydnor, Foster, Cannon, and Hanson participated remotely in the conference call.

1. Commissioner Hanson moved to approve the agenda and Commissioner Cannon seconded the motion. The motion passed 5-0.

Public Comments

The Mayor invited public comments from citizens viewing on-line. She read out the telephone number and waited for public comment. No one called in for public comment.

Consent Calendar

Items 2, 4, and 5a & 5b of the consent calendar were approved on a motion by Commissioner Hanson and seconded by Commissioner Rideout. The motion passed unanimously.

2. May 11, 2020 Meeting Minutes

3. Farmer’s Market request to have the weekly Thursday afternoon event at Long Wharf

4. ADA Committee requested to utilize the city property at the corner of Race and Cedar Streets on October 10, 2020 from 12:00 p.m. until 4:00 p.m. for their annual ADA Fair

5. School Board’s request for a senior class vehicle parade through town

   5. a. First Amendment to IRONMAN
   5. b. First Amendment to EAGLEMAN

Commissioner Rideout asked the Main Street Director Katie Clendaniel to answer questions about the farmers’ market. Commissioner Rideout made a motion to approve the Farmers’ Market program provided they followed the Governor’s Executive Order. The motion was seconded by Commissioner Hanson and adopted unanimously.
Commissioner Sydnor asked about enforcing social distancing at the High School Graduating Senior Car Parade. Commissioner Rideout made a motion to approve the high school parade and Commissioner Cannon seconded the motion which was approved unanimously.

**Ordinance for First Reading**

Ordinance 1162 City of Cambridge Tax Rates for Real and Personal Property

Ordinance 1163 City Fiscal Year 2021 Budget for All City Funds

City Attorney Chip MacLeod read the ordinances. The Ordinances will be heard a second time and considered for adoption at the May 26, 2020 meeting where they will be read a second time with a public hearing held. City Commissioners will decide on them that evening.

**Ordinance for Second Reading**

There were no Ordinances for Second Reading

**Old Business**

8. Award of Contract for Long Wharf Electrical Improvements – Tomey Electric, Inc. for the amount of $24,400. A motion to approve the award was made by Commissioner Hanson and seconded by Commission Cannon. The motion was adopted unanimously.

9. The Maryland DHCD proposal to reimburse the City for demolition costs of the building at 507 Race Street from currently awarded grant funds was approved on a 3-2 vote. A motion to approve the measure was made by Commissioner Hanson and seconded by Commissioner Rideout. Commissioners Rideout, Cannon and Hanson voted for the proposal. Commissioners Sydnor and Foster voted against the motion.

10. Resolution No. 20-05 Extending the State of Emergency Declaration and the Executive Order No. 20-02 were approved unanimously after Commissioner Sydnor made the motion to approve the extension and Commissioner Rideout seconded it.

11. The City Attorney requested authorization to draft a Charter Resolution to clarify the compensation of Elected Officials. A motion to leave the measure alone was made by Commissioner Sydnor and Seconded by Commissioner Foster. This motion failed on a vote of 2-3. Commissioners Sydnor and Foster voted for the motion. Commissioners Rideout, Cannon and Hanson voted against the motion.

Commissioner Rideout made a motion to direct the city attorney to prepare the Charter Resolution clarifying the compensation of elected officials. Commissioner Cannon seconded the motion. The motion passed 3-2. Commissioners Rideout, Cannon, and Hanson voted for the motion. Commissioners Sydnor and Foster voted against the motion.
New Business

12. City Planner Pat Escher presented the Waterfront Implementation Plan and advised City commissioners the plan parts recommended for implementation would be presented at the next City Commission Meeting.

13. Commissioner Rideout made a motion to approve hiring PKS to undertake city auditing services for the current and next two fiscal year end audits for fiscal years ending June 30, 2020, 2021, and 2022. Commissioner Hanson seconded the motion. The motion was adopted unanimously.

14. Commissioner Sydnor made a motion to accept an award of $38,132 from the Federal Government for police overtime and increase the amount of funds allocated for police overtime by $38,132. The motion was seconded by Commissioner Hanson. The motion passed on a 4-0-1 vote. Commissioners Rideout, Sydnor, Cannon, and Hanson voted for the motion and Commissioner Foster abstained.

Comments

During the closing comment period, we learned that the basketball courts remain closed due to the Governor’s Executive Order. The city manager confirmed that the proposed budget contained no raises this year given the downturn in the economy due to the Covid-19 crisis. He mentioned that the FY 21 budget anticipated no funding from the Highway User Fund for the coming year and he would soon learn if the city would receive any additional Highway User Funds for this year. At this point he is unsure if he will need to ask for monies from the reserve to balance this year’s budget, but the city has received some unexpected monies that may allow us to close out the year without an adjustment.

The Mayor reported that almost 2000 care packages had been prepared and were being distributed to community members in response to the Covid-19 crisis. The police chief indicated that his officers were continuing to enforce the use of masks in businesses that are open and are providing warnings, education, and finally taking enforcement action if businesses fail to cooperate.

Requests from the Public

The Mayor invited public comments from citizens viewing on-line. She read out the telephone number and waited for public comment. No one called in for public comment.

Adjourn

A motion by Commissioner Sydnor to adjourn the meeting was seconded and approved unanimously.
With no further business, Mayor Victoria Jackson-Stanley adjourned the meeting at 7:44 p.m. I hereby certify that the foregoing is a true and accurate account of the Council meeting Monday, May 11, 2020.

Victoria Jackson-Stanley
Mayor
Council Agenda Report

Date: May 26, 2020
Submitted by: Patrick Comiskey, City Manager

SUBJECT: Fireworks Show – July 4th

Recommendation that Council: Decide on whether to hold the July 4th Fireworks Show

Discussion: The City traditionally has held a 4th of July Fireworks Show. The current concerns regarding the Coronavirus may dictate canceling the show. The city has a contract with a 30 day exit if we want to recover the contract commitment so it would be good for Commissioners to decide this at the May 26th meeting.

Issue: The current Governor issued Executive Order will not allow for such an event. However, the governor has already started rolling back restrictions and the restrictions may no longer apply.

Fiscal impact: $25,000

Approved by: Patrick Comiskey
Council Agenda Report

Date: May 28, 2020

Prepared by: Lisa Jones, Executive Assistant

Submitted by: Chief Mark K. Lewis, N.A.

SUBJECT: GovDeals payment

Recommendation: That Council allocate $3,811.00 to the Vehicle account 201-860

Discussion: Cambridge Police Department received a check in the amount of $3,811.00 for the sale of the old CPD swat vehicle. We request that the money be placed in the Vehicle account 201.300.860 to cover future vehicle equipment expenses for new vehicles

Fiscal Impact: Increase the Police Department FY20 Vehicle account by $3,811.00.

Approved:
Council Agenda Report

Date: May 26, 2020

Prepared by: George W. Hyde, PE, City Engineer

Submitted by: Patrick Comiskey, City Manager

SUBJECT: Award of Contract for Franklin Street Boat Ramp Repairs

Recommendation: That Council

A. Award the contract for the Franklin Street Boat Ramp Repairs to Dissen & Juhn Company for the amount of $79,720.

Discussion:

The City was awarded an $80,000 grant from the Maryland Department of Natural Resources (DNR) Waterway Improvement Fund for repairs at the Franklin Street boat ramp. Since the time the application was submitted, the condition of the wave screen has gotten much worse to the point where part of the wall has washed away (see attached picture). This puts the floating docks at risk to damage from excessive wave action. The Department of Public Works reached out to several marine contractors to provide a proposal for the needed repairs but only received the attached proposal from Dissen & Juhn.

While the proposed total price of $89,720 exceeds the amount of the grant, we feel that we can complete the replacement of the cap boards with City staff once the other repairs are completed. This would reduce Dissen & Juhn’s cost to $79,720 which is just below the grant amount. Since we were only able to obtain one proposal, we asked DNR if they were okay with us awarding the project. They agreed, that due to the condition of the wave screen and the impact on the rest of the facility, this could be treated as an emergency repair and we could proceed with awarding a contract to Dissen & Juhn. If awarded the contract, Dissen & Juhn has indicated they can start work within 30 days.

Fiscal Impact:

The DNR grant requires no match and will fund 100% of the anticipated work.

Approved by: Patrick Comiskey, City Manager
# QUOTATION

TO: CITY OF CAMBRIDGE  
DEPARTMENT OF PUBLIC WORKS  
705 LEONARD LANE  
CAMBRIDGE, MD 21613

FROM: RAY McMASTER, P.E.  
rpmcmaster@dissen-juhn.com

ATTN.: GEORGE W. HYDE, P.E.

Phone: 410-228-1855  
Fax: 410-228-1474

DATE:  4/30/20

PROJECT: CHOPTANK RIVER  
FRANKLIN ST. BOAT LAUNCH  
CAMBRIDGE, MD

<table>
<thead>
<tr>
<th>ITEM</th>
<th>ESTIMATED QUANTITY</th>
<th>UNIT</th>
<th>Description</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
</table>
| 1    |                    | LS   | NORTHWEST SIDE  
1. REMOVE AND INSTALL 25 FEET OF NEW T+G SHEETING AT THE ENTRANCE OF THE RAMP BASIN  
2. REINSTALL 50 FEET OF NEW 8X8 WALES ON FRONT AND BACK OF ENTRANCE  
3. REMOVE AND INSTALL 10 NEW WALE BOLTS WHERE MISSING OR BROKEN.  
NORTHEAST SIDE  
1. REPLACE 25 FEET MISSING OUTER AND INNER LOW WALE  
2. REMOVE AND INSTALL 7 NEW WALE BOLTS WHERE MISSING OR BROKEN. | $ 79,720.00 |
| 1    |                    | LS   | REMOVE REMAINING AND REPLACE WITH ALL NEW 2-2X6 AND 1-2X10 CAP ON ENTIRE BASIN TO PROTECT SHEETING FROM WATER DAMAGE. THIS WILL PROLONG THE LIFE OF THE STRUCTURE. | $ 10,000.00 |

CONDITIONS:  
1. LOW WALE WORK WILL REQUIRE DIVER  
2. USE OF THE CITY PARKING LOT AT MUNICIPAL MARINA WILL BE REQUIRED.  
3. MAY HAVE TO DRILL ALONG SIDE OF EXISTING BOLTS, IF NOT REMOVABLE  
4. WORK TO BE DONE WHILE IN AREA FOR HAMBRICKS LIGHT HOUSE DEMC JUNE-JULY 2020

THANK YOU!

TOTAL $ 89,720.00

Please call me at (410) 604-1802 with any questions!

* To be completed by DPW staff
ORDINANCE NO. 1163

FISCAL YEAR 2021 BUDGET


WHEREAS, pursuant to Md. Code Ann., Local Gov’t § 5-205 and § 3-25 of the Charter of the City of Cambridge (the “Charter”), it is the determination of the Commissioners of Cambridge that an ordinance should be enacted to budget and appropriate funds for the operation of the government and administration of the City of Cambridge (the “City”) for Fiscal Year 2021 beginning July 1, 2020 and ending June 30, 2021 (“FY 2021”); and

WHEREAS, the City Manager, as required by the Charter, has prepared and presented to the City Council a proposed budget outlining the anticipated expenditures and transfers for FY 2021 (the “FY 2021 Budget”), which includes the estimated revenues and other financing sources required; and

WHEREAS, the Commissioners of Cambridge held scheduled budget work sessions and held a public hearing on the proposed FY 2021 Budget on May 26, 2020, notice of which was published in the Star Democrat, a newspaper of general publication in the City, on May 10, 2020 and on May 17, 2020, and in the Dorchester Banner, a newspaper of general publication in the City, on May 13, 2020, and posted on the City’s website; and

WHEREAS, the Commissioners of Cambridge, after due and careful consideration, including consideration of all public comments received during the May 26, 2020 public hearing, have determined that adopting and approving the FY 2021 Budget as set forth herein is fair, just, and fiscally responsible.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COMMISSIONERS OF CAMBRIDGE that from and out of the moneys and balances known to be in the General Fund, the Marina Fund, the Sewer Fund, the Municipal Utilities Commission Fund, and the Internal Service Fund of the City of Cambridge, Maryland, and from all moneys anticipated to come into all funds during the twelve (12) month period ending June 30, 2021, there shall be, and hereby are, appropriated the following sums for use by the several departments and offices of the City of Cambridge, and for the objects, services, and purposes for which the City must provide during Fiscal Year 2021:
GENERAL FUND REVENUES

Taxes: $7,907,390
Licenses and Permits: 481,800
Intergovernmental: 2,765,841
Charges for Services: 1,129,758
Fines & Forfeitures: $57,200
Miscellaneous Revenue: 136,610
Overhead Allocation: 1,371,074
Carry-Over Funds/Reserves: 2,107,760

TOTAL: $15,957,433

GENERAL FUND APPROPRIATIONS BY ACTIVITY

Administration: $1,496,641
Police: 5,729,851
Rescue Fire Company: 721,918
Engineering Division: 277,615
Building Safety Division: 302,819
Public Works: 2,885,733
Sanitation & Waste: 1,030,236
Economic Dev Division: 106,639
Community Development: 2,984,981
Transfers Out: 396,000
Contingency: 25,000

TOTAL: $15,957,433

Total General Fund Revenues: $15,957,433
Total General Fund Appropriations: $15,957,433
Difference: $ – 0 –

MARINA FUND REVENUES

Service Charges: $299,600
Intergovernmental: 189,000
Miscellaneous: 200
Transfers from General Fund: 396,000

TOTAL: $884,800
**MARINA FUND APPROPRIATIONS BY ACTIVITY**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marina Operations</td>
<td>$105,902</td>
</tr>
<tr>
<td>Professional Services</td>
<td>304,741</td>
</tr>
<tr>
<td>Capital Projects</td>
<td>199,000</td>
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<tr>
<td>Debt Payments</td>
<td>254,990</td>
</tr>
<tr>
<td>Contingency</td>
<td>20,167</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$884,800</strong></td>
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<tr>
<td>Total Marina Fund Revenues</td>
<td><strong>$884,800</strong></td>
</tr>
<tr>
<td>Total Marina Fund Appropriations</td>
<td><strong>$884,800</strong></td>
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<tr>
<td>Difference</td>
<td>$ - 0 -</td>
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</table>

**SEWER FUND REVENUES**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Charges</td>
<td>$3,858,671</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>243,000</td>
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<tr>
<td>Miscellaneous</td>
<td>5,000</td>
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<tr>
<td>Carry-Over Funds/Reserves</td>
<td>691,157</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$4,797,828</strong></td>
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</table>

**SEWER FUND APPROPRIATIONS BY ACTIVITY**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wastewater Plant Operations</td>
<td>$2,142,475</td>
</tr>
<tr>
<td>Debt Payments</td>
<td>755,643</td>
</tr>
<tr>
<td>Sewer Plant Projects</td>
<td>173,837</td>
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<tr>
<td>Collection System Maintenance</td>
<td>374,799</td>
</tr>
<tr>
<td>Overhead Allocation to General Fund</td>
<td>1,351,074</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$4,797,828</strong></td>
</tr>
<tr>
<td>Total Sewer Fund Revenues</td>
<td><strong>$4,797,828</strong></td>
</tr>
<tr>
<td>Total Sewer Fund Appropriations</td>
<td><strong>$4,797,828</strong></td>
</tr>
<tr>
<td>Difference</td>
<td>$ - 0 -</td>
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</tbody>
</table>

**WATER FUND REVENUES**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Charges, Fees, and Penalties</td>
<td>$2,409,002</td>
</tr>
<tr>
<td>Interest Income and Reimbursements</td>
<td>14,500</td>
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<td>Carry-Over Funds/Reserves</td>
<td>0</td>
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<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$2,423,502</strong></td>
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</table>
### WATER FUND APPROPRIATIONS BY ACTIVITY

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$895,258</td>
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<tr>
<td>Operations</td>
<td>1,516,194</td>
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<tr>
<td>Debt Payments</td>
<td>12,050</td>
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</table>

**TOTAL:** $2,423,502

**Total Water Fund Revenues:** $2,423,502

**Total Water Fund Appropriations:** $2,423,502

**Difference:** $0

### INTERNAL SERVICE FUND REVENUES – HEALTH INSURANCE

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Contributions</td>
<td>$1,057,396</td>
</tr>
<tr>
<td>Participant Contributions</td>
<td>249,984</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>0</td>
</tr>
<tr>
<td>Carry-Over Funds/Reserves</td>
<td>0</td>
</tr>
</tbody>
</table>

**TOTAL:** $1,307,380

### INTERNAL SERVICE FUND APPROPRIATIONS BY ACTIVITY

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>$320,629</td>
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<tr>
<td>Claims</td>
<td>932,139</td>
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<tr>
<td>United Health AARP Program</td>
<td>54,612</td>
</tr>
</tbody>
</table>

**TOTAL:** $1,307,380

**Total Internal Service Fund Revenues:** $1,307,380

**Total Internal Service Fund Appropriations:** $1,307,380

**Difference:** $0

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COMMISSIONERS OF CAMBRIDGE that should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COMMISSIONERS OF CAMBRIDGE that the outstanding encumbrances at the end of the 2020 fiscal year shall be considered revenues for FY 2021 on June 30, 2020 and re-appropriated by this Ordinance in FY 2021 for the purposes set forth herein, unless otherwise appropriated by the Commissioners of Cambridge.
AND BE IT FURTHER ENACTED AND ORDAINED BY THE COMMISSIONERS OF CAMBRIDGE that pursuant to Md. Code Ann., Local Gov't § 5-205(b)(4), any transfer of funds between appropriations as set forth herein must be approved by a vote of at least two-thirds (2/3) of the elected Commissioners of Cambridge.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE COMMISSIONERS OF CAMBRIDGE that this Ordinance shall take effect July 1, 2020.

ATTEST:

THE COMMISSIONERS OF CAMBRIDGE

Patrick C. Comiskey, City Manager
Victoria Jackson-Stanley, Mayor

Introduced the 11th day of May, 2020
Passed the 26th day of May, 2020
Effective the 1st day of July, 2020
ORDINANCE NO. 1162

FISCAL YEAR 2021 TAX RATES

AN ORDINANCE OF THE COMMISSIONERS OF CAMBRIDGE, MARYLAND TO
ESTABLISH THE ANNUAL TAX LEVY FOR REAL AND PERSONAL PROPERTY

WHEREAS, pursuant to Md. Code Ann., Tax-Prop. § 6-303(a)(1) and § 3-25 of the
Charter of the City of Cambridge, the Commissioners of Cambridge shall annually before the
last day of June set the tax rate for the next taxable year on all assessments of property subject to
real and personal property tax and levy such sums as they may deem sufficient to meet and pay
the running expenses of the City of Cambridge (the “City”); and

WHEREAS, on May 26, 2020, the Commissioners of Cambridge held a public hearing
on the proposed tax levy for real and personal property for Fiscal Year 2021 (“FY 2021”), notice
of which was published in the Star Democrat, a newspaper of general circulation in the City on
May 10, 2020 and May 17, 2020, and in the Dorchester Banner, a newspaper of general
publication in the City, on May 13, 2020, and posted on the City’s website; and

WHEREAS, the Commissioners of Cambridge, after due and careful consideration,
including consideration of the public comments received during the May 26, 2020 public hearing
and all written comments submitted, have determined that a tax levy of $0.8473 for each one
hundred dollars ($100.00) of assessed valuation of real property and a tax levy of $1.69 for each
one hundred dollars ($100.00) of assessed valuation of personal property in the City for FY 2021
commencing on July 1, 2020 and ending on June 30, 2021, is fair, just, and fiscally responsible.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE
COMMISSIONERS OF CAMBRIDGE that the tax levy be, and the same hereby is, set at
$0.8473 for each one hundred dollars ($100.00) of assessed valuation of real property in the City
of Cambridge, and said tax rate is hereby imposed on all assessable real property for the fiscal
year commencing July 1, 2020 and ending June 30, 2021.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE
COMMISSIONERS OF CAMBRIDGE that the tax levy be, and the same hereby is, set at
$1.69 for each one hundred dollars ($100.00) of assessed valuation of personal property in the
City of Cambridge, and said tax rate is hereby imposed on all assessable personal property for
the fiscal year commencing July 1, 2020 and ending June 30, 2021.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE
COMMISSIONERS OF CAMBRIDGE that all fees, charges, and levies adopted by this
Ordinance shall remain in effect unless changed at a future date by subsequent Ordinance by the
Commissioners of Cambridge and the same shall be collected pursuant to all applicable
provisions of the Charter of the City of Cambridge and State law.
AND BE IT FURTHER ENACTED AND ORDAINED BY THE
COMMISSIONERS OF CAMBRIDGE that should any section of this Ordinance be
determined to be invalid, such invalidity shall not affect any other sections.

AND BE IT FURTHER ENACTED AND ORDAINED BY THE
COMMISSIONERS OF CAMBRIDGE that this Ordinance shall take effect July 1, 2020.

ATTEST:                                    THE COMMISSIONERS OF CAMBRIDGE

__________________________________________  ____________________________
Patrick C. Comiskey, City Manager            Victoria Jackson-Stanley, Mayor

(SEAL)

Introduced the 11th day of May, 2020
Passed the 26th day of May, 2020
Effective the 1st day of July, 2020
NOTICE OF PUBLIC HEARING
THE COMMISSIONERS OF CAMBRIDGE
PROPOSED ORDINANCE NOS. 1162 AND 1163
REAL AND PERSONAL PROPERTY TAX RATES
AND BUDGET FOR THE 2021 FISCAL YEAR

Notice is hereby given that the Commissioners of Cambridge will hold a public hearing on TUESDAY, MAY 26, 2020 at 6:00 p.m. in the Council Chambers, 305 Gay Street, Cambridge, Maryland to receive public input and comment and then act upon the following proposed Ordinances:

1) Ordinance No. 1162 which, if passed, would establish the annual tax levy in the City of Cambridge at $0.8473 for each $100 of assessed valuation of real property and $1.69 for each $100 of assessed valuation of personal property in the City for the 2021 Fiscal Year; and

2) Ordinance No. 1163 which, if passed, would adopt and approve the Fiscal Year 2021 Budget appropriating the necessary funds for the operation of the government and administration of the City of Cambridge for the period July 1, 2020 to June 30, 2021.

The foregoing constitutes fair summaries of proposed Ordinance Nos. 1162 and 1163 as introduced by the Commissioners of Cambridge during their public meeting held on May 11, 2020. Furthermore, the following City Budget is proposed for Fiscal Year 2021:

<table>
<thead>
<tr>
<th></th>
<th>Revenues</th>
<th>Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund:</td>
<td>$15,957,433</td>
<td>$15,957,433</td>
</tr>
<tr>
<td>Sewer Fund:</td>
<td>$4,797,828</td>
<td>$4,797,828</td>
</tr>
<tr>
<td>Water Fund:</td>
<td>$2,423,502</td>
<td>$2,423,502</td>
</tr>
<tr>
<td>Marina Fund:</td>
<td>$849,800</td>
<td>$849,800</td>
</tr>
<tr>
<td>Internal Service Fund:</td>
<td>$1,307,380</td>
<td>$1,307,380</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>$25,370,943</td>
<td>$25,370,943</td>
</tr>
</tbody>
</table>

The public hearing will be conducted by conference call, as City offices are closed to the public because of the COVID-19 outbreak. Individuals wishing to observe the public hearing may do so online by going to www.fencemall.com. Individuals wishing to comment during the hearing may do so by calling the Mayor during the public hearing at (410) 228-5808 or joining the public hearing using WebEx. Details on how to join the public hearing using WebEx are available on the City's website, www.choosecambridge.com. Information regarding proposed Ordinance Nos. 1162 and 1163, including the proposed Fiscal Year 2021 Budget, are also available on the City's website. Written comments shall be considered provided that they are received at City Hall by 4:30 p.m. on TUESDAY, MAY 26, 2020.

Patrick C. Comiskey, City Manager
(410) 228-4020
408132 DB 5/13/2020
TOWN OF DENTON
WRITTEN PUBLIC COMMENTS ACCEPTED THROUGH
MAY 14, 2020
On May 7, 2020, the Denton Town Council held two Public Hearings and received written Public Comments as requested in writing through May 14, 2020.

Public Hearing #1 - Constant Yield Tax Rate - July 1, 2020
Regulated June 30, 2020
A Public Hearing of the Denton Town Council in which the State of Maryland has issued certification that the real property tax assessment base is estimated to increase by 1.2% and that in order for the Town of Denton to receive the same real property tax revenues in Fiscal Year 2021 as received in Fiscal Year 2020, the Town Council must reduce the tax rate from $1.77 per $100 of assessed value to $1.76 per $100 of assessed value.

The Town of Denton is considering not reducing the real property tax rate enough to offset the increasing assessments and is proposing to maintain the current tax rate at $1.77 per $100 of assessed value, and will generate $34,485 in additional property tax revenues.

Public Hearing #2 - Ordinance #708 - FY21 General Fund Budget Approvals
An Ordinance of the Town of Denton to appropriate funds and estimate income in accordance with the General Fund Budget adopted for Fiscal Year beginning July 1, 2020 and ending June 30, 2021. The Fiscal Year 2021 General Fund Estimated Budget is $4,129,059.

All public comments must be submitted in writing either by email to info@dentontowncouncil.com or by mailing to the Denton Town Office at 201 Academy Street, Denton, MD 21722 and received by May 14, 2020.

A complete copy of the CYTR Public Hearing Notice and Ordinance #708 is available for review on the Town’s website at www.dentonmaryland.gov.

Special Meetings: A Special Meeting of the Denton Town Council will be held on May 18, 2020 at 9:00 AM to review written public comments received by May 14, 2020 and to act on a motion to adopt the FY2021 Tax Rate and to consider adoption of Ordinance #708. Please visit www.dentonmaryland.gov for additional information and for complete meeting access instructions.

By Authority: Denton Town Council
5/05/2020

NOTICE OF PUBLIC HEARING - THE COMMISSIONERS OF CAMBRIDGE
PROPOSED ORDINANCE NO. 1182 and 1183
REAL AND PERSONAL PROPERTY TAX RATES
AND BUDGET FOR THE 2021 FISCAL YEAR

Notice is hereby given that the Commissioners of Cambridge will hold a public hearing on TUESDAY, MAY 26, 2020 at 6:00 p.m. in the Council Chambers, 205 City Street, Cambridge, Maryland to receive public input and comment and then act upon the following proposed Ordinances:

1) Ordinance No. 1182 which, if passed, would establish the annual tax levy in the City of Cambridge at $4,874,625 for each $100 of assessed valuation of real property and $1,689 for each $100 of assessed valuation of personal property in the City for the 2021 Fiscal Year; and

2) Ordinance No. 1183 which, if passed, would adopt and approve the Fiscal Year 2021 Budget appropriating the necessary funds for the operation of the government and administration of the City of Cambridge for the period July 1, 2020 to June 30, 2021.

The foregoing constitutes fair summaries of proposed Ordinance Nos. 1182 and 1183 as introduced by the Commissioners of Cambridge during their public meeting held on May 11, 2020. Furthermore, the following City Budget is proposed for Fiscal Year 2021:

Revenue
General Fund: $11,951,433
Sales Tax: $4,797,628
Water Fund: $2,433,502
Wastewater Fund: $1,584,800
Interfund Service Fund: $1,367,365
TOTAL: $25,370,943

Expenses
General Fund: $15,951,433
Sales Tax: $4,797,628
Water Fund: $2,433,502
Wastewater Fund: $1,584,800
Interfund Service Fund: $1,367,365
TOTAL: $25,370,943

The public hearing will be conducted by conference call, as City offices are closed to the public because of the COVID-19 outbreak. Individuals wishing to observe the public hearing may do so online by going to www.CambridgeMd.gov. Individuals wishing to comment during the hearing may do so by calling the Mayor during the public hearing at (410) 228-6400 or joining the public hearing using WebEx. Details on how to join the public hearing using WebEx are available on the City’s website, www.cambridgemd.gov. Information regarding proposed Ordinance Nos. 1182 and 1183, including the proposed Fiscal Year 2021 Budget, are also available on the City’s website. Written comments will be considered provided that they are received at City Hall by 4:30 p.m. on TUESDAY, MAY 26, 2020.

Patrick M. Comiskey, City Manager
(410) 228-4020

5/19/2020

Protective Measures to help avoid COVID-19

Avoiding COVID-19 requires smart and consistent protective measures. There are many simple steps you can take to protect yourself, your family and friends. Follow the steps below to give yourself the best chance of prevent...
Wash Your Hands
Clean hands can be the key to making it through the coronavirus pandemic as healthy as possible. Wash your hands often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing or sneezing.
If soap and water are not readily available, experts recommend using a hand sanitizer that contains at least 60 percent alcohol.
When using sanitizer, cover all surfaces of your hands and rub them together until they feel dry.
Avoid touching your eyes, nose and mouth with unwashed hands.

Social Distancing
Experts also recommend avoiding close contact with people who are sick. Social distancing means keeping reasonable space between

Wear a Face mask if You Are Sick
If you are sick, you should wear a face mask when you are around other people. Also put on a mask before entering a health care provider’s office.
If you are not able to wear a face mask, try your best to fully cover your cough and sneezes. Recommend that people who are caring for you wear a face mask if they enter your room.

Clean and Disinfect
Clean and disinfect frequently touched surfaces on a daily basis. The Centers for Disease Control and Prevention recommend cleaning and disinfecting tables, tablets, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets and sinks. If surfaces are dirty, clean them by using detergent or soap and water prior to disinfection.
APPLICATION FOR A SPECIAL EVENT LICENSE

Date of Application: May 14, 2020

Event Title or Type: Dorchester Showcase - Annual Street Fair & Art Walk

Location of Event: Historic High Street from Water St. to Locust/Poplar St.

Date(s) of Event: 09/27/2020

Hours of Event: noon to 5 pm

Organization/Corp. Name: Dorchester Center for the Arts

Signature of Holder of Event: Elizabeth W. Mansley

Printed Name: Elizabeth (Benjie) Mansley Title: Arts Education Program Coordinator

Address of Holder of Event: 321 High Street, Cambridge, MD 21613

Business Telephone: 410-228-7282 Residence Telephone: 718-344-5115

Is Organization Non-Profit? Yes No

Is there a charge for admission? Yes No

Is event to on City, State, or Private Property? City

If private, name of owner:

You requesting the city to provide trash containers? Yes No

Is water available at event? Yes No

If yes, list source of water (i.e. fire hydrant, Great Marsh, Sailwinds, etc.): at DECA-133 High St.

Will a tent be erected? Yes No (Include on plan)

Expected Attendance: 400 Venue Seating Capacity: 200

Is parking available? Yes No For how many vehicles? 15 at Long Wharf, Library parking, between Side Street parking, Casino and parking on Glasgow or Pine

Is staging or platform required? Yes No Amplification? Yes No

List types of musical instruments: piano, guitar, bagpipe, wind instruments, string, horns, drums

Are required approvals attached, e.g., State, County: Yes No

Submitted Not received
Is a street closing being requested (attach map)?  Yes  No

If yes, indicate closure time (consider set up and breakdown time):  11am-6pm

Will food be prepared on the premises?  Yes  No

If yes, is County Health Dept. Inspection Approval attached?  Yes  No

Will alcohol be served?  Yes  No

If yes, please attach a copy of the county liquor license
If no, please submit a copy after you receive it

ROAD RACE, WALK-A-THON, ETC.

On Roadway  Yes  No
On Sidewalk  Yes  No

Will notification be made to residents along the route?  Yes  No

Will temporary signs be posted?  Yes  No
(Signs must be removed by the following business day, no paint is allowed on streets or sidewalks.)

SPECIFIC ROUTE:  Historic High Street from the Alley near DCA down High
                     to Water Street.


-FOR OFFICE USE ONLY-

City Manager Approved/Denied:  __________________________  Date:  __________

Special Conditions, if:  ___________________________________________________

                      __________________________

Police Detail Estimated Cost:  $___________  DPW Personnel Estimated Cost:  $___________

Cambridge Police Department:  Approved:  ____  Denied:  ____  Signature:  ________________________

Rescue Fire Department:  Approved:  ____  Denied:  ____  Signature:  ________________________

Department of Public Works:  Approved:  ____  Denied:  ____  Signature:  ________________________
May 12, 2020

City Council
City of Cambridge
P.O. Box 255
Cambridge, MD 21613

Dear City Council Members,

The Dorchester Center for the Arts would like to receive your approval to sponsor the 44th Dorchester Showcase on September 27, 2020. The theme for this year’s Showcase is “Celebrating the 50th Anniversary of Dorchester Center for the Arts in bringing “Art for All”. It is a pleasure to once again offer this annual arts festival to the residents of Cambridge and Dorchester County along with visitors to our town.

We respectfully request that High Street, from Poplar Street/Locust Street to Water Street be closed on Sunday, September 27, 2020 from 11am – 6pm for this event. We also request a variance from the noise ordinance from 12 noon until 5 pm.

We would also like to have a parade kick off the event and honor all those first responders who have helped us to bring the best of art to Dorchester as well as those who have helped to keep Dorchester as healthy as possible through out the current pandemic and into the future. The parade would take place at noon and travel down High Street feeding out from the DCA parking lot, through the alley on the north side of 321 High St. and left down High Street marching down to the waterfront.

In addition, we also request that permission be given again for the use of the County Office Building parking lot and the Circuit Courthouse grounds and electrical outlets for musical performances and various craft demonstrations during the designated festival hours.

The Department of Police and the Department of Public Works have always offered such great support to this event. Once again, we respectfully request their assistance for the 2020 Dorchester Showcase.

Should you have any additional questions I would be happy to attend the council meeting in whatever capacity to deem advisable.

Sincerely,

Benjie Manley
Arts Education & Program Coordinator
Dorchester Center for the Arts
321 High St., Cambridge Md 21601
410-228-7782   b.manley@dorchesterarts.org
Special Events Committee Application

Contact Information
Benjie Manley
b.manley@docchcsterarts.org
410-228-7782
321 High Street, Cambridge, MD 21601

Event type
Dorchester Showcase – Annual Street Fair, Parade & Art Walk

Name of Event
Dorchester Showcase

Event Location
Historic High Street from Water St. to Poplar St.

Description
Parade, Art Walk and street festival with Fine Arts and crafts, a Plein Aire Painting Competition, Eastern Shore Cuisine, Music, Dance and Community Organizations

Start Date
09-27-2020

End Date
09-27-2020

Rain Date
None

Number of Attendees Expected
1000

Age Group Targeted
0-100
Contact Information

Name of Organization
Dorchester Center for the Arts

Organization Phone Number
410-228-7782

Organization E-mail Address
b.manley@dorchesterarts.org

Emergency Contact Information
Benjie Manley

Phone Number for Emergency Contact
718-344-5115

Clean-Up Information

Name of Person Responsible for Cleanup
Benjie Manley

Phone Number for Person Responsible for Cleanup
410-228-7782

# of Additional Trash Bins Required
8

# of Additional Recycle Bins Required
8

Event Start & End Times
Date – 09-27-2020
Start Time – 12 noon
End Time – 5 pm

Additional Information

Will the event be held on public or private property?
Public

Will the event be advertised?
Yes
Where will the event be advertised?
In flyers, posters, Attraction Magazine, Radio, Online, and other media sites

Will neighborhood groups or abutters be notified?
Yes

Will “NO PARKING” signs be posted in advance?
Yes

Street Closure Information

Street Closure- Start Time – 10AM   Street Closure – End Time- 6pm

Activities / Vending

Will beer and/or wine be served?
No

Will food be served?
Yes

Will goods be sold?
Yes

Will non-alcoholic beverages be sold?
Yes

Vendors

Number of food vendors?
8

Number of goods vendors?
90

Number of non-alcoholic beverage vendors?
4

Vendors Using Propane

Will vendors be using propane?
Yes
Number of vendors using Propane?
3

Entertainment

Amplified Sound
Yes

Live Music
Yes

Recorded Music
Yes

DJ
Yes

Performance
Yes

Stage
Yes

Games/ Rides

Rides / Games / Bouncy Houses
None of the above

Portable Toilets

Number of standard portable toilets
2

Number of ADA accessible toilets
1

Attestation

Full name
Benjie Manley

Date: 05/12/2020
AGENDA

City of Cambridge
City Council Meeting
Monday, May 26, 2020
Council Chambers - 305 Gay Street
Cambridge, MD 21613

Notice to Citizens: The City Commissioners are conducting the City business by way of a conference call because of the Corona Virus threat. Citizens may observe the meeting by going on-line to TownHallStreams.com. Citizens may call in their public comments by calling the mayor during the meeting at 410 228-5808.

6:00 pm Mayor to Convene Council in Regular Session

Agenda

1. Council to approve or amend agenda as presented.

Public Comment

Requests from the Public

Consent Calendar

2. May 11, 2020 Meeting Minutes
3. Dorchester Showcase – Annual Street Fair & Art Walk

Ordinances for Introduction and First Reading


Ordinances for Second Reading, Public Hearing, and Adoption

5. Ordinance 1162 City of Cambridge Tax Rates for Real and Personal Property
6. Ordinance 1163 City Fiscal Year 2021 Budget for All City Funds
Old Business

7. Award of Contract for Franklin Street Boat Ramp Repairs.

New Business

8. Accept proceeds from retired vehicle sale
   - Increase 01-36400 Sale of Assets by $3,811
   - Increase the Police Vehicle account 01-201-860 by $3,811

9. Resolution 20-06 MOU Bayly Road Sidewalk Safe Routes to School Project

10. Fireworks Show – 4th of July

Meetings

Notices

Mayor and Council

Public Comment

Adjourn

City Council meetings are conducted in open session unless otherwise indicated. Pursuant to the Maryland Open Meetings Act, all or a portion of the Council meeting may be held in closed session by vote of the Council. Please note that the order of agenda items is subject to change and that meetings are subject to audio and video recording.