

COUNTY COUNCIL OF WICOMICO COUNTY, MARYLAND

2020 Legislative Session

Legislative Day No. 14

RESOLUTION NO. 47-2020

Introduced by: The President of the Council at the request of the County Executive

A RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT A GRANT AWARD, IN AN AMOUNT UP TO \$18,120,304, FROM THE UNITED STATES OF AMERICA, ACTING THROUGH THE FEDERAL AVIATION ADMINISTRATION (FAA), UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT), AIRPORTS GRANTS PROGRAM.

WHEREAS, the United States of America, acting through the Federal Aviation Administration (FAA), under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and by CARES Act Grant Transmittal Letter (Grant Letter) dated June 17, 2020, has offered to Wicomico County as the sponsor of the Salisbury-Ocean City Wicomico Regional Airport (Airport) a grant in the maximum amount of \$18,120,304 to help offset a decline in revenues arising from diminished airport operation and activities as a result of the COVID-19 Public Health Emergency; and

WHEREAS, to accept the FAA's grant offer and obtain that grant funding the County must take certain action as specified in the Grant Letter by no later than July 17, 2020, in order for the grant to be valid; and

WHEREAS, the grant, which is designated by the FAA as Grant No. 3-24-0025-056-202 is subject to restrictions and conditions specified in the Grant Letter and the CARES Act Airport Grant Agreement, dated June 17, 2020 (Grant Agreement) that provide among other things:

- A. The period of performance is four years from the date when the County accepts the Grant Agreement, and
- B. The grant funds must be used for purposes directly related to the Airport, which may include reimbursement of its operational and maintenance expenses incurred no earlier than January 20, 2020, or debt service payments that occur on or after March 27, 2020, and also for new airport development projects, provided that the Grant Agreement has been amended or superseded by a subsequent agreement that addresses and authorizes the use of funds for such a project,

without the need for appropriation or expenditure of any County matching funds; and

WHEREAS, because the Grant Agreement does not identify any specific expenditure of the grant funds within the several different general purposes stated therein (mentioned in subitem B., above) and the funds may be expended for those purposes in five different fiscal years in accordance with the County's budget procedures, this resolution does not authorize any expenditure or make any appropriation regarding the grant funds except as expressly stated herein; and

WHEREAS, the County Executive, following discussion by the Airport Commission of the use of the grant funds and consideration of its advisory recommendation, has proposed a list of potential expenditures of the grant funds attached hereto as Exhibit A; and

WHEREAS, the Council understands that the County Executive has carefully reviewed the Grant Letter and the Grant Agreement, including all restrictions and conditions thereunder and has notified or will promptly notify all key County personnel about those conditions and restrictions; and

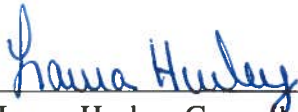
WHEREAS, the County Executive recommends that the County accept the FAA's grant offer by taking the actions required for that purpose, including execution of the Grant Agreement, subject to requirements specified herein for the approval by the Council of specific expenditure of the grant funds and reporting regarding such expenditure by the County Executive to the Council.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Wicomico County, Maryland, that the FAA's grant offer is hereby accepted and for that purpose the County Executive is authorized to do so by executing the Grant Agreement identified above, provided that:

1. The only expenditure of the grant funds approved by this resolution is \$783,809.54 that is currently appropriated in that amount to the Airport Enterprise Fund in the County's FY 2021 budget (at PDF page 214) with the proviso that it would be made with funds received under this grant. To the extent that money from the General Fund has been or hereafter is expended pursuant to that appropriation, the grant funds hereby approved shall replenish the General Fund.
2. Other expenditures of the grant funds shall be subject to allocation as may be authorized in the County's budget for a fiscal year, either as initially adopted or subsequently amended.
3. Beginning in October 2020, and in every third month thereafter, the County Executive shall submit to the Council a written report that itemizes for each specific expenditure of the grant funds that has been approved by the Council the amount for which payment has been requested by the County under the grant and, if different, the amount that has been received by the County and any amount(s) for which the County's payment request has been disputed or denied by the FAA, together with such other information as the Council may request.

DONE at Salisbury, Maryland this 7th day of July, 2020.

ATTEST:



Laura Hurley, Council Administrator

COUNTY COUNCIL OF WICOMICO
COUNTY, MARYLAND

 (SEAL)

Larry W. Dodd, Council President

CERTIFICATION

THIS RESOLUTION was Adopted , Adopted with Amendments _____, Failed _____,
Withdrawn _____ by the County Council on July 7, 2020.

Certified by 

Laura Hurley, Council Administrator

