



## **MAYOR AND CITY COUNCIL**

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### **REGULAR MEETING Monday, September 15, 2025 - 6:00 PM**

#### **AGENDA**

- 1. CALL TO ORDER**
- 2. PRAYER AND PLEDGE**
- 3. ITEMS PRESENTED BY THE MAYOR AND CITY COUNCIL**
  - A. Beautification Committee 2025 Beauty Spot Awards
- 4. CONSENT AGENDA**
  - A. Request to Approve Minutes
    1. Work Session dated September 9, 2025
  - B. Acknowledgement of Standing Committee Report
    1. Police Commission - September 8
    2. Coastal Resources Legislative Committee - September 10
- 5. MISCELLANEOUS REPORTS AND PRESENTATIONS**
- 6. PUBLIC HEARINGS**
- 7. ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY MANAGER AND STAFF**
- 8. ITEMS REFERRED TO AND PRESENTATIONS FROM THE CITY SOLICITOR**
  - A. First Reading - Ordinance 2025-25 to Authorize the Mayor and City Council to Issue and Sell General Obligation Municipal Purpose Bonds (not to exceed \$52 million for projects reviewed at the September 9 work session)
  - B. Resolution 2025-23 Declaring Mayor and Council Intent to Reimburse Expenditures to be Incurred with Respect to Certain Projects or Programs with Proceeds of Debt to be Issued by the Mayor and City Council (not to exceed \$3.065 million for water radio-read meters and new boardwalk signage)
  - C. Resolution 2025-24 to Authorize the Disposition of Surplus Personal Property
  - D. Continued Discussion of Municipal Infraction Fines and Penalties
- 9. COMMENTS FROM THE PUBLIC**
  - A. Comments from the Public Any person who may wish to speak on any matter at the Regular Meeting may be heard during Comments from the Public for a period of five (5) minutes or such time as may be deemed appropriate by the

Council President. Anyone wishing to be heard shall state their name, address and the subject on which he or she wishes to speak.

**10. COMMENTS FROM THE CITY MANAGER**

- A. Comments from the City Manager
  - A. The next Mayor and Council meeting is September 30, 2025.
  - B. Department Activity Report

**11. COMMENTS FROM THE MAYOR AND CITY COUNCIL**

- A. Comments from the Mayor and Council

**12. ADJOURN**



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 3.A

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** 2025 Beauty Spot Award Winners  
**DATE:** September 8, 2025

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**ISSUE(S):** 2025 Beauty Spot Award Presentations

**SUMMARY:** Each year, the Ocean City Beautification Committee searches for properties that are attractive, well maintained and pleasing to the eye. To show appreciation for this effort in civic pride, the Beautification Committee and the Mayor and City Council present Beauty Spot Awards in several categories.

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION:** Not Applicable



1st Class Resort and Tourist Destination

**ALTERNATIVES:** Not Applicable

**RESPONSIBLE STAFF:** Not Applicable

**COORDINATED WITH:** Beautification Committee Chairman Donna Greenwood

**ATTACHMENT(S):** 1. 2025 Beauty Spot Awards.pdf



# *Ocean City Beautification Committee*

## *2025 Beauty Spot Awards*

### **Residential**

The Wingfields  
The Foxes  
The Joneses  
The Sabelhauses  
The Joneses  
The Marianis  
The Bells

### **Retail**

Dunkin' 119<sup>th</sup> St.  
Malibu's Surf Shop

### **Commercial**

Farmer's Bank  
Nick's Golf & Ropes Course  
Montego Bay Association

### **Condominium**

Beach Point  
Tiara West  
Gateway Grand

### **Hotel/Motel**

Days Inn Motel  
King Charles Hotel

### **Restaurant**

Seacrets Hideaway  
The Wedge  
Tailchasers  
Blue Fish

### **Special**

53rd St. Beach Entrance



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 4.A  
Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Mayor and City Council Minutes  
**DATE:** September 8, 2025

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**ISSUE(S):** Request to Approve Minutes

**SUMMARY:** 1. Work Session dated September 9, 2025

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION:** Approve minutes.



Excellent Service through a High performing Town Organization

**ALTERNATIVES:** Advise of necessary modifications.

**RESPONSIBLE STAFF:** City Clerk Diana L. Chavis, MMC

**COORDINATED WITH:** Deputy City Clerk Jessica D. Cropper, CMC

**ATTACHMENT(S):** None



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 4.B

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Standing Committee Report  
**DATE:** September 8, 2025

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**ISSUE(S):** Acknowledgement of Standing Committee Report

**SUMMARY:** 1. Police Commission - September 8  
2. Coastal Resources Legislative Committee - September 10

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION:** Not Applicable



Excellent Service through a High Performing Town Organization

**ALTERNATIVES:** Not Applicable

**RESPONSIBLE STAFF:** Not Applicable

**COORDINATED WITH:** Not Applicable

**ATTACHMENT(S):** 1. 09-08-25 Police Commission Minutes.pdf  
2. 2025-09-10 Coastal Resource Legislative Committee Meeting Minutes.pdf

# **POLICE COMMISSION MEETING MINUTES**

**September 8, 2025**

PRESENT: Council President Matt James, Council Member and Police Commission Chairman Anthony DeLuca, Council Member Larry Yates, Mayor Richard Meehan, City Manager Terence McGean, Department of Emergency Management Director Joseph Theobald, Heather Stansbury, Esquire, Chief Raymond Austin, Captain Michael Colbert, Captain Shawn Jones, Captain Dennis Eade, Lieutenant Allen Hawk, Lieutenant Andrew Yeager, Detective First Class Edward Newcomb, Deputy Communications Manager Ashley Miller, Crime Analyst Brandon Reim

1. The meeting was called to Order at 10:30 AM in the 3<sup>rd</sup> Floor Administrative Conference Room of the Public Safety Building.
2. Approval of Minutes of the August 11, 2025, Police Commission Meeting: Mayor Meehan made a motion and Council President James seconded to approve the minutes of the August 11, 2025 Police Commission meeting. The vote was unanimous.
3. Chief Austin's Update: Chief Austin reviewed the statistics comparing August 2025 to August 2024. In August 2025, there were 4,010 Officer Calls for Service; in 2024 there were 4,411. Citizens Calls for Service in 2025 were 2,635; in 2024 there were 2,556. The Top 25 Calls for Service: Traffic Stops increased from 680 to 793. Chief Austin attributed this to the big push for traffic enforcement on bicycles and scooters. City Ordinance Violations increased from 143 in 2024 to 323 in 2025. Disorderly Calls for Service decreased from 283 to 225. Chief Austin noted that in the past 5 years, this is the lowest it has been in August. Custodial arrests were down a little bit from 189 in 2024 to 165 in 2025. Criminal Citations remained consistent with the previous year. DUI arrests were up by 1 from August 2024 to August 2025. Chief Austin noted that noise complaints on the Boardwalk remained relatively consistent with the past couple of months. These noise complaints consisted of street performers/karaoke/musical instruments/singing, businesses playing loud music, and loud yelling. Chief Austin stated that 6 arrests were made for violations of the noise ordinance in the month of August. In August 2025, there were 7 weapons arrest. Of those 7 weapons arrests, 1 firearm, 5 knives, and 3 other weapons were seized.

Chief Austin informed the Commission that the department is currently working with the City Manager to ratify a new contract with AXON. He also noted that the ATCC had been working in town and charged a business on their own and that the report would be forwarded to the City Manager as well. Chief Austin told the Commission that the Police Department was currently investigating a fatal pedestrian collision that occurred last week, but speed and alcohol were not a factor. The Commission asked if the pedestrians were at fault, to which Lt. Hawk answered no, they were crossing the street at an unmarked crosswalk. Chief Austin also informed the Commission that the department was investigating a motorcycle versus vehicle crash where alcohol is believed to be a factor.

4. Recruiting Update: Lt. Yeager stated that August was a good month for Training and Recruiting. They had received 17 applications in the month of August. At the in-person testing date on August 23, 11 applicants had shown up. Of those 11 applicants, 10 passed the test and will move on to the background process. Looking at the numbers, Lt. Yeager informed the Commission that there are currently 115 full-time officers out of the budgeted 125 positions. This number includes 7 in the academy, all of which are back to a full-duty status, 4 on FTO (Lt. Yeager noted that 3 of them finished their FTO period yesterday), 7 out on injury (2 are on restricted duty and 5 are no duty), and 1 on FMLA. Lt. Yeager stated that the officer on FMLA will return on September 11.

Lt. Yeager informed the Commission that they recently hired a new animal control officer and property technician. There are currently 18 backgrounds being worked on as well. Lt. Yeager stated that as of September 1, they have opened up the online PSO testing for the 2026 season and the first recruiting trip will be next week to western Pennsylvania and Ohio. The Commission asked what the net number of officers is at the moment. Lt. Yeager stated when the 1 officer returns from FMLA in 3 days, it will be 101.

Chief Austin added that we are currently in the process of hiring an out-of-state lateral officer and that his interview with him is scheduled for later this week. Chief Austin thanked the Commission for approving the sign-on bonus for out-of-state laterals because it helped with gaining the interest of this lateral. He also noted that there is a reserve officer application that they are working on with the intention of this reserve officer helping to do backgrounds on applicants.

5. Update on Beach Canopies: Emergency Management Director Theobald told the Commission that the season was just about finished. This year, they educated approximately 8,000 individuals and tagged approximately 1,500 canopies/tents on the beach this summer. Emergency Management Director Theobald stated that they will continue to educate next summer, but will begin transitioning to more enforcement action. He informed the Commission that they plan on having a group dedicated to beach enforcement.

The Commission then asked if there were still guards in the stands. Emergency Management Director Theobald answered yes, there were still guards and that they try to keep them in the stands until the end of September. He believed there were about 36 stands out today and there were about 48 yesterday.

6. Closed Session Report: Following the Open Session on September 8, 2025, the Police Commission convened into Closed Session at the Public Safety Building at 10:48 AM, as permitted under General Provision Article 3-305(b)(10) to discuss public safety, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff, and (ii) the development and implementation of emergency plans.

Persons Present: Council President Matt James, Council Member and Police Commission Chairman Anthony DeLuca, Council Member Larry Yates, Mayor Richard Meehan, City Manager Terence McGean, Department of Emergency Management Director Joseph



Theobald, Heather Stansbury, Esquire, Chief Raymond Austin, Captain Michael Colbert, Captain Shawn Jones, Captain Dennis Eade, Lieutenant Allen Hawk, Lieutenant Andrew Yeager, Detective First Class Edward Newcomb, Deputy Communications Manager Ashley Miller, Crime Analyst Brandon Reim

No action was taken.

Motion to adjourn the Closed Session and reopen the Open Session was made by Mayor Meehan and seconded by Council President James. The vote was unanimous. The report on the Closed Session included that no action was taken.

A motion was made by Council President James and seconded by Council Member Yates to adjourn the meeting. The vote was unanimous. The meeting was adjourned at 11:08 AM.

The next regular meeting of the Police Commission will be held on Wednesday, October 15 2025, at 9:30 AM in the 3<sup>rd</sup> Floor Administrative Conference Room at the Public Safety Building, 6501 Coastal Highway, Ocean City, MD 21842.



## Coastal Resource Legislative Committee (Green Team)

### Meeting Minutes

September 10, 2025, 11:00-12:00

City Hall – Community Room

#### Attendees

Larry Yates, City Council  
JR Harman, Deputy City Manager  
George Bendler, Director of Planning & Community Development  
Hal Adkins, Public Works Director  
Woody Vickers, Public Works Deputy Director  
Debbie Dean, Assateague Coastal Trust  
Jenelle Gerthoffer, Environmental Programs  
Max Sieg, OCDC  
Mike Brian, Ocean City Surf Club  
Bill Neville, City Planner  
David Noonan, OCDC  
Kim Abplanalp, MCBP  
Janet Gilchrist, Public  
Mandi Wells, Surfrider Foundation  
Lilah Johnstone, SDHS Surfrider Club  
Cassie Beeler, Environmental Programs  
Sabrina Hecht, Zoning Administrator  
Claude Barbour, Braemar Towers Association  
Joann Landon, At Large

#### Litter Free OC:

**Community Cleanups:** Jenelle began by showing the Green Team's updated logo, which will be included on a new Green Team tent used at community cleanups and other Green Team events. The group confirmed the next community cleanup for October 10<sup>th</sup> at 4<sup>th</sup> street on the beach, with an option for 8am-10am. Mandi mentioned holding a cleanup later in the day to include people who are at work or in school during the day. The group discussed making the fall cleanup from 3:30-5:30pm with a group photo at 5pm. Public Works confirmed they could still pick up trash at a later time. Jenelle also noted the group's last cleanup gathered 432 pounds of trash, a success even with a slower start.

**OC Surf Club:** Mike updated the group on an upcoming beach cleanup this Friday, the surfing integrity program, and initiating volunteering of independent small groups of students.

**MCBP:** Kim confirmed that they had 11 volunteers clean 27 streets for the Adopt-Your-Street program and mentioned the upcoming Marine Plunder, a water-based cleanup on Sunday, September 21<sup>st</sup> from 10am-1pm.

**Sustainable Maryland Certification:** Jenelle explained the Town's current re-application status, as the Green Team is a required action and all organizations are included in the application information. She noted Ocean City's approval and level of recognition will be confirmed in mid-October and described the

Green Team's action items for 2025-2028, including the Every Tree Counts Grant, certifying MD Green Schools, and bike rack dedications.

**Street End MOUs/Mini Grant Opportunities:** Jenelle updated the group on the Town's Street End MOU program, which is approved by the City Manager. She noted that this program could include critical area or stormwater funds to provide grants for properties that would like to participate. Hal mentioned the importance of communicating with the Bicycle and Pedestrian Advisory Committee to ensure a cohesive site plan and the possible inclusion of bike racks. Hal also noted the use of boardwalk flip back benches made by Public Works and the inclusion of trash receptacles as a problem for limited real estate, and the potential hazard for Town vehicles if running electric lines in the area.

**MCBP Updates:** Kim explained recent MCBP projects, including the Northside Park living shoreline restoration and kayak launch project, currently in the permitting stage and in conjunction with the Parks division. She described the Reedy Island project with Maryland DNR Wildlife and Heritage, adding crushed shell to introduce Common Terns back to the island. There are currently 39 nests on site and future plans to extend the restoration project to target Black Skimmers. She also detailed the upcoming MCBP boardwalk exhibit with a theme of "Maryland Coastal Bays are home to a dynamic and diverse web of life that forms the foundations of our communities and forms a deep sense of place." The project and ribbon cutting ceremony will take place in the beginning of October. Jenelle shouted out MCBP for their help in investigating some Town calls and complaints, including a bird nest near Fager's Island.

**AARP Grant Opportunities:** Joann detailed the current plans for applying for AARP grant funding and what the group could use the money for. The group discussed railings on stairs located near the beach and determined the best option to be using Public Works' flip bench designs to be placed at street ends by beaches.

#### **Comments from Green Team Members:**

**Sustainable Maryland:** Jenelle noted that Sustainable Maryland holds educational meetings to get extra points towards recertification, with a sustainability tour taking place October 4 from 10:30-12:30 in Chestertown, MD.

**Recycling:** Jenelle noted a recent comment from Leslie about a pilot program in Delaware to place recycling cans on beaches. Leslie was not present to comment, but Hal gave an overview of the Town's history with recycling and why he sees it as infeasible. He explained the Town's current program, which sends about 33,000 tons of waste to be incinerated and used as energy, with leftover aluminum recycled by the company. Hal also mentioned a previous project to place signs at Inlet Park of the Town's litter fines, resulting in less litter found in the region.

**Assateague Coastal Trust:** Debbie updated the group on upcoming events, including the virtual Sip of Science series with MCBP, Where Lands Meets Sea from 12-1 on Wednesday, Migration Madness at Newport Farms on October 13<sup>th</sup>, and the Wild and Scenic Film Festival at Seacrets on November 6<sup>th</sup> and Salisbury University on October 9<sup>th</sup>.

**Nuisance Flood Plan:** Bill explained the five-year update to the Nuisance Flood Plan, which the Green Team serves as the advisory committee for. He said that based on data secured by both the Town and NOAA, there has been no recent events that put the Town over their threshold conditions, the main criterion being more than 10-12 major flooding conditions. Crossing this threshold determines when the group meets and prepares recommendations for the Mayor and Council.

**Surfrider Foundation:** Mandi introduced Lilah as the new Surfrider Club chair at SDHS and updated the group on their solo beach cleanup kits, with 50 going to the Harrison group and 50 going to the Fenwick Islander. She noted that the Surfrider Foundation is not participating in the Ocean's Calling or Country Calling Rock and Recycle program this year, as it was too much to commit to both events. The group discussed the possibility of taking on the volunteering as a collaboration between multiple organizations or as the Green Team for future events, with the goal of keeping the volunteering local. Surfrider foundation also got a grant for an ocean-friendly garden, and the group discussed some locations for a location of it including the new 4<sup>th</sup> street skate park.

Executive Conference Room, City Hall, 301 Baltimore Ave



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 8.A

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Chuck Bireley, Finance Director  
**RE:** First Reading - Ordinance 2025-25, FY26 Bond Issuance  
**DATE:**

**ISSUE(S):** First Reading - Ordinance 2025-25 authorizes the Mayor and City Council to issue and sell General Obligation Municipal Purpose Bonds not to exceed \$51 million for certain projects and expenditures.

**SUMMARY:** The proposed projects to be included in the upcoming General Bonds for FY26 are as follows. The bond issuance amount was increased due to higher than projected bid amounts for Golf Course Tidal Flooding Remediation.

1. Wastewater-Influent Headworks Improvements - \$41,976,000
2. Golf Course-Tidal Flooding Remediation - \$3,300,000
3. Water-Radio Read Meter - \$2,300,000
4. Water-14th Street Generator - \$630,000
5. Fleet/Garage Renovations - \$1,500,000
6. Boardwalk Sign - \$765,000

Total Project Costs - \$50,471,000

Bond Issuance Cost and Rounding Amounts - \$1,529,000

**FISCAL IMPACT:** Bond issuance not to exceed \$52,000,000.

**RECOMMENDATION:** Approve Ordinance 2025-25 on first reading.



Financially Sound Town Government

**ALTERNATIVES:** None suggested.

**RESPONSIBLE STAFF:** Charles Bireley, Finance Director

**COORDINATED WITH:** First Tryon Advisors; McGuire Woods; City Manager Terry McGean; Public Works Director Hal Adkins; Deputy City Manager Elton Harmon, Recreation and Parks Director Kate Gaddis, Planning and Community Development Director George Bendler

**ATTACHMENT(S):**

1. OCMD Authorizing Ordinance (2025)(205670416.7).docx
2. FY 2026 Bond issue, Updated List.pdf

**FIRST READING:** \_\_\_\_\_  
**SECOND READING:** \_\_\_\_\_

**ORDINANCE NO. 2025-\_\_**

**AN ORDINANCE** to authorize and empower Mayor and City Council of Ocean City to issue and sell, upon its full faith and credit, not to exceed Fifty-Two Million Dollars (\$52,000,000) maximum aggregate principal amount of its serial maturity, general obligation, fully registered bonds, pursuant to the authority of Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Section C-719 of the Charter of Mayor and City Council of Ocean City, as amended, to be designated as “General Obligation Municipal Purpose Bonds of 2025,” said bonds to be issued and sold for the public purposes of (i) financing or refinancing, in whole or in part, certain costs of acquisition, construction and/or improvements to the Projects (as defined below) and (ii) paying the costs of issuance of said bonds, which expenses include costs of document production and reproduction, and financial advisory and counsel fees and expenses; providing for the pledge of certain revenue streams to provide for the payment of debt service on said bonds; providing for the sale of said bonds by private negotiated sale or by solicitation of competitive bids; prescribing the form and tenor of said bonds; determining other matters relating to the issuance and sale of said bonds, including the form of a notice of sale to be published in connection with any public sale of said bonds; providing for the disbursement of the proceeds of said bonds; authorizing the preparation and distribution of a preliminary official statement and an official statement in connection with any public sale of said bonds; providing that the proceeds of said bonds, or any moneys which may be deemed to be proceeds, will not be used in a manner which would cause said bonds to be arbitrage bonds; providing for the appointment of a paying agent and bond registrar for said bonds; covenanting to levy and collect all taxes necessary to provide for the payment of the principal of and interest on said bonds; and generally relating to the issuance, sale and delivery of said bonds.

**RECITALS**

The authority for the powers herein exercised is contained in Section C-719 of the Charter of Mayor and City Council of Ocean City (as amended, the “Charter”), and in Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended (the “Enabling Act” and, together with the Charter, the “Authorizing Legislation”).

The Authorizing Legislation authorizes and empowers Mayor and City Council of Ocean City (the “City”) to borrow money for any proper public purpose and to evidence such borrowing by the issuance and sale of its general obligation bonds in accordance with the procedure prescribed by the Authorizing Legislation, subject to the limitation that no bonds shall be issued by the City pursuant to the authority of the Authorizing Legislation if, by the issuance thereof, the

total bonded indebtedness of the City represented by its bonds payable from its general tax revenues then would exceed the amount permitted pursuant to the Authorizing Legislation.

The City proposes to spend the proceeds of the Bonds (as defined below) (i) to finance or refinance, in whole or in part, certain costs of acquisition, construction and/or improvements to the public projects described on Exhibit A attached hereto and (ii) to pay the costs of issuing the Bonds, which expenses include costs of document production and reproduction, and financial advisory and counsel fees and expenses.

The Charter contains no limitations upon the rate at which ad valorem taxes may be levied by the City for the payment of the principal of and interest on said bonded indebtedness.

Since the adoption of Article XI-E as an amendment of the Constitution of Maryland, the General Assembly has passed no law proposing a limitation upon the rate at which taxes may be levied by the City, or a limitation upon the amount of bonded indebtedness which may be incurred by the City.

NOW, THEREFORE, BE IT ORDAINED BY MAYOR AND CITY COUNCIL OF OCEAN CITY, that:

**Section 1:** Acting pursuant to the authority of the Authorizing Legislation, the City hereby determines that the net proceeds from the sale of its General Obligation Municipal Purpose Bonds of 2025, authorized to be issued and sold by this Ordinance, shall be used and applied for the public purposes of (a) financing or refinancing, in whole or in part, certain costs of acquisition, construction and/or improvements to the public projects described on Exhibit A attached to this Ordinance (the “Projects”) (which may represent the City’s share or contribution to the financing or refinancing of such Projects) and (b) paying the costs of issuing the Bonds (as defined below),



which expenses include costs of document production and reproduction, and financial advisory and counsel fees and expenses, all as stated in the Recitals to this Ordinance.

The costs of the Projects may include (without limitation) the costs of the planning, construction, reconstruction, demolition, improvement, refurbishing, renovation, restoration, extension, alteration, installation, repair, acquisition, conversion and modernization of structures; the acquisition of structures and sites for structures; architectural and engineering services, including preparation of plans, drawings and specifications; development and restoration of grounds; and all customary and necessary furnishings and fixed permanent equipment for structures.

**Section 2:** The City is hereby authorized to borrow money and incur indebtedness for the purposes set forth in Section 1 of this Ordinance. To evidence such borrowing and indebtedness and acting pursuant to the authority of the Authorizing Legislation, the City shall issue and sell, upon its full faith and credit, not to exceed Fifty-Two Million Dollars (\$52,000,000) aggregate principal amount of its serial maturity, general obligation, fully registered bonds, said issue of bonds to be known as “General Obligation Municipal Purpose Bonds of 2025” (the “Bonds”), the net proceeds of such sale to be used and applied as provided in this Ordinance.

**Section 3:** The Bonds shall all be dated as of the date of delivery (or such other date as the Mayor of the City (the “Mayor”) may determine based upon the advice of the Financial Advisor (as defined below)), shall be in the denominations of \$5,000 or any integral multiple thereof, shall be numbered from one (1) consecutively upward in the order of their maturities and each such number shall be prefixed by the letter “R.” The Bond Registrar (as defined below) may make such additional provision for numbering, including additional prefixes and suffixes, as it may deem appropriate. Based on a preliminary aggregate principal amount of \$52,000,000 (the “Preliminary

Amount”), the Bonds shall mature on January 15 in each of the years 2027 through 2046, inclusive, as set forth below:

<u>Maturing January 15</u>	<u>Preliminary Principal Amount*</u>	<u>Maturing January 15</u>	<u>Preliminary Principal Amount*</u>
2027	\$1,810,000	2037	\$2,545,000
2028	2,020,000	2038	2,630,000
2029	2,065,000	2039	2,725,000
2030	2,110,000	2040	2,825,000
2031	2,155,000	2041	2,930,000
2032	2,205,000	2042	3,045,000
2033	2,265,000	2043	3,165,000
2034	2,325,000	2044	3,300,000
2035	2,390,000	2045	3,440,000
2036	2,465,000	2046	3,585,000

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\* Preliminary, subject to change

In connection with any sale of the Bonds by solicitation of competitive bids at public sale as described in Section 6 hereof, the Mayor or his designee is authorized to establish (i) an aggregate principal amount of the Bonds which is less than the maximum aggregate principal amount authorized in Section 2 hereof, and to fix such amount as the Preliminary Amount to be set forth in the Notice of Sale authorized by this Ordinance, (ii) the revised amount of the Bonds upon which bids will be received (the “Revised Amount”), as described in the Notice of Sale authorized by this Ordinance, such revised amount to be the final aggregate principal amount and the final principal amount of each maturity of Bonds to be issued hereunder, unless further revised as set forth in clause (iii), and (iii) the revised amount of Bonds to be issued, taking into account any premium bid by the successful bidder, as described in the Notice of Sale authorized by this Ordinance, such revised amount to be the final aggregate principal amount and the final principal amount of each maturity of Bonds to be issued hereunder. The Mayor or his designee is further authorized to establish different maturities and different annual maturing principal amounts from

those set forth above (including the allocation of each maturity between the Golf Course Portion and the Water Projects Portion (each as defined in Section 9 hereof)) to reflect the Preliminary Amount of the Bonds in the Notice of Sale or Revised Amount of the Bonds upon which bids will be received. The Mayor or his designee is authorized to give notice of such changes to bidders by TM3 News Service as provided in the Notice of Sale authorized by this Ordinance.

The Mayor or his designee is further authorized to issue the Bonds as one series or as more than one series in order to accomplish the purposes set forth in Section 1 of this Ordinance, and each such series may be issued at such times and in such amounts as are necessary to accomplish the purposes for which each such series is issued, upon the advice of bond counsel to the City (“Bond Counsel”) and the financial advisor to the City (the “Financial Advisor”). The designation of the Bonds of each series may be modified appropriately to differentiate each series. The provisions and covenants set forth in this Ordinance shall apply with equal force and effect to each series of Bonds. Without limiting the foregoing, each series may have a different dated date and principal and interest payment dates, different interest rates, different redemption provisions and different principal payment schedules (so long as the aggregate principal amount of Bonds issued hereunder does not exceed the maximum authorized amount), and the covenants related to tax-exemption of the Bonds (if applicable) and the levy of taxes to pay the Bonds shall apply to each such series.

**Section 4:** Except as provided hereinafter or in an ordinance or resolution of the City adopted prior to the issuance of the Bonds, the Bonds maturing on or after January 15, 2037 shall be subject to redemption at any time on or after January 15, 2036, as a whole or in part, at the option of the City, at a redemption price equal to one hundred percent (100%) of the principal amount of the Bonds to be redeemed, plus accrued interest thereon to the redemption date.

Notwithstanding the foregoing, the Mayor may, upon the advice of the Financial Advisor, determine to issue the Bonds, or any series thereof, (i) without provisions permitting such Bonds to be subject to redemption prior to their maturities or (ii) with different redemption dates and prices than those set forth above.

If the City shall elect to redeem all or a portion of the Bonds, it shall deliver a redemption notice to the Depository (as defined below) not less than thirty (30) days prior to the date fixed for redemption by a secure means in accordance with the Depository's applicable operational arrangements. If the book-entry system is discontinued for the Bonds, the City shall give a redemption notice by letter mailed first class, postage prepaid, to the registered owners of the Bonds to be redeemed at their last addresses appearing on the registration books maintained by the Bond Registrar not less than thirty (30) days prior to the redemption date. Failure to deliver or mail any such notice with respect to a particular Bond or any defect in such notice, or in the delivery or mailing thereof, shall not affect the validity of the redemption proceedings. The redemption notice shall state (i) whether the Bonds are to be redeemed in whole or in part and, if in part, the maturities of the Bonds to be redeemed, (ii) that the interest on the Bonds to be redeemed shall cease on the date fixed for redemption, (iii) the date fixed for redemption and the redemption price, (iv) any conditions to such redemption and (v) that the Bonds to be redeemed shall be presented for redemption and payment on the date fixed for redemption at the designated corporate trust office of the Paying Agent (as defined below).

If less than all of the Bonds shall be called for redemption, the particular maturities of the Bonds to be redeemed shall be selected by the City. If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds to be redeemed shall be selected by lot by the Bond Registrar, except that so long as a Depository or its nominee is the sole registered

owner of the Bonds, the particular Bonds or portion to be redeemed shall be selected by the Depository, in such manner as the Depository shall determine. Each \$5,000 portion of a Bond shall be treated as a separate bond in the selection by lot of Bonds to be redeemed. When less than all of a Bond in a denomination in excess of \$5,000 is so redeemed, then, upon the surrender thereof, there shall be issued without charge to the registered owner thereof a Bond or Bonds in any of the authorized denominations as specified by the registered owner. The amount of the Bond or Bonds issued shall be equal to the unredeemed balance of the principal amount of the Bond surrendered, and the Bond or Bonds issued shall bear the same interest rate and shall mature on the same date as the Bond surrendered.

From and after the date fixed for redemption, if funds sufficient for the payment of the redemption price are held by the Paying Agent on such date and any other conditions to such redemption have been met, the Bonds designated for redemption shall become due and payable at the redemption price provided for the redemption of such Bonds on such date, interest on the Bonds shall cease to accrue and the registered owners of such Bonds so called for redemption shall have no rights in respect thereof except to receive payment of the redemption price thereof from such monies held by the Paying Agent. Upon presentation and surrender of a Bond called for redemption in compliance with the redemption notice, the Paying Agent shall pay the appropriate redemption price of such Bond. If they are not paid upon presentation, the Bonds designated for redemption shall continue to bear interest at the rates stated therein until paid.

**Section 5:** All of the Bonds authorized by this Ordinance shall bear interest at the interest rate or rates fixed at the time of the awarding of the Bonds in accordance with the provisions of this Ordinance as hereinafter provided. Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated, unless authenticated

upon an interest payment date, in which event it shall bear interest from such interest payment date, or unless authenticated prior to the first interest payment date, in which event it shall bear interest from the date of the Bonds; provided, however, that if at the time of authentication of any Bond interest is in default, such Bond shall bear interest from the date to which interest has been paid.

Except as provided hereinafter or in an ordinance or resolution of the City adopted prior to the issuance of the Bonds, the interest on all Bonds shall be paid on July 15, 2026 and semi-annually thereafter on the fifteenth day of January and July of each year in which any Bonds may be outstanding. Notwithstanding the foregoing, the Mayor may determine, upon the advice of the Financial Advisor, other interest payment dates for the Bonds.

The Bonds shall be executed in the name of the City and on its behalf by the Mayor. Such signature of the Mayor shall be manual or shall be imprinted on such Bonds by facsimile; an imprint of the corporate seal of the City (or a facsimile thereof) shall also be affixed thereon, attested by the manual signature of the City Clerk of the City (the “City Clerk”), which if by facsimile shall be in accordance with and pursuant to the authority of the Maryland Uniform Facsimile Signature of Public Officials Act and Section 19-303(c)(ii) of the Local Government Article of the Annotated Code of Maryland, as amended. In the event any official whose signature shall appear on the Bonds shall cease to be such official prior to the delivery of the Bonds, or in the event any such official whose signature shall appear on the Bonds shall have become such after the date of issue thereof, the Bonds shall nevertheless be valid and legally binding obligations of the City in accordance with their terms.

The Bonds shall be issued as fully registered bonds without coupons and shall be registered in the name or names of the owner or owners thereof, on books kept for such purpose at the

designated office of the Bond Registrar. Except as provided hereinafter or in an ordinance or resolution of the City adopted prior to the issuance and delivery of the Bonds, the Bonds initially will be issued in book-entry form without any physical distribution of Bond certificates made to the owners. The Depository Trust Company, New York, New York (“DTC”) will act as securities depository (the “Depository”) for the Bonds, and the Bonds will be registered in the name of DTC’s partnership nominee, Cede & Co. The City reserves the right to terminate maintenance of the Bonds in a book-entry only system and to issue fully certificated bonds. The Mayor or his designee is hereby authorized to appoint a financial institution to act as bond registrar and as paying agent (the “Bond Registrar” and “Paying Agent”) for the Bonds, unless the Mayor determines after consulting with the Financial Advisor that the City shall act as the Bond Registrar or the Paying Agent or both. The Mayor is hereby authorized and directed to execute and deliver an agreement with the Paying Agent and Registrar (the “Paying Agent Agreement”), in such form and containing such provisions as the Mayor deems necessary and appropriate (as evidenced by his execution and delivery of such Paying Agent Agreement). The Mayor, the Finance Director of the City (the “Finance Director”) and their designees are each authorized to take all actions on behalf of the City pursuant to the Paying Agent Agreement. The identity of the Bond Registrar and Paying Agent, the place of payment of the Bonds at maturity or redemption and the place of transfer or exchange of the Bonds may be changed by the City upon thirty (30) days’ written notice to the registered owners of the Bonds at their addresses specified in the bond registration books maintained by the Bond Registrar.

Payment of the principal of and interest on the Bonds shall be made to the person appearing on the registration books maintained by the Bond Registrar as the registered owner thereof, such principal to be payable at the designated office of the Paying Agent upon presentation and

surrender of such Bonds as the same become due and payable, and such interest to be payable by electronic funds transfer or check mailed by the Paying Agent to the persons in whose names the Bonds are registered on the first (1st) day of the calendar month in which each regular interest payment date occurs (the “Regular Record Date”) at the registered owner’s address as shown on the registration books maintained by the Bond Registrar; *provided, however*, that so long as the Bonds are registered in book-entry form, the principal of, redemption premium, if any, and interest on the Bonds shall be payable in accordance with DTC’s payment procedures or the procedures of any successor Depository for the Bonds.

Any interest on any Bond which is payable but is not punctually paid or provision for the payment of which has not been made (“Defaulted Interest”) shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date solely by virtue of such registered owner having been such registered owner; and such Defaulted Interest may be paid by the City, at its election in each case, as provided in paragraph (1) or paragraph (2) below:

(1) The City may elect to make payment of any Defaulted Interest on the Bonds to the persons in whose names such Bond is registered at the close of business on a record date for the payment of such Defaulted Interest (the “Special Record Date”), which shall be fixed in the following manner. The City shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on the Bonds and the date of the proposed payment (which date shall be such as will enable the Paying Agent to comply with the next sentence hereof), and at the same time the City shall deposit or cause to be deposited with the Paying Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons



entitled to such Defaulted Interest as provided in this paragraph. Thereupon the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than fifteen (15) nor less than ten (10) days prior to the date after the receipt by the Paying Agent of the notice of the proposed payment. The Paying Agent shall promptly notify the City of such Special Record Date and, in the name of the City, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first-class postage prepaid, to each registered owner at his address as it appears in the registration books maintained by the Bond Registrar not less than ten (10) days prior to such Special Record Date. The Paying Agent may in its discretion, in the name of the City, cause a similar notice to be published at least once in a newspaper of general circulation in each of Ocean City, Maryland, and New York, New York, but such publication shall not be a condition precedent to the establishment of such Special Record Date. Notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor having been mailed as aforesaid, such Defaulted Interest shall be paid to the registered owners of the Bonds as of the close of business on such Special Record Date.

(2) The City may make payment of any Defaulted Interest in any other lawful manner not inconsistent with the requirements of any securities exchange on which the Bonds may be listed, and upon such notice as may be required by such exchange, if, after notice given by the City to the Paying Agent of the proposed payment pursuant to this paragraph, such payment shall be deemed practicable, and approved in writing, by the Paying Agent.

Except as provided hereinafter or in resolutions or ordinances of the City adopted prior to the issuance and delivery of the Bonds, the Bonds shall be substantially in the form set forth in Exhibit B attached to this Ordinance. Appropriate variations and insertions may be made to provide dates, numbers and amounts, and modifications not altering its substance may be made by

the Mayor to carry into effect the purposes of this Ordinance or to comply with the recommendations of Bond Counsel or the Financial Advisor. Such form and all of the covenants therein contained are hereby adopted by the City as and for the form of obligation to be incurred by the City, and such covenants are hereby made binding upon the City, including the promise to pay therein contained.

**Section 6:** Except as provided hereinafter or in an ordinance or resolution of the City adopted prior to the issuance of the Bonds, the Mayor may sell all or any portion of the Bonds by either of the following methods, as determined by the Mayor, after consultation with the Financial Advisor, to be in the best interests of the City under then-current market conditions:

(1) The Bonds authorized by this Ordinance may be sold at private negotiated sale without advertisement or publication of notice of sale or solicitation of competitive bids. If the Bonds are sold in such a manner, the Mayor, after considering any recommendations of the Financial Advisor, is authorized to engage an underwriter or placement agent for the sale and any offering of the Bonds and may authorize the Finance Director to: (i) prepare a request for proposals or similar documents with the assistance of the Financial Advisor; (ii) solicit proposals from banks or investment banking firms recommended by the Financial Advisor for the purchase of such Bonds; (iii) make all necessary arrangements for the tabulation and comparison of the proposals received, including the employment of specially qualified personnel, if necessary, to determine the proposal which has the most advantageous terms for the City; and (iv) negotiate the terms of the sale of the Bonds with one or more banks or investment banking firms submitting proposals, which terms may include a forward delivery of all or a portion of the Bonds. The Mayor, after considering any recommendations of the Financial Advisor, may also approve the form of, and authorize the Finance Director to execute and deliver on behalf of the City, an underwriting or purchase

agreement or agreements for the Bonds (or any portion thereof), to the extent required with respect to the Bonds. The award of the Bonds sold in such manner shall be made by executive order of the Mayor, which executive order shall include the identity of the selected purchaser of the Bonds, the interest rate or rates to be borne by the Bonds as specified by such purchaser, and the dates and amounts of installment payments of principal and interest on the Bonds (which amounts may be revised from those set forth in Section 3 hereof, so long as the maximum aggregate principal amount of the Bonds does not exceed the amount authorized in Section 2 hereof). Each such Bond shall be prepared in definitive form, executed and delivered to the purchaser as soon as may be practicable after the award of such Bond, upon receipt of the purchase price. The Mayor is expressly authorized and empowered to take any and all action necessary to complete and close the award, sale and delivery of each Bond to the purchaser, including the delivery of such other offering documents, bond purchase documents and other documents as may be reasonably required in connection with such issuance of Bonds.

(2) The Bonds authorized by this Ordinance may also be sold by solicitation of competitive bids at public sale in accordance with the provisions of the Notice of Sale (hereinafter described) on December 4, 2025, or on such other date as may be selected by the Mayor, for cash at no less than par, to the bidder therefor whose bid is deemed to be for the best interests of the City. Electronic bids shall be received until 11:00 a.m. local Ocean City, Maryland, time on said date of sale (or such other time determined by the Mayor). Immediately after such sale, the interest rate or rates specified by the successful bidder shall be fixed by an award which shall be made by executive order of the Mayor to the winning bidder in accordance with the terms of the Notice of Sale. The Mayor is also granted the authority to reject all bids and establish an alternative sale date in accordance with the terms of the Notice of Sale, should the Mayor determine, based upon

the advice of the Financial Advisor, that such action is in the best interests of the City. After such award is made, the Bonds shall thereafter be suitably prepared and delivered to the successful bidder upon payment of the balance of the purchase price thereof. Except as provided hereinafter or in an ordinance or resolution of the City adopted prior to the issuance of the Bonds, the Notice of Sale shall be in substantially the form set forth as Exhibit C hereto, with the insertions therein indicated. The terms and conditions stated in such Notice of Sale are hereby adopted and approved as the terms and conditions under which and the manner in which such Bonds shall be sold, issued and delivered at public sale, subject to such insertions, alterations, additions or deletions as the Mayor may deem advisable due to financial or market conditions prevailing at the time, based upon the advice of the Financial Advisor. The complete text of the Notice of Sale shall be included in any preliminary official statement and official statement prepared for the Bonds. The City Clerk is authorized and directed to publish the Notice of Sale or a summary thereof at least twice in a daily or weekly newspaper having general circulation in Ocean City, Maryland. The first of such publications shall be made at least ten (10) days prior to the date of sale. The City Clerk may, but is not obligated to, give such other notice of the sale of such Bonds, within or without this State, by publication or otherwise, as the Mayor or the City Clerk may deem appropriate; such other notice may include, without limitation, publication of the Notice of Sale or a summary thereof in *The Bond Buyer*, a financial journal published in the City of New York, New York. In connection with such sale, the distribution of a preliminary official statement and an official statement pertaining to the Bonds is hereby authorized, the final form of such official statement to be approved by the Mayor as evidenced by his signature thereon. The official statement shall be in substantially the form of the preliminary official statement (which shall be in a form “deemed

final” as of its date for purposes of SEC Rule 15c2-12) with such changes, modifications, additions and deletions as the Mayor or the Finance Director may approve.

The Finance Director is hereby authorized and directed to make all necessary arrangements for the tabulation and comparison of the proposals or bids, as applicable, received from any private or public sale specified in this Section, including the employment of specially qualified personnel, if necessary, so that he will be able promptly to advise the Mayor as to the proposal or bid, as applicable, which provides the most advantageous terms to the City.

The Mayor and the Finance Director are expressly authorized to, as applicable: (i) approve the form of, and execute and deliver and on behalf of the City, a continuing disclosure agreement to assist bidders or bond purchasers, as appropriate, in complying with Securities and Exchange Commission Rule 15c2-12(b)(5); (ii) enter into any agreement necessary to maintain the Bonds under a book-entry system; and (iii) approve the form of, and execute and deliver any other certificate, document or agreement that the Mayor or the Finance Director deem necessary or desirable in connection with the issuance of the Bonds.

Without limiting the generality of the foregoing, the Mayor or the Finance Director is authorized to obtain a policy of municipal bond insurance with respect to the Bonds and, if a commitment for the issuance of such policy of insurance is acquired, an appropriate reference to such commitment may be inserted in any Notice of Sale and in the form of Bond set forth in Exhibit B hereto.

**Section 7:** The proceeds of the sale of the Bonds, including any premium which may be received therefor, shall be paid directly to the Finance Director. At the option of the City, any amount paid as premium on the Bonds may be used to pay costs of issuance of the Bonds, allocated to additional public projects that are approved by the City or set apart in a separate fund and applied

to pay debt service on the Bonds. If not paid from amounts paid as premium on the Bonds, the Finance Director shall pay from the gross proceeds received from the sale of the Bonds all costs of issuing the same, including costs of document production and reproduction, and financial advisory and counsel fees and expenses.

**Section 8:** The Finance Director shall use the proceeds from the sale of the Bonds, and any investment earnings thereon, to finance or refinance the Projects, as described in Section 1 hereof. In the event that the amount of funds allocated to a Project exceeds the amount needed for such Project, the excess may be allocated to other Projects or may be allocated to additional public projects which are authorized by the City. Prior to expenditure of such proceeds, the same or any part thereof shall be invested by the Finance Director, with the approval of the Mayor, in any authorized investment of the City. Prior to the sale of the Bonds, the Mayor may determine not to issue Bonds for one or more of the purposes authorized by this Ordinance. In addition, if the funds derived from the sale of the Bonds shall exceed the amount needed to finance the Projects described in this Ordinance, the funds so borrowed and not expended as provided by this Ordinance shall be set apart in a separate fund by the Finance Director and applied in payment of the next principal maturity of the Bonds, unless the City shall adopt an ordinance allocating such funds to some other public capital improvement project or projects of the City.

**Section 9:** The principal of and interest on that portion of the Bonds that is attributable to the tidal flooding remediation golf course project (the “Golf Course Portion”) are payable in the first instance from the proceeds of operations of the municipal golf course known as Eagles Landing Golf Course as collected by the City. The estimated principal amount of the Golf Course Portion is \$2,300,000. If the proceeds of the operations of the municipal golf course as collected by the City are insufficient to provide for the payment of the principal of and interest on the Golf

Course Portion of the Bonds in any fiscal year, then the City shall also levy and collect ad valorem taxes upon all taxable property within the corporate limits of the City in rate and amount sufficient to provide for such deficiency in each such fiscal year. In the event the proceeds from the taxes so levied in each such fiscal year shall prove inadequate for the above purposes, additional taxes shall be levied in the subsequent fiscal year to make up any deficiency.

The principal of and interest on that portion of the Bonds that is attributable to the wastewater-influent headworks improvements project, water-radio mead meters project and the water-14<sup>th</sup> street generator project (collectively, the “Water Projects Portion”) are payable in the first instance from the proceeds of the operations of water projects, including but not limited to benefit assessments, connection, service and other charges as may be levied, imposed or collected by the City. The estimated principal amount of the Water Projects Portion is \$44,606,000. If the proceeds of the operations of the water projects as collected by the City are insufficient to provide for the payment of principal of and interest on the Water Projects Portion of the Bonds in any fiscal year, then the City shall also levy and collect ad valorem taxes upon all taxable property within the corporate limits of the City in rate and amount sufficient to provide for such deficiency in each such fiscal year. In the event the proceeds from the taxes so levied in each such fiscal year shall prove inadequate for the above purposes, additional taxes shall be levied in the subsequent fiscal year to make up any deficiency

It is the intent of this Ordinance that the rate of the ad valorem taxes described herein may be so computed in each fiscal year that the proceeds of such ad valorem taxes, together with funds from other sources, including, but not limited to, benefit assessments, connection, service and other charges as may be levied, imposed or collected by the City, shall provide sufficient funds to meet the maturing principal of and interest on the Water Projects Portion or the Golf Course Portion of

the Bonds, the proceeds of the sale of which are to be applied in part to the costs of the City water and wastewater facilities and golf course projects described on Exhibit A attached to this Ordinance. Taxes that might otherwise be levied may be reduced or not levied to the extent such other funds are received or receivable.

Thereafter, prior to each principal and semi-annual interest payment date, the City shall deposit with the Paying Agent, from the tax and other funds described above and from any other funds then legally available for such purposes, the amounts needed to pay the principal of and interest on the Bonds coming due on each such payment date. All moneys so deposited with the Paying Agent shall be deemed and treated by the Paying Agent as trust funds for the use and benefit of the holders from time to time of the Bonds. If any such trust funds are held by the Paying Agent for the payment of particular Bonds for a period of two (2) years from the date such payment is due, and the holders of said Bonds have failed to present the same for payment within such period, such trust funds shall be returned by the Paying Agent to the City and, thereafter, the holders of such Bonds shall have claims only against the City for payment of the obligations held by them and the Paying Agent shall be relieved of the trust hereby imposed.

To assure the performance by the City of the provisions of this Section, the full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the payment to maturity of the principal of and interest on the Bonds as and when the same respectively mature and become payable and to the levy and collection of the taxes hereinabove described as and when such taxes may become necessary in order to provide sufficient funds to meet the debt service requirements of the Bonds to be issued. This pledge is made hereby for the benefit of the holders, from time to time, of the Bonds.



The City hereby solemnly covenants and agrees with each holder of any of the Bonds to levy and collect the taxes hereinabove described and to take any other action that may be appropriate from time to time during the period that any of such Bonds remain outstanding and unpaid to provide the funds necessary to make principal and interest payments thereon when due.

**Section 10:** CUSIP numbers may be printed on the Bonds; provided, however, that the printing of CUSIP numbers on the Bonds (even if incorrect) shall have no legal effect and shall not in any way affect the enforceability or validity of any Bond. Any expenses in relation to the printing of CUSIP numbers on the Bonds, including any CUSIP Service Bureau charge for the assignment of such numbers, in the discretion of the Finance Director, may be paid for by the City from the proceeds of the Bonds.

**Section 11:** In addition to the insertions and variations authorized or prescribed by the preceding Sections of this Ordinance, the Mayor is hereby authorized to make such further modifications in the form of the Bonds as will not alter the substance of such form.

**Section 12:** This Section shall apply to any portion of the Bonds issued with the expectation that the interest payable thereon will be excludable from gross income for federal income tax purposes. The Mayor and the Finance Director shall be the officers of the City responsible for the issuance of the Bonds within the meaning of the Arbitrage Regulations (as defined below). The Mayor and the Finance Director shall also be the officers of the City responsible for the execution and delivery (on the date of issuance of the Bonds) of a certificate of the City (the “Tax and Section 148 Certificate”) which complies with the requirements of Section 148 of the Internal Revenue Code of 1986, as amended (“Section 148”), and the applicable regulations thereunder (the “Arbitrage Regulations”), and such officials are hereby authorized and

directed to execute the Tax and Section 148 Certificate and to deliver the same to Bond Counsel on the date of the issuance of the Bonds.

The City shall set forth in the Tax and Section 148 Certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds, or of any monies, securities or other obligations on deposit to the credit of any account of the City which may be deemed to be proceeds of the Bonds pursuant to Section 148 or the Arbitrage Regulations (collectively, “Bond Proceeds”). The City covenants with each of the holders of any of the Bonds that the facts, estimates and circumstances set forth in the Tax and Section 148 Certificate will be based on the City’s reasonable expectations on the date of issuance of the Bonds and will be, to the best of the certifying officials’ knowledge, true and correct as of that date.

In the event that Bonds are issued pursuant to this Ordinance with the expectation that interest on such Bonds be excludable from gross income for federal income tax purposes, the City covenants with each of the registered owners of any of the Bonds that it will not make, or (to the extent that it exercises control or direction) permit to be made, any use of the Bond Proceeds which would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 and the Arbitrage Regulations. The City further covenants that it will comply with Section 148 and the Arbitrage Regulations which are applicable to the Bonds on the date of issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds as long as the Bonds remain outstanding and unpaid. The Mayor and the Finance Director are hereby authorized and directed to prepare or cause to be prepared and to execute, respectively, any certification, opinion or other document, including, without limitation, the Tax and Section 148 Certificate, which may be required to assure that the Bonds will not be deemed to be “arbitrage bonds” within the meaning of Section 148 and the Arbitrage Regulations. All officers, employees and agents of the City are

hereby authorized and directed to take such actions, and to provide such certifications of facts and estimates regarding the amount and use of the proceeds of the Bonds as may be necessary or appropriate from time to time to comply with, or to evidence the City's compliance with, the covenants set forth in this Section.

The City further covenants with each of the registered owners of any of the Bonds that it shall make such use of the proceeds of the Bonds, regulate the investment thereof, and take such other and further actions as may be required to maintain the excludability from gross income for federal income tax purposes of interest on the Bonds.

In the event that the Bonds are being issued hereunder with the expectation that interest on such Bonds will be exempt from federal income taxation, the Mayor may make such covenants and agreements in connection with the issuance of such Bonds as he shall deem advisable in order to assure the registered owners of such Bonds that interest thereon shall be and remain excludable from gross income for federal income tax purposes, and such covenants and agreements shall be binding on the City so long as the observance by the City of any such covenants or agreements is necessary in connection with the maintenance of the exclusion of the interest on such Bonds from gross income for federal income tax purposes. The foregoing covenants and agreements may include such covenants or agreements on behalf of the City regarding compliance with the provisions of the Internal Revenue Code of 1986, as amended, as the Mayor or the Finance Director and the City's bond counsel shall deem advisable in order to assure the registered owners of the Bonds that the interest thereon is and shall remain excludable from gross income for federal income tax purposes, including (without limitation) covenants or agreements relating to the investment of Bond Proceeds, the payment of certain earnings resulting from such investment to the United States, limitations on the times within which, and the purposes for which, Bond

Proceeds may be expended, or the use of specified procedures for accounting for and segregating Bond Proceeds. Any covenant or agreement made by the Mayor or the Finance Director pursuant to this paragraph may be set forth in or authorized by the Tax and Section 148 Certificate or an order executed by the Mayor.

**Section 13:** Pursuant to the authority of this Ordinance, all officers, employees and agents of the City may take such actions and execute and deliver such documents as are necessary or appropriate from time to time to provide for the issuance, sale and delivery of the Bonds.

**Section 14:** This Ordinance shall take effect from the date of its approval by the Mayor, on or following the date of its final passage.

*[signatures appear on next page]*

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on \_\_\_\_\_, 2025.

ADOPTED AND PASSED, by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
DIANA L. CHAVIS, Clerk

\_\_\_\_\_  
RICHARD W. MEEHAN, Mayor

Approved as to form:

\_\_\_\_\_  
MATTHEW M. JAMES, President

\_\_\_\_\_  
HEATHER STANSBURY  
Ayres, Jenkins, Gordy & Almand, P.A.  
Office of the City Solicitor

\_\_\_\_\_  
ANTHONY J. DELUCA, Secretary

**Exhibit A**

**PROJECTS**

Projects included in FY 2026 Bond issue:	Cost estimates	
Wastewater-Influent Headworks Improvements	\$41,976,000	-debt service paid first by user fees
Golf Course-Tidal Flooding Remediation	\$3,300,000	-debt service paid first by user fees
Water-Radio Read Meters	\$2,300,000	-debt service paid first by user fees
Water-14th Street Generator	\$630,000	-debt service paid first by user fees
<b>General Fund:</b>		
Fleet/Garage Renovations	\$1,500,000	
Boardwalk Signs	\$765,000	
<b>Total project costs</b>	<b>\$50,471,000</b>	

**Exhibit B**  
**Form of Bond**

No. R-\_\_

\$\_\_\_\_\_

**UNITED STATES OF AMERICA**  
**STATE OF MARYLAND**  
**MAYOR AND CITY COUNCIL OF OCEAN CITY**  
**GENERAL OBLIGATION MUNICIPAL PURPOSE BOND OF 2025**

**Interest Rate Per**

**Annum**

**Maturity Date**

**Date of Original Issue**

**CUSIP**

\_\_\_\_\_%

January 15, 20\_\_

\_\_\_\_\_, 2025

\_\_\_\_\_

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

Mayor and City Council of Ocean City (the “City”), a municipal corporation created and existing under the laws of the State of Maryland, hereby acknowledges itself indebted, and, for value received, promises to pay to the Registered Owner shown above or registered assigns or legal representatives on the Maturity Date shown above, the Principal Amount shown above, in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts, upon presentation and surrender of this bond on the date such principal is payable, or if such date is not a Business Day (as defined below) then on the next succeeding Business Day, at the designated office of the Paying Agent (as defined below), and to pay interest on said principal amount at the Interest Rate shown above until payment of such principal amount, such interest being payable on July 15, 2026, and semi-annually thereafter on the fifteenth day of January and July in each year, in like coin or currency, to the registered owner in whose name this bond is registered on the registration books maintained by the Bond Registrar (as defined below) (the “Bond Register”) as of the close of business on first (1st) day of the calendar month in which such regular interest payment date occurs (the “Regular Record Date”), and shall be made by electronic funds transfer or check mailed by the Paying Agent to such person at such person’s address as it appears on the Bond Register; provided, however, that so long as the bonds are registered in book-entry form, the principal of and interest on the bonds shall be payable in accordance with DTC’s (as defined below) payment procedures or the procedures of any successor depository for the bonds. Any such interest not so punctually paid or duly provided for shall forthwith cease to be payable to the registered owner on the Regular Record Date, and may be paid to the person in whose name this bond is registered at the close of business on a date fixed by the Paying Agent

for such defaulted interest payment (the “Special Record Date”), notice of which is given to the registered owner hereof not less than ten (10) days prior to such Special Record Date, or may be paid at any time in any other lawful manner not inconsistent with the requirement of any securities exchange on which the bonds of this series may be listed and upon such notice as may be required by such exchange.

“Business Day” means a day other than a Saturday, Sunday or day on which banking institutions under the laws of the State governing the Paying Agent are authorized or obligated by law or required by executive order to remain closed.

This bond is one of a duly authorized issue of general obligation bonds of the City aggregating \_\_\_\_\_ Dollars (\$\_\_\_\_\_) in principal amount (the “Bonds”), which are in denominations of \$5,000 or any integral multiple thereof and mature serially in installments on the fifteenth day of January in each of the years 202\_\_ to 20\_\_, inclusive, as follows:

<b><u>Maturing</u></b>	<b><u>Principal</u></b>	<b><u>Maturing</u></b>	<b><u>Principal</u></b>
<b><u>January 15</u></b>	<b><u>Amount</u></b>	<b><u>January 15</u></b>	<b><u>Amount</u></b>

The Bonds are numbered from one (1) consecutively upwards prefixed by the letter “R” and are of like tenor and effect except as to maturity, number, interest rate, denomination and redemption provisions, and are issued pursuant to and in full conformity with the provisions of Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Section C-719 of the Charter of the City, as amended, and by virtue of due proceedings had and taken by the City, particularly an Ordinance adopted on \_\_\_\_\_, 2025 (approved \_\_\_\_\_, 2025) (the “Ordinance”).

The Bonds which mature on or before January 15, 2036 are not subject to redemption prior to their maturities. The Bonds maturing on or after January 15, 2037 are subject to redemption at any time on or after January 15, 2036, as a whole or in part, at the option of the City, at a redemption price equal to one hundred percent (100%) of the principal amount of the Bonds to be redeemed, plus accrued interest to the date fixed for redemption.

Notice of call for redemption shall be delivered to the Depository (as defined in the Ordinance) not less than thirty (30) days prior to the date fixed for redemption by a secure means as prescribed in the Ordinance. If the book-entry system is discontinued for the Bonds, the City shall give a redemption notice by letter mailed first class, postage prepaid, to the registered owners of the Bonds to be redeemed at their last addresses appearing on the registration books maintained by the Bond Registrar not less than thirty (30) days prior to the redemption date. Failure to deliver or mail any such notice with respect to a particular Bond or any defect in such notice, or in the delivery or mailing thereof, shall not affect the validity of the redemption proceedings.

If less than all of the Bonds are called for redemption, the particular maturities to be redeemed shall be selected by the City. If less than all of the Bonds of any one maturity are called



for redemption, the particular Bonds of that maturity to be redeemed shall be selected by lot by the Bond Registrar. Each \$5,000 portion of a Bond shall be treated as a separate Bond in the selection by lot of Bonds to be redeemed.

If, on the date fixed for redemption, moneys sufficient for the payment of the redemption price are held by the Paying Agent and any other condition to such redemption have been met, then the Bonds so called for redemption shall become and be due and payable at such redemption price, and from and after the date of redemption fixed in the notice of call for redemption, interest on the Bonds so called for redemption shall cease to accrue.

So long as all of the Bonds shall be maintained in Book-Entry Form with a Depository (as defined in the Ordinance) in accordance with the Ordinance: (1) in the event that fewer than all Bonds of any one maturity shall be called for redemption, the Depository, and not the Bond Registrar, will select the particular accounts from which Bonds or portions thereof will be redeemed in accordance with the Depository's standard procedures for redemption of obligations such as the Bonds; (2) in the event that part, but not all, of this bond shall be called for redemption, the holder of this bond may elect not to surrender this bond in exchange for a new bond in accordance with the provisions hereof and in such event shall make a notation indicating the principal amount of such redemption and the date thereof on the Payment Grid attached hereto; and (3) payments of principal or redemption price of and interest on this bond shall be payable to the Depository or its assigns in accordance with the provisions of the Ordinance. For all purposes, the principal amount of this bond outstanding at any time shall be equal to the lesser of (A) the principal sum shown on the face hereof and (B) such principal sum reduced by the principal amount of any partial redemption of this bond following which the holder of this bond has elected not to surrender this bond in accordance with the provisions hereof. The failure of the holder hereof to note the principal amount of any partial redemption on the Payment Grid attached hereto, or any inaccuracy therein, shall not affect the payment obligation of the City hereunder. THEREFORE, IT CANNOT BE DETERMINED FROM THE FACE OF THIS BOND WHETHER A PART OF THE PRINCIPAL OF THIS BOND HAS BEEN PAID.

The City has appointed Manufacturers and Traders Trust Company to act as bond registrar and as paying agent (the "Bond Registrar" and "Paying Agent") with respect to the Bonds. The identity of the Bond Registrar and Paying Agent, the place of payment of the Bonds at maturity and the place of transfer or exchange of the Bonds may be changed by the City upon thirty (30) days' written notice to the bondholders at their addresses specified in the Bond Register.

This bond is transferable only upon the Bond Register, by the registered owner hereof in person, or by its attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer in the form attached hereto and satisfactory to the Bond Registrar duly executed by the registered owner or its duly authorized attorney, and thereupon, within a reasonable time, the City shall issue in the name of the transferee a new registered bond or bonds of any authorized denominations in aggregate principal amount equal to the principal amount of this bond or the unredeemed portion hereof, and maturing on the same date and bearing interest at the same rate. Said new bond or bonds shall be delivered to the transferee only after payment of any tax or governmental charge required to be paid with respect to, and any shipping expenses or insurance relating to, such transfer and only after due authentication thereof by an authorized officer of the Bond Registrar. The City may deem and treat the person in whose name this bond

is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

The principal of and interest on that portion of the Bonds that is attributable to the tidal flooding remediation golf course project (the “Golf Course Portion”) are payable in the first instance from the proceeds of the operations of the municipal golf course known as Eagles Landing Golf Course as collected by the City.

If the proceeds of the operations of the municipal golf course as collected by the City are insufficient to provide for the payment of the principal of and interest on the Golf Course Portion of the Bonds in any fiscal year, then the City shall also levy and collect ad valorem taxes upon all taxable property within the corporate limits of the City in rate and amount sufficient to provide for such deficiency in such fiscal year.

The principal of and interest on that portion of the Bonds that is attributable to the acquisition, construction and/or improvements to the wastewater-influent headworks improvements project, water-radio mead meters project and the water-14<sup>th</sup> street generator project (the “Water Projects Portion”) are payable in the first instance from the proceeds of the operations of water projects, including but not limited to benefit assessments, connection, service and other charges as may be levied, imposed or collected by the City.

If the proceeds of the operations of water projects as collected by the City are insufficient to provide for the payment of the principal of and interest on the Water Projects Portion of the Bonds in any fiscal year, then the City shall also levy and collect ad valorem taxes upon all taxable property within the corporate limits of the City in rate and amount sufficient to provide for such deficiency in such fiscal year.

The rate of the ad valorem taxes described herein may be so computed in each fiscal year that the proceeds of such ad valorem taxes, together with funds from other sources, including, but not limited to, benefit assessments, connection, service and other charges as may be levied, imposed or collected by the City, shall provide sufficient funds to meet the maturing principal of and interest on the Water Projects Portion or the Golf Course Portion of the Bonds, the proceeds of the sale of which are to be applied in part to the costs of the City water and wastewater facilities and the golf course project. Taxes that might otherwise be levied may be reduced or not levied to the extent such other funds are received or receivable.

The full faith and credit and unlimited taxing power of the City are hereby irrevocably pledged to the prompt payment of the principal of and interest on this bond according to its terms, and the City does hereby covenant and agree to pay the principal of this bond and the interest thereon, at the dates and in the manner mentioned herein, according to the true intent and meaning thereof.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of Maryland, the Charter of the City and the Ordinance to exist, to have happened or to have been performed precedent to or in the issuance of this bond, exist, have happened and have been performed, and that the issue of Bonds of which this is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by said

Constitution or statutes or Charter, and that due provision has been made for the levy and collection of an ad valorem tax or taxes, to the extent necessary, upon all legally assessable property within the corporate limits of the City in rate and amount sufficient to provide for the payment, when due, of the principal of and interest on this bond.

This bond shall not be valid or become obligatory for any purpose until this bond shall have been authenticated by an authorized officer of the Bond Registrar.

IN WITNESS WHEREOF, this bond has been executed by the manual or facsimile signature of the Mayor of the City, which signature, if by facsimile, has been imprinted hereon, the corporate seal of the City (or a facsimile thereof) has been imprinted hereon, attested by the manual signature of the City Clerk of the City all as of the Date of Original Issue set forth above.

[SEAL]

MAYOR AND CITY COUNCIL OF  
OCEAN CITY

ATTEST:

By: (manual or facsimile signature)  
Mayor

(manual signature)  
City Clerk

## **CERTIFICATE OF AUTHENTICATION**

The undersigned hereby certifies that this bond is one of the registered bonds of Mayor and City Council of Ocean City described in the within mentioned Ordinance.

MANUFACTURERS AND TRADERS TRUST  
COMPANY, as Bond Registrar

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Authorized Officer

Date of Authentication: \_\_\_\_\_

PAYMENT GRID

<u>Date of Payment</u>	<u>Principal Amount Paid</u>	<u>Principal Amount Outstanding</u>	<u>Holder Signature</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**(Form of Assignment)**

**FOR VALUE RECEIVED** the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within bond and all rights thereunder, and does hereby constitute and appoint \_\_\_\_\_ to transfer the within bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Notice: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

Signature Guarantee:

\_\_\_\_\_  
Note: Signature(s) must be guaranteed by an “eligible guarantor institution” meeting the requirements of the Bond Registrar, which requirements include membership or participation in STAMP or such other “signature guaranty program” as may be determined by the Bond Registrar in addition to or in substitution for STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

\_\_\_\_\_  
(Please insert social security or other identifying number of assignee)

\_\_\_\_\_  
The following abbreviations, when used in this bond, shall be construed as though they were written out in full according to applicable laws or regulations:

UNIF TRANS MIN ACT

TEN COM -	as tenants in common
TEN ENT -	as tenants by the entireties
JT Ten -	as join tenants with right of survivorship and not as tenants in common

Additional abbreviations may also be used though not in the above list.

**Exhibit C**

**NOTICE OF SALE**

**MAYOR AND CITY COUNCIL OF OCEAN CITY**

**GENERAL OBLIGATION MUNICIPAL PURPOSE BONDS OF 2025**

Electronic bids via **PARITY®** will be received until 11:00 a.m., local Ocean City, Maryland time on Thursday, December 4, 2025, by the Mayor of Mayor and City Council of Ocean City (the “City”) or his designee at the offices of the Finance Director of the City, located at City Hall, 3rd Street and Baltimore Avenue, Ocean City, Maryland 21842, for the purchase of the above-described bonds of the City (the “Bonds”), aggregating \$52,000,000\*.

**Terms of the Bonds**

The Bonds are all dated their date of initial delivery and bear interest payable semiannually on January 15 and July 15, commencing July 15, 2026, until maturity or earlier redemption. The Bonds mature, subject to prior redemption, on the fifteenth day of January as follows:

<u>Maturing January 15</u>	<u>Preliminary Principal Amount*</u>	<u>Maturing January 15</u>	<u>Preliminary Principal Amount*</u>
2027	\$1,810,000	2037	\$2,545,000
2028	2,020,000	2038	2,630,000
2029	2,065,000	2039	2,725,000
2030	2,110,000	2040	2,825,000
2031	2,155,000	2041	2,930,000
2032	2,205,000	2042	3,045,000
2033	2,265,000	2043	3,165,000
2034	2,325,000	2044	3,300,000
2035	2,390,000	2045	3,440,000
2036	2,465,000	2046	3,585,000

**Procedures for Sale and Principal Amount Changes**

The preliminary aggregate principal amount of the Bonds and the preliminary principal amount of each maturity of the Bonds as set forth in this Notice of Sale may be revised both before and after the receipt and opening of electronic bids for their purchase. Any revisions to the aggregate principal amount of the Bonds and the principal amount of each maturity made before the sale will be published on TM3 News Service (“TM3”) not later than 9:30 a.m., local Ocean City, Maryland time on the date of sale or as soon thereafter as is reasonably practicable and will be used to compare bids and select the winning bidder. Any revisions to the aggregate principal amount of the Bonds and the principal amount of each maturity made after the sale will be

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\* Preliminary, subject to change.



communicated to the successful bidder by 4:00 p.m. local Ocean City, Maryland time on the date of sale and may be made, in the sole discretion of the City, only to reduce the aggregate principal amount of the Bonds by all or a portion of the premium bid. The dollar amount bid for principal and any amount bid for premium by the successful bidder will be adjusted proportionately to reflect any reduction in the aggregate principal amount of the Bonds, but the interest rates specified by the successful bidder for all maturities will not change. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

### **Book-Entry System**

The Bonds shall be issued only in fully registered book-entry form and The Depository Trust Company, New York, New York (“DTC”) will act as securities depository for the Bonds. One Bond representing each maturity of the Bonds will be issued to and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds, and each such Bond shall be immobilized in the custody of DTC or with Manufacturers and Traders Trust Company (the “Bond Registrar”) to be held under DTC’s “FAST” system. Individual purchases will be made in book-entry form only, in the principal amount of \$5,000 or any integral multiple thereof. Purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the bond certificates representing each maturity with DTC.

Interest on the Bonds will be payable when due and principal of the Bonds will be payable at maturity to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC (“Participants”) will be the responsibility of Participants and other nominees of beneficial owners. The City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC Participants or persons acting through Participants.

In the event that DTC determines not to continue to act as securities depository for the Bonds or the City determines to discontinue the book-entry system with DTC, and the City does not replace DTC with another securities depository, the City will execute and the Bond Registrar will authenticate and deliver replacement Bonds in certificated form registered in the names of the Participants or, if requested in writing by such Participants, in the names of the beneficial owners of the Bonds. Replacement Bonds issued to Participants or to beneficial owners shall be in authorized denominations and be in fully registered form.

### **Optional Redemption**

The Bonds maturing on or before January 15, 2036 are not subject to redemption prior to their maturities. The Bonds maturing on or after January 15, 2037 are subject to redemption at any time on or after January 15, 2036, as a whole or in part, at the option of the City, at a redemption price equal to one hundred percent (100%) of the principal amount of the Bonds to be redeemed, plus accrued interest to the date fixed for redemption.

If less than all of the Bonds are to be redeemed, the particular maturities to be redeemed shall be selected by the City. If selection by lot within a maturity is required, the Bond Registrar shall by random selection of the names of the registered owners of the entire annual maturity select

the Bonds to be redeemed until the total amount of Bonds to be redeemed has been reached, except that so long as DTC or its nominee is the sole registered owner of the Bonds, the particular Bonds or portion to be redeemed shall be selected by lot by DTC, in such manner as DTC shall determine. Each \$5,000 portion of a Bond shall be treated as a separate Bond in the selection by lot of Bonds to be redeemed.

If the City elects to redeem all or a portion of the Bonds outstanding, it shall deliver a redemption notice to DTC not less than thirty (30) days prior to the date fixed for redemption by a secure means as prescribed in the Ordinance. If the book-entry system is discontinued for the Bonds, the City shall give a redemption notice by letter mailed first class, postage prepaid, to the registered owners of the Bonds to be redeemed at their last addresses appearing on the registration books maintained by the Bond Registrar not less than thirty (30) days prior to the redemption date. Failure to deliver or mail any such notice with respect to a particular Bond or any defect in such notice, or in the delivery or mailing thereof, shall not affect the validity of the redemption proceedings. From and after the date fixed for redemption, if funds sufficient for the payment of the redemption price and accrued interest are available on such date and any other conditions to such redemption have been met, the Bonds designated for redemption shall cease to bear interest.

#### **Authorization and Use of Proceeds**

The Bonds are authorized by Sections 19-301 through 19-309, inclusive, of the Local Government Article of the Annotated Code of Maryland, as amended, and Section C-719 of the Charter of the City, as amended, and by virtue of due proceedings had and taken by the City particularly an Ordinance adopted on \_\_\_\_\_, 2025 (approved \_\_\_\_\_, 2025) (the “Ordinance”).

The proceeds of the Bonds will be expended for the public purposes of (1) financing or refinancing, in whole or in part, certain costs of acquisition, construction and/or improvements to the water and wastewater facilities (the “Water Project”), (2) financing or refinancing, in whole or in part, certain costs of acquisition, construction and/or improvements to the tidal flooding remediation of the municipal golf course (the “Golf Course Project”) and (3) paying the costs of issuing the Bonds.

#### **Security for the Bonds**

The principal of and interest on that portion of the Bonds that is attributable to the tidal flooding remediation golf course project (the “Golf Course Portion”) are payable in the first instance from the proceeds of operations of the municipal golf course known as Eagles Landing Golf Course as collected by the City.

If the proceeds of the operations of the municipal golf course as collected by the City are insufficient to provide for the payment of the principal of and interest on the Golf Course Portion of the Bonds in any fiscal year, then the City shall also levy and collect ad valorem taxes upon all taxable property within the corporate limits of the City in rate and amount sufficient to provide for such deficiency in each such fiscal year.

The principal of and interest on that portion of the Bonds that is attributable to the acquisition, construction and/or improvements to the wastewater-influent headworks

improvements project, water-radio mead meters project and the water-14<sup>th</sup> street generator project (the “Water Projects Portion”) are payable in the first instance from the proceeds of the operations of water projects, including but not limited to benefit assessments, connection, service and other charges as may be levied, imposed or collected by the City.

If the proceeds of the operations of water projects as collected by the City are insufficient to provide for the payment of the principal of and interest on the Water Projects Portion of the Bonds in any fiscal year, then the City shall also levy and collect ad valorem taxes upon all taxable property within the corporate limits of the City in rate and amount sufficient to provide for such deficiency in such fiscal year.

The rate of the ad valorem taxes described herein may be so computed in each fiscal year that the proceeds of such ad valorem taxes, together with funds from other sources, including, but not limited to, benefit assessments, connection, service and other charges as may be levied, imposed or collected by the City, shall provide sufficient funds to meet the maturing principal of and interest on the Water Projects Portion or the Golf Course Portion of the Bonds, the proceeds of the sale of which are to be applied in part to the costs of the City water and wastewater facilities and golf course projects. Taxes that might otherwise be levied may be reduced or not levied to the extent such other funds are received or receivable.

The full faith and credit and unlimited taxing power of the City are unconditionally pledged to the payment of the Bonds and of the interest to accrue thereon.

### **Electronic Bids**

Electronic bids will be received via **PARITY®**, in the manner described below, until 11:00 a.m., local Ocean City, Maryland time, on Thursday, December 4, 2025. Bidders may only submit bids electronically via **PARITY®**.

Bids may be submitted electronically via **PARITY®** pursuant to this Notice of Sale until 11:00 a.m., local Ocean City, Maryland time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in **PARITY®** conflict with this notice, the terms of this Notice of Sale shall control. For further information about **PARITY®**, potential bidders may contact **PARITY®** at Dalcomp (212) 849-5021.

### **Disclaimer**

Each prospective bidder shall be solely responsible to register to bid and to submit its bid via **PARITY®** as described above. Each qualified prospective bidder shall be solely responsible to make necessary arrangements to access **PARITY®** for the purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the City nor **PARITY®** shall have any duty or obligation to provide or assure access to **PARITY®** to any prospective bidder, and neither the City nor **PARITY®** shall be responsible for a bidder’s failure to register to bid or for proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, **PARITY®**. The City is using **PARITY®** as a communication mechanism, and not as the City’s agent, to conduct the electronic bidding for the Bonds. The City is not bound by any advice and determination of **PARITY®** to the effect that any particular bid complies with the terms of this Notice of Sale and in particular the “Bid Specifications” hereinafter

set forth. All costs and expenses incurred by prospective bidders in connection with their registration and submission of bids via **PARITY®** are the sole responsibility of the bidders; and the City is not responsible, directly or indirectly, for any of such costs or expenses. If a prospective bidder encounters any difficulty in submitting, modifying or withdrawing a bid for the Bonds, he should telephone **PARITY®** at Dalcomp (212) 849-5021 and notify the City's Financial Advisor, First Tryon Advisors, LLC by telephone at (410) 267-8811.

### **Electronic Bidding Procedures**

Electronic bids must be submitted for the purchase of the Bonds (all or none) via **PARITY®**. Bids will be communicated electronically to the City at 11:00 a.m., local Ocean City, Maryland time, on Thursday, December 4, 2025. Prior to that time, a prospective bidder may (1) submit the proposed terms of its bid via **PARITY®**, (2) modify the proposed terms of its bid, in which event the proposed terms as last modified will (unless the bid is withdrawn as described herein) constitute its bid for the Bonds, or (3) withdraw its proposed bid. Once the bids are communicated electronically via **PARITY®** to the City, each bid will constitute an irrevocable offer to purchase the Bonds on the terms therein provided. For purposes of the electronic bidding process, the time as maintained on **PARITY®** shall constitute the official time.

### **Bid Specifications**

No oral bid and no bid for less than all of the Bonds will be considered. The right is reserved to waive any irregularity or informality in any bid and to reject any or all bids. The Mayor's judgment shall be final and binding upon all bidders with respect to the form and adequacy of any bid received and as to its conformity to the terms of this Notice of Sale.

Each bidder shall submit one bid on an all-or-none basis for the Bonds. Each bid must specify the amount bid for the Bonds, which shall not be less than one hundred percent (100%) of par. Bidders shall state in their bids the rate or rates of interest to be paid on the Bonds in multiples of one-eighth (1/8) or one-twentieth (1/20) of one percent (1%), and each bid shall be based and submitted on the rate or rates stated therein. Bidders may specify more than one rate of interest to be borne by the Bonds, but the difference between the highest and lowest rates named may not be greater than three percent (3%). Bidders may not specify more than one rate of interest for the Bonds of any single maturity. A zero rate may not be named for any maturity. The maximum rate permitted for any maturity is 5.00%.

### **Basis of Award**

The Bonds will be awarded to the bidder naming the lowest true interest cost for all Bonds in any legally acceptable bid and offering to pay not less than par. The lowest true interest cost will be determined by doubling the semiannual interest rate, compounded semiannually, necessary to discount the debt service payments from the payment dates to the date of the Bonds and to the amount bid. Where the bids of two or more bidders result in the same lowest true interest cost, the Bonds may be apportioned between such bidders, but if this shall not be acceptable, the City shall have the right to award all of the Bonds to one bidder. The right is reserved to the City to reject any or all bids and to waive any irregularity or informality in any bid. The City's judgment shall be final and binding upon all bidders with respect to the form and adequacy of any bid received

and as to its conformity to the terms of this Notice of Sale. Any award of the Bonds may be made as late as 4:00 p.m. on the sale date. All bids remain firm until an award is made.

### **Good Faith Deposit**

The successful bidder is required to submit a good faith deposit of \$1,040,000 (the “Deposit”) to the City upon initial notification of the award of the Bonds to the successful bidder. The Deposit will be in the form of a wire transfer and must be received by the City prior to 3:00 p.m. (local time) on the date of the sale. Such payment will be security for compliance with the terms of the bid. The City will provide wire instructions to the successful bidder upon the initial notification of the award of the Bonds.

The good faith deposit of the successful bidder will be retained by the City to be applied in part payment for the Bonds, and no interest will be allowed upon the amount thereof. IN THE EVENT THAT THE SUCCESSFUL BIDDER SHALL FAIL TO COMPLY WITH THE TERMS OF THE BID, THE PROCEEDS OF THE DEPOSIT AND ANY INVESTMENT INCOME THEREON WILL BE RETAINED AS AND FOR FULL LIQUIDATED DAMAGES. The checks, if any, of the unsuccessful bidders will be returned promptly after the Bonds are awarded.

### **Award of Bonds**

As promptly as reasonably practicable after the bids are opened, the City will notify the bidder to whom the Bonds will be awarded, if and when such award is made.

**ANY BIDS FOR LESS THAN ALL OF THE BONDS SHALL BE REJECTED BY THE CITY. THE CITY RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.**

It is noted that the City has the right to award the Bonds by private negotiation at any time and may determine to exercise such right either before bids are submitted in response to this Notice of Sale or in the event that all bids are rejected. The City may so negotiate with, and make such award to, any person, including bidders hereunder.

### **Establishment of Issue Price**

The successful bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit A-1 or Exhibit A-2, as applicable, with such modifications as may be appropriate or necessary, in the reasonable judgment of the successful bidder, the City and Bond Counsel. All actions to be taken by the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City’s financial advisor identified herein and any notice or report to be provided to the City may be provided to the City’s financial advisor.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because:

(1) the City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(2) all bidders shall have an equal opportunity to bid;

(3) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

By submitting a bid, each bidder (i) confirms that its bid is a firm offer for the purchase of the Bonds identified in this Notice of Sale, on the terms set forth in its bid and this Notice of Sale, except as permitted by this Notice of Sale and (ii) represents that it has an established industry reputation for underwriting new issuances of municipal bonds.

In the event that the competitive sale requirements are not satisfied, the City shall so advise the successful bidder. The City may determine to treat (i) the first price at which ten percent (10%) of a maturity of the Bonds (the “10% test”) is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the “hold-the-offering-price rule”), in each case applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The successful bidder shall advise the City if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The City shall promptly advise the successful bidder, at or before the time of award of the Bonds, which maturities (and if different interest rates apply within a maturity, which separate CUSIP number within that maturity) of the Bonds shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event that the City determines to apply the hold-the-offering-price rule to any maturity of the Bonds.

Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Bonds.

By submitting a bid, the successful bidder shall (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

(1) the close of the fifth (5th) business day after the sale date; or

(2) the date on which the underwriters have sold at least ten percent (10%) of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The successful bidder shall promptly advise the City when the underwriters have sold ten percent (10%) of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each maturity of the Bonds, the successful bidder agrees to promptly report to the City the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the closing has occurred, until the 10% test has been satisfied as to the Bonds of that maturity or until all Bonds of that maturity have been sold.

The City acknowledges that, in making the representation set forth above, the successful bidder will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder or such underwriter that either the 10% test has been

satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (i) “public” means any person other than an underwriter or a related party,
- (ii) “underwriter” means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public),
- (iii) a purchaser of any of the Bonds is a “related party” to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) at least fifty percent (50%) common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than fifty percent (50%) common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than fifty percent (50%) common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and
- (iv) “sale date” means the date that the Bonds are awarded by the City to the successful bidder.

### **Revisions**

The City may revise this Notice of Sale by written notice available to prospective bidders at the place of sale at the time, for submission of bids or by publishing notice of any revisions on TM3 at or before the time for submission of bids. Any bid submitted shall be in accordance with, and incorporate by reference, this Notice of Sale, including any revisions made pursuant to this paragraph.

### **Postponement of Sale**

The City reserves the right to postpone, from time to time, the date established for the receipt of bids. Any such postponement will be announced by TM3 by notice given not later than 1:00 p.m., local Ocean City, Maryland time, on the last business day prior to any announced date for receipt of bids. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, any alternative sale date will be announced via TM3 at least forty-eight (48) hours prior to such alternative sale date. In addition, the City reserves the right, on the date established for the receipt of bids, to reject all bids and establish a subsequent alternative sale date. If all bids are rejected and an alternative sale date for receipt of bids established, notice of the alternative sale date will



be announced via TM3 not less than forty eight (48) hours prior to such alternative sale date. On any such alternative sale date, any bidder may submit an electronic bid for the purchase of the Bonds in conformity in all respects with the provisions of this Notice of Sale except for the date of sale and except for any changes announced by TM3 at the time the alternative sale date and time are announced.

### **Approving Legal Opinion**

The Bonds will be issued and sold subject to approval as to legality by McGuireWoods LLP, Bond Counsel. Copies of the legal opinion, substantially in the form included in the Preliminary Official Statement, will be delivered, upon request, to the purchaser or purchasers of the Bonds, without charge.

### **Preliminary Official Statement; Official Statement**

Not later than seven (7) business days after the award of the Bonds to the successful bidder on the day of sale, the City will authorize an Official Statement, which is expected to be substantially in the form of the Preliminary Official Statement referred to below. If so requested by the purchaser or purchasers at or before the close of business on the date of the sale, the City will include in the Official Statement such pricing and other information with respect to the terms of the reoffering of the Bonds by the successful bidder ("Reoffering Information"), if any, as may be specified and furnished in writing by such bidder. If no Reoffering Information is specified and furnished by the successful bidder, the Official Statement will include the interest rates on the Bonds resulting from the bid of the successful bidder and the other statements with respect to reoffering contained in the Preliminary Official Statement. The successful bidder shall be responsible to the City and its officials for the Reoffering Information, and for all decisions made by such bidder with respect to the use or omission of the Reoffering Information in any reoffering of the Bonds, including the presentation or exclusion of any Reoffering Information in any documents, including the Official Statement. The successful bidder will also be furnished, without cost, with an electronic copy and a reasonable number of hard copies (not to exceed 10) of the Official Statement (and any amendments or supplements thereto).

### **Continuing Disclosure**

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the City will execute and deliver a continuing disclosure agreement on or before the date of issuance of the Bonds pursuant to which it will undertake to provide certain information annually and notices of certain events. A description of this agreement is set forth in the Preliminary Official Statement and will also be set forth in the Official Statement.

### **Delivery; Closing Papers**

Delivery of the Bonds, without expense, will be made by the City to the purchaser or purchasers on or about December 11, 2025, or as soon as practicable thereafter, through the facilities of DTC in New York, New York, and, thereupon, said purchaser or purchasers will be required to accept delivery of the Bonds purchased and pay, in Federal funds, the balance of the purchase price due. When delivered, the Bonds shall be duly executed and authenticated and registered in the name of Cede & Co., as nominee of DTC, as registered owner of the Bonds. The

Bonds will be accompanied by the customary closing documents, including a no-litigation certificate, effective as of the date of delivery, stating that there is no litigation pending affecting the validity of any of the Bonds. It shall be a condition to the obligation of said purchaser or purchasers to accept delivery of and pay for the Bonds that, simultaneously with or before delivery and payment for the Bonds, said purchaser or purchasers shall be furnished a certificate or certificates of the Mayor of the City, the City Manager of the City and the Finance Director of the City to the effect that, to the best of their knowledge and belief, the Official Statement (and any amendment or supplement thereto) (except for the Reoffering Information provided by the purchaser and information regarding DTC and DTC's book-entry system provided by DTC, as to which no view will be expressed) as of the date of sale and as of the date of delivery of the Bonds does not contain any untrue statement of a material fact and does not omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading and that between the date of sale and the date of delivery of the Bonds there has been no material adverse change in the financial position or revenues of the City, except as reflected or contemplated in the Official Statement (and any amendment or supplement thereto).

### **Miscellaneous**

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the successful bidder to accept delivery of and pay for the Bonds in accordance with the terms of this Notice of Sale.

The Preliminary Official Statement, together with this Notice of Sale, may be obtained from the Finance Director of the City, City Hall, 3rd Street and Baltimore Avenue, Ocean City, Maryland 21842, (410) 289-8941 or from the City's Financial Advisor, First Tryon Advisors, LLC, 1 Park Place, Suite 485, Annapolis, Maryland 21401, (410) 267-8811. Such Preliminary Official Statement is deemed final by the City as of its date for purposes of SEC Rule 15c2-12 but is subject to revision, amendment and completion in the Official Statement referred to above.

MAYOR AND CITY COUNCIL OF OCEAN CITY

\$ \_\_\_\_\_  
**Mayor and City Council of Ocean City**  
**General Obligation Municipal Purpose Bonds of 2025**

**ISSUE PRICE CERTIFICATE**  
**(Qualified Competitive Bid)**

The undersigned, on behalf of [NAME OF PURCHASER] (the “Purchaser”), hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the “Bonds”).

1. ***Reasonably Expected Initial Offering Price.***

(a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by the Purchaser are the prices listed in Schedule A (the “Expected Offering Prices”). The Expected Offering Prices are the prices for the Bonds used by the Purchaser in formulating its bid to purchase the Bonds. Attached as Schedule B is a true and correct copy of the bid provided by the Purchaser to purchase the Bonds.

(b) The Purchaser was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by the Purchaser constituted a firm offer to purchase the Bonds.

2. ***Defined Terms.***

(a) *Issuer* means Mayor and City Council of Ocean City.

(b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(c) *Public* means any person (including an individual, trust, estate, partnership, association, company or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” for purposes of this Certificate generally means any two or more persons who have greater than fifty percent (50%) common ownership, directly or indirectly.

(d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is [\_\_\_\_\_, 2025].

(d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract

directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Non-Arbitrage Certificate and Tax Covenants and with respect to compliance with the Federal income tax rules affecting the Bonds, and by McGuireWoods LLP, as bond counsel to the Issuer, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for Federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other Federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[NAME OF PURCHASER], as Purchaser

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_, 2025

SCHEDULE A  
Expected Offering Prices of the Bonds

SCHEDULE B  
Copy of Bid

\$ \_\_\_\_\_  
**Mayor and City Council of Ocean City**  
**General Obligation Municipal Purpose Bonds of 2025**

**ISSUE PRICE CERTIFICATE**  
**(Nonqualified Competitive Bid)**

The undersigned, on behalf of [NAME OF PURCHASER] (the “Purchaser”), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the “Bonds”).

1. ***Sale of the 10% Maturities.*** As of the date of this Certificate, for each Maturity of the 10% Maturities Bonds, the first price at which a Substantial Amount of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A.

2. ***Initial Offering Price of the Undersold Maturities.***

(a) Each Underwriter offered the Undersold Maturities to the Public for purchase at the respective initial offering prices listed in Schedule B (the “Initial Offering Prices”) on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this Certificate as Schedule C.

(b) As set forth in the Notice of Sale and bid award, each Underwriter has agreed in writing that, (i) for each Maturity of the Undersold Maturities, it would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Offering Period for such Maturity, nor would it permit a related party to do so (the “hold-the-price rule”) and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-price rule. Pursuant to such agreement, no Underwriter has offered or sold any Maturity of the Undersold Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Offering Period.

3. ***Defined Terms.***

(a) ***10% Maturities*** means those Maturities of the Bonds shown in Schedule A hereto as the “10% Maturities.”

(b) ***Issuer*** means Mayor and City Council of Ocean City.

(c) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(d) *Offering Period* means, with respect to an Undersold Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth (5th) business day after the Sale Date ([\_\_\_\_\_, 2025]), or (ii) the date on which the Purchaser has sold a Substantial Amount of such Undersold Maturity to the Public at a price that is no higher than the Initial Offering Price for such Undersold Maturity.

(e) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” for purposes of this Certificate generally means any two or more persons who have greater than fifty percent (50%) common ownership, directly or indirectly.

(f) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is [\_\_\_\_\_, 2025].

(g) *Substantial Amount* means ten percent (10%).

(h) *Undersold Maturities* means those Maturities of the Bonds shown in Schedule B hereto as the “Undersold Maturities.”

(i) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Non-Arbitrage Certificate and Tax Covenants and with respect to compliance with the Federal income tax rules affecting the Bonds, and by McGuireWoods LLP, as bond counsel to the Issuer, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for Federal income tax purposes, the preparation of Internal Revenue Service Form 8038-G, and other Federal income tax advice it may give to the Issuer from time to time relating to the Bonds.

[NAME OF PURCHASER], as Purchaser

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_, 2025



SCHEDULE A  
Sale Prices of the 10% Maturities

**SCHEDULE B**  
**Initial Offering Prices of the Undersold Maturities**

SCHEDULE C  
Pricing Wire

**FY 2026 Bond issue: Bonds to be sold December 4, 2025**

<b>Projects included in FY 2026 Bond issue:</b>	<b><u>Cost estimates</u></b>	
Wastewater-Influent Headworks Improvements	\$41,976,000	-debt service paid by user fees
Golf Course-Tidal Flooding Remediation	\$3,300,000	-debt service paid by user fees
Water-Radio Read Meters	\$2,300,000	-debt service paid by user fees
Water-14th Street Generator	\$630,000	-debt service paid by user fees
<b>General Fund:</b>		
Fleet/Garage Renovations	\$1,500,000	
Boardwalk Signs	\$765,000	
<b>Total project costs</b>	<b><u>\$50,471,000</u></b>	
	\$1,529,000	Bond issuance costs and rounding amounts
<b>Total new debt</b>	<b><u><u>\$52,000,000</u></u></b>	



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 8.B

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Resolution 2025-23, Forward Funding  
**DATE:** September 10, 2025

**ISSUE(S):** Resolution 2025-23 declares the Mayor and Council intent to reimburse expenditures not to exceed \$3,065,000 million with proceeds of debt to be issued with the fall bond sale. Anticipated expenditures are \$2.3 million for water radio-read meters and \$765k for new boardwalk signage.

**SUMMARY:** These projects are included in the upcoming bond sale. There is a strong potential that a cash flow will be needed prior to the bond sale set to occur in November or December.

**FISCAL IMPACT:** Not to exceed \$3,065,000 to be reimbursed with bond sale proceeds.

**RECOMMENDATION:** Adopt Resolution 2025-23.



Revitalized Ocean City: Development and Redevelopment

**ALTERNATIVES:** Defer to Mayor and Council

**RESPONSIBLE STAFF:** Public Works Director Hal Adkins  
Finance Director Chuck Bireley

**COORDINATED WITH:** City Solicitor Heather Stansbury  
Bond Counsel

**ATTACHMENT(S):** 1 . RES 2025 - Reimburse Expenditures - Water Meter and Boardwalk Signage.pdf

**RESOLUTION NO. 2025-**

**A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE MAYOR AND CITY COUNCIL OF OCEAN CITY TO REIMBURSE EXPENDITURES TO BE INCURRED WITH RESPECT TO CERTAIN PROJECTS OR PROGRAMS OR FROM CERTAIN FUNDS WITH THE PROCEEDS OF DEBT TO BE ISSUED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY**

WHEREAS, to facilitate an efficient borrowing program, the Mayor and City Council of Ocean City (the "Issuer") intends to expend money on certain projects or programs from certain funds prior to the issuance of debt by the Mayor and City Council of Ocean City for such purposes; and

WHEREAS, the Issuer intends to reimburse such expenditures from the proceeds of debt to be issued by the Issuer; and

WHEREAS, to comply with applicable provisions of the Internal Revenue Code of 1986, as amended, and Section 1.150-2 of the Income Tax Regulations, it is necessary, in order to reimburse such expenditures with the proceeds of tax-exempt debt, that the Mayor and City Council declare the official intent of the Issuer to make such a reimbursement of expenditures.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Ocean City that, as evidenced by this Resolution, the Issuer intends to expend money on costs related to the following prior to the issuance of bonds or other debt obligations and intends to reimburse itself for such costs with the proceeds of such bonds or debt obligations:

1. Water Radio-Read Meters. With respect to this Project, the Issuer intends to issue debt obligations for this project in an amount not to exceed Two Million, Three Hundred Thousand Dollars (\$2,300,000.00).
2. Boardwalk Signage. With respect to this Project, the Issuer intends to issue debt obligations for this project in an amount not to exceed Seven Hundred, Sixty-Five Thousand Dollars (\$765,000.00).

RESOLVED this \_\_\_\_\_ day of September, 2025.

LAW OFFICES

AYRES, JENKINS,  
GORDY & ALMAND, P.A.

SUITE 200  
6200 COASTAL HIGHWAY  
OCEAN CITY, MD 21842

ATTEST:

\_\_\_\_\_  
DIANA L. CHAVIS, Clerk

\_\_\_\_\_  
RICHARD W. MEEHAN, Mayor

Approved as to form:

\_\_\_\_\_  
MATTHEW M. JAMES, President

\_\_\_\_\_  
HEATHER E. STANSBURY  
Ayres, Jenkins, Gordy & Almand, P.A.  
Office of City Solicitor

\_\_\_\_\_  
ANTHONY J. DELUCA, Secretary



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 8.C

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Resolution 2025-24 - Disposal of Surplus Personal Property  
**DATE:** September 11, 2025

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**ISSUE(S):** Resolution 2025-24 authorizes the sale of surplus personal property.

**SUMMARY:** Resolution 2025-24 authorizes the sale of miscellaneous items and vehicles as coordinated with various Town departments.

**FISCAL IMPACT:** To be determined.

**RECOMMENDATION:** Adopt Resolution 2025-24.



Financially Sound Town Government

**ALTERNATIVES:** None suggested.

**RESPONSIBLE STAFF:** Scott Wagner, Public Works Deputy Director  
Dawn Webb, Purchasing Associate

**COORDINATED WITH:** Various departments

**ATTACHMENT(S):** 1. Copy of September Asset Disposal 2.pdf



## ASSET DISPOSAL LIST

Asset Disposal Date: **September 15, 2025**

Reference #	Equipment #	Year	Make	Description	Model	Serial/VIN Number	Disposal Reason/Notes	Department	Notes
901	1703	1998	Daewoo	Mini Excavator	SOLAR 55 MINI	486	End of Life	Public Works Construction	Some play in pins & small hydraulic leak on turntable
12042	2544	2006	Toro	Aerator Walk	648	PROCORE 648	End of Life	Golf Course	No known issues
Miscellaneous:									
Description			Manufacturer	Serial#	Quantity	Price When Purchased/Other	Disposal Reason	Department	Condition
Wooden bookcase			Unknown	N/A	1	Unknown	End of Life	IT Dept	Good
Wooden Desk			Unknown	N/A	1	Unknown	End of Life	Recreation	Fair



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 8.D

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Heather Stansbury, City Solicitor  
**RE:** Continued Discussion of Municipal Infraction Fines and Penalties  
**DATE:** September 8, 2025

**ISSUE(S):** Multiple sections of the Town Code establishing municipal infractions and misdemeanors fines and penalties need to be revised. Beginning October 1, 2025, State law will allow the Town to increase the maximum fine amount from \$1,000 to \$5,000. Additionally the period possible incarceration in many code sections is able to be increased to 6 months.

**SUMMARY:** Effective October 1, 2025, and as a result of Senate Bill 820, §6-101 and §6-102 of the Local Government Article of the Maryland Annotated Code now allows municipalities to increase the maximum monetary penalty for civil infractions, and maximum monetary penalty for misdemeanors to \$5,000 (previously both were \$1,000).

Additionally, §6-101 of the Local Government Article of the Maryland Annotated Code was amended previously by the Legislature to allow municipalities to establish a maximum length of imprisonment for misdemeanors to 6 months.

Section 1-8 is the section of the Town Code that generally covers penalties. Additionally, there are specific sections in the Town Code which also set forth a penalty in addition to what is listed in Section 1-8.

Specific code sections are being amended by this Ordinance to reflect increased penalties and fines.

Section 1-8 is being revised to better reflect the Code and provide clearer guidance.

Following the September 9 Work Session, staff has been able to provide additional recommendations which should be considered by the Council.

**FISCAL IMPACT:** To be determined.

**RECOMMENDATION:** Move to First Reading.



## 1st Class Resort and Tourist Destination

<b>ALTERNATIVES:</b>	Defer to Mayor and Council
<b>RESPONSIBLE STAFF:</b>	City Solicitor Heather Stansbury City Manager Terry McGean
<b>COORDINATED WITH:</b>	Applicable Staff
<b>ATTACHMENT(S):</b>	1. Updated Fines and Penalties Code Section Chart.docx 2. Section 1-8. Violations and penalties..pdf

To: Mayor and City Council  
 From: City Solicitor and City Manager  
 Date: September 11, 2025

The following the Work Session on September 9, 2025, the Chart below has been updated to reflect Staff recommendations and various other adjustments.

Section	Chapter & Title	Article	Current Penalty Fine Amount	Is The Section Covered In Section 1-8 Already?	RECC.
1-7. Altering or tampering with Code	Chapter 1 – General Provisions		\$5.00 nor more than \$100.00, or by imprisonment for a period not to exceed 20 days, or by both such fine and imprisonment	No	Change to be consistent with State Law
1-8. Violations and penalties	Chapter 1 – General Provisions		Defines a municipal infraction as Defines a misdemeanor as		Updating to be consistent with State Law.  Revisions will update the requirements for a citations and the removal of code sections  Revisions will further see other specific sections have the penalty stated within the section instead of be listed in a “catch all” of 1-8
10-31. Violations and Penalties	Chapter 10 – Buildings and Building Regulations	Art. II – Building and Related Codes, Division 1- Generally	Infraction - not less than \$150.00 nor more than \$500.00. The fine for a third or any subsequent violation of the same offense by the same person shall be no less than \$1,000.00	Yes	Rec. of G. Bendler - not less than \$500.00 nor more than \$2500.00. The fine for a third or any subsequent

					violation of the same offense by the same person shall be no less than \$5,000.00
14-38. Suspension & Revocation	Chapter 14 – Businesses	Art. II – Licensed Occupations	The city manager may levy a fine not to exceed \$1,000.00 per violation.	Yes	Change to be consistent with State Law
14-62. Violations and Penalties	Chapter 14 – Businesses	Art. III – Tattoo Establishments	Misdemeanor - not less than \$250.00 nor more than \$1,000.00 for each offense	No	Change to be consistent with State Law and make the low end \$1,000
14-152. Penalties	Chapter 14 – Businesses	Art. IV – Electric Personal Assistive Mobility Device Rentals, Division 3 - Violations & Penalties	Infraction - \$500.00	No	Increase to \$1,000
14-205. Violations and Penalties	Chapter 14 – Businesses	Art. VI – Body Piercing	Not less than \$100.00 nor more than \$500.00 and/or imprisoned for up to 30 days for each offense	No	Change to be consistent with State Law
14-292. Suspension	Chapter 14 – Businesses	Art. VII – Dry Nightclubs, Division 4 – Penalties and Remedies	Infraction - fine not to exceed \$500.00	No	Change to be consistent with State Law
14-295. Penalties and Remedies	Chapter 14 – Businesses	Art. II – Dry Nightclubs, Division 4 – Violations and Penalties	Fine of not more than \$500.00 or imprisonment of not more than 30 days, or both	No	Change to be consistent with State Law
14-320. Injunction	Chapter 14 - Businesses	Art. VIII – Sexually Oriented Businesses, Division 4 – Violations and Penalties	\$1,000.00 or 30 days imprisonment	No	Change to be consistent with State Law
14-335. Violations and Penalties	Chapter 14 – Businesses	Art. IX – Small Dis Placement Vehicles	Infraction - not more than \$500.00	No	Increase to \$1,000

22-42. Violations and Penalty	Chapter 22 – Elections	Art. III – Campaign Finances	Infraction - not to exceed \$1,000.00	No	State Law is consistent with the current penalty but there was unclarity as to whom would issue that infraction and now the section is being amended to have the City Clerk issue the citation. State law uses the State Board of Elections
26-53. Violations and Penalties	Chapter 26 – Emergency Services	Art. II – Alarm Systems, Division 2 – Burglary Alarms	Infraction - \$100.00	No	Police Chief rec. is \$250.00
26-55. Limit on Number of False Alarms; Fines for Excessive False Alarms	Chapter 26 – Emergency Services	Art. II – Alarm Systems, Division 2 – Burglary Alarms	*This is a fee not a fine. \$100.00 for each of the next two false alarms and \$200.00 for each additional false alarm thereafter	No	Police Chief rec. is \$250.00 for each of the next two false alarms and \$500.00 for each additional false alarm thereafter
30-405. Violations	Chapter 30 – Environment	Art. V – Noise, Division 8 – Residences Providing Shelter to Transient or Temporary Population	Infraction - fine not to exceed \$1,000.00	Yes	Change to be consistent with State Law
30-604. Penalties	Chapter 30 – Environment	Art. VIII – Environmental Tobacco, Nicotine or Cannabis Smoke & Vapor	Infraction - up to \$500.00	Yes but 1-8 lists it as a misdemeanor when it is a civil infraction.	Police Chief rec. is to keep at \$500.00

34-27. Violations	Chapter 34 – Fire Prevention and Protection	Art. II - Administration	Infraction- First offense carries a fine of \$500.00. The second offense carries a fine of \$750.00, third offense \$1,000.00	Yes	Defer to Fire Chief - will update at the Regular Meeting
38-32. Violations and Penalties	Chapter 38 – Floods	Art. II – Flood Damage Prevention, Division 1 - Generally	Guilty of a misdemeanor and shall be subject to a fine of not more than \$500.00	No	Change to be consistent with State Law
39-209. Violations and Penalties	Chapter 39 – Franchises	Art. IV – Cable Television	Infraction - not less than \$5.00 nor more than \$1,000.00	No	Change to be consistent with State Law and increase the low end to \$500
58-31. Harassment by Laser Pointers	Chapter 58 – Offenses and Miscellaneous Provisions	Art. II – Offenses Against Public Peace and Order, Division 1 – Laser Pointers	Up to \$1,000.00 and/or imprisonment for up to 90 days	Yes	Change to be consistent with State Law
58-97. Violations and Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. II – Offenses Against Public Peace and Order, Division 6 – Order of a Police Officer	\$1,000.00 and/or imprisonment for up to 90 days	Yes	Change to be consistent with State Law
58-122. Violations and Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. III – Offenses Involving Public Safety, Division 2 – Martial Arts Weapons	\$1,000.00 or imprisonment of up to six months	Yes	Change to be consistent with State Law
58-143. Violations and Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. III – Offenses Involving Public Safety, Division 3 – Gun Replicas	\$1,000.00 or imprisonment of up to six months	Yes	Change to be consistent with State Law
58-163. Violations and Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. III – Offenses Involving Public Safety, Division 4 – Electronic Weapons	Not to exceed \$1,000.00 or imprisonment not to exceed six months in jail, or both	Yes	Change to be consistent with State Law
58-183. Violations and Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. IV. – Offenses Involving Public Health	Imprisonment for up to six months or fined up to \$1,000.00, or both	Yes	Change to be consistent with State Law

58-194. Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. V – Offenses Involving Public Nudity or State of Nudity	Is Infraction - subject to a fine of up to \$1,000	Yes	Change to be consistent with State Law
58-204. Penalties	Chapter 58 – Offenses and Miscellaneous Provisions	Art. VI – Landing and Launching of Aircraft	For each launching and/or landing - a fine of up to \$1,000.00	Yes	Change to be consistent with State Law
59-4. Violations	Chapter 59 – Profane, Obscene, Sexually Explicit and Vulgar Merchandise and Materials		Infraction with a fine of \$500.00 for the initial violation, and for second violation a municipal infraction with a fine of \$1,000.00	No	Change to be consistent with State Law and increase low end to \$1000
62-9. Violations	Chapter 62 – Boardwalk Performing and Vending		Infraction - a fine of not less than \$100.00 and no more than \$1,000.00	Yes	Change to be consistent with State Law and increase low end to \$500
70-32. Violations and Penalties	Chapter 70 – Solid Waste	Art. II – Municipal Collection and Disposal Service	Infraction - \$100.00, for each and every day of the violation	No	H. Adkins rec.- no change
70-72. Violations and Penalties	Chapter 70 – Solid Waste	Art. III - Scavenging	A fine of not less than \$200.00 nor more than \$1,000.00 or imprisonment for up to six months, or both	No	H. Adkins rec.- no change
70-102. Violations and Penalties	Chapter 70 – Solid Waste	Art. IV - Recycling	Infraction - \$100.00	No	H. Adkins rec.- no change
90-136. Violations and Penalties	Chapter 90 – Traffic and Vehicles	Art. IV – Parking, Stopping and Standing, Division 1 - Generally	SEE ATTACHED CODE SECTION	Yes	J. Anthony (Parking Division) rec. - no change
90-213. Passengers in unenclosed areas of motor vehicles	Chapter 90 – Traffic and Vehicles	Art. V-A – Safety Equipment for Certain Vehicles, Division 2 – Seat Belts	Infraction - a fine of not more than \$250.00	Yes	Police Chief rec. to be consistent with State Law with is lower
90-301. Penalties	Chapter 90 – Traffic and Vehicles	Art. VI – Towing of Vehicles, Division 8 – Penalties and Severability	Subsection (a) Infraction - Towing without a license - a fine not exceeding \$1,000.00 for each and every offense;	Yes	Change to be consistent with State Law



			(b) towing on property without a contract to tow on the property - 90 days' imprisonment and/or a fine of \$1,000.00 with each violation; (c) Infraction - any other Tow violation - not exceeding \$1,000.00		
90-404. Penalties	Chapter 90 – Traffic and Vehicles	Art. IX – Dockless Ride Share Programs	Infraction - \$500.00 per occurrence	No	Change to be consistent with State Law
94-86. Violations and Penalties	Chapter 94 – Utilities	Art. IV – Utility Installation	Misdemeanor and subject to a sentence of up to 30 days' imprisonment and/or a fine of up to \$1,000.00	Yes	Change to be consistent with State Law
102-53.1. Suspension or Revocation of Business License	Chapter 102 – Vehicles for Hire	Art. II – Taxicabs, Division 2 – Business License	*Police Commission may levy a fine not to exceed \$1,000.00 per violation (not a municipal infraction)	Yes	Change to be consistent with State Law
102-73. Violations	Chapter 102- Vehicles for Hire	Art. II – Taxicabs, Division 4 - Regulations	Infraction - employing or permitting a taxicab driver who does not meet the qualifications/ requirements set forth in this article is a municipal infraction punishable by a \$500.00 fine.  A violation of any other provision of the article shall be a municipal infraction, and subject to a \$100.00 fine for the first violation; second violation carries a fine of \$500.00; and a third or subsequent violation carries a fine of \$1,000.	Yes	Change to be consistent with State Law
102-133 Violations and Penalties	Chapter 102 – Vehicles for Hire	Art. V – Automobile (Electric) Shuttle Service	Infraction - fine of up to \$500.00	No	Police Chief rec. is \$1,000.00
106-135. Violations and Penalties	Chapter 106 – Waterways	Art. III – Beach Regulations, Division 4 – Surf Fishing and Casting	Infraction - a fine of not more than \$1,000.00	No	Change to be consistent with State Law

110-884. Outdoor Display of Merchandise Standards for Properties Fronting on Atlantic Avenue (Boardwalk)	Chapter 110 – Zoning	Art. V – Supplemental Regulations, Division 1 - Generally	Infraction- a fine of \$500.00 for the initial violation; (2) a fine of \$1,000.00 for the second violation; (3) a fine of \$1,000.00 for a third violation. The display permit and the ability to display shall be suspended for two weeks beginning the day after the third violation.	Yes	G. Bendler rec. is change the third violation to \$5,000.00
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### CHARTER

C-1005. Prohibitions and Penalties (193C)	Title X – Officers and Employees		\$100 30 days	N/A	Katie Callen rec. - no change
C-1406. Misdemeanors (206)	Title XIV - Miscellaneous		\$1,000 90 days	N/A	Change to be consistent with State law – Schedule for Public Hearing

Sec. 1-8. - Violations and penalties.

- (a) *Prohibitions.* It shall be unlawful to violate any of the laws, ordinances, resolutions or orders issued pursuant to chapter 18, as same may be, from time to time, adopted, passed or amended by the Mayor and City Council of Ocean City or ordered by the Mayor pursuant to chapter 18; and any violations thereof, unless otherwise provided in this Code, shall be either a misdemeanor or a municipal infraction as particularized herein.
- (b) *Misdemeanors.*
- (1) Any violation of the following laws, ordinances, resolutions, or orders issued pursuant to chapter 18 shall be, and they are hereby declared to be, a misdemeanor:
- Chapter 6, section 6-34(7), (8), (12), (14), (15), (16), and (21).
  - Chapter 18.
  - Chapter 30, article V, divisions 1 through 7, sec. 30-383 of division 8.
  - Chapter 30, article VIII.
  - Chapter 58, article II, divisions 1,2,3 and 6.
  - Chapter 58, article III, article IV.
  - Chapter 82.
  - Chapter 90, article VI, section 90-276.
  - Chapter 94, article IV.
- (2) Any offender violating any of the provisions of any portion of this Code declared to be a misdemeanor or any of the above enumerated laws, ordinances, resolutions or orders issued pursuant to chapter 18, or committing any of the acts therein declared to be unlawful shall, upon conviction thereof, by a court of competent jurisdiction, be deemed guilty of an offense classified as a misdemeanor, and be punishable by a fine of not more than \$500.00 and/or be imprisoned for a term not to exceed three months, or both.
- (c) *Municipal infractions.*
- (1) Any person, partnership, corporation, unincorporated association, or other business entity who shall violate any of the provisions of the following laws, ordinances or resolutions or who shall fail to comply therewith, or who shall violate or fail to comply with any such order made thereunder, within the time fixed therefor, shall, for each and every such violation and/or noncompliance respectively, be deemed to have committed a municipal infraction, punishable by a fine of not less than \$25.00 nor more than \$1,000.00:
- Chapter 6, (except as provided in subsection (b) of this section).
  - Chapter 10.
  - Chapter 14, article II, article V, article X and article XI.
  - Chapter 30, section 30-1.
  - Chapter 30, article II, division 2.
  - Chapter 30, article III.
  - Chapter 30, article IV.
  - Chapter 30, article V, division 8, except sec. 30-383.
  - Chapter 34.
  - Chapter 58, article I, article II, divisions 4 and 5, article V, article VI.
  - Chapter 62.
  - Chapter 66.
  - Chapter 70, article V.

- n. Chapter 74, articles I and II.
  - o. Chapter 74, article V.
  - p. Chapter 78, section 78-121.
  - q. Chapter 90, articles I, III, IV, V, VI.
  - r. Chapter 90, articles V and V-A.
  - s. Chapter 94, article II.
  - t. Chapter 94, article III.
  - u. Chapter 98, article III.
  - v. Chapter 102, article II.
  - w. Chapter 106, article III, division 2.
  - x. Chapter 106, article III, division 5.
  - y. Chapter 106, article III, division 6.
  - z. Chapter 110.
  - a.1. Any other provisions, the violation of which is declared to be a municipal infraction.
- (2) Any person, partnership, corporation, unincorporated association, or other business entity who shall be deemed to have committed a municipal infraction shall be issued a citation for such violation and/or noncompliance. For the purposes of this section, the following listed officials are authorized by the Mayor and City Council of Ocean City to issue citations to violators:
- a. Police officers.
  - b. Qualified police officers and employees authorized by the chief of police.
  - c. Animal control officers.
  - d. Fire marshal.
  - e. Fire chiefs.
  - f. Fire investigators, fire inspectors and deputy fire marshals.
  - g. Members of the beach patrol.
  - h. Building officials.
  - i. Planning and zoning administrators.
  - j. Licensing investigators and licensing inspectors.
  - k. City engineers and assistants.
  - l. Solid waste manager.
  - m. Recreation and parks personnel.

A copy of the citation shall be retained by the issuing authority and it shall bear certification attesting to the truth of the matter therein set forth.

- (3) The citation shall contain:
- a. Name and address of the person, partnership, corporation, unincorporated association or other business entity charged;
  - b. The nature of the infraction;
  - c. The location and time that the infraction occurred;
  - d. The amount of the infraction fine assessed;
  - e. The manner, location and time in which the fine may be paid to Ocean City; and

f. Notice of the right to elect to stand trial for the infraction pursuant to Ann. Code of Md., art. 23A, § 3.

(4) The imposition of one municipal infraction citation for any violation and/or noncompliance shall not excuse the violation and/or noncompliance nor permit it to continue; and all such violators guilty of such violation and/or noncompliance shall be required to correct or remedy such violation and/or noncompliance within a reasonable time; and when not otherwise specified, each 24 hours that prohibited conditions are maintained shall constitute a separate municipal infraction.

(d) *Other relief.* It shall be unlawful for any person to fail and/or refuse to provide proper identification to the issuing authority by providing the person's name, address, and date of birth. Any person who shall fail and/or refuse to provide the person's name, address and date of birth to the issuing authority shall be charged with a violation of this section and, upon conviction thereof, by a court of competent jurisdiction, be deemed guilty of an offense classified as a misdemeanor and be punishable by a fine of not more than \$1,000.00 and/or be imprisoned for not more than 90 days, or both. In addition to any fines and penalties in subsections (b) and (c) of this section described, the Mayor and City Council of Ocean City may avail itself of any and all civil and equitable remedies for the purpose of stopping continuing offenses and violation of any chapter of this Code.

(e) *Continuing offenses.* Each day an offense continues is a separate offense in the absence of provisions to the contrary.

(f) *Lien on property.* Any municipal infraction resulting in a judgment against the violator shall be a lien on the violator's property, and the property shall be subject to being sold at tax and lien sales.

(Code 1999, § 1-8; Ord. No. 1982-28, §§ 106-1—106-4, 6-7-1982; Ord. No. 2000-4 (emer.), 2-15-2000; Ord. No. 2000-7 (emer.), 3-14-2000; Ord. No. 2008-9, 5-19-2008; Ord. No. 2009-18, 8-3-2009; Ord. No. 2012-22, 6-18-2012; Ord. No. 2014-14, 5-19-2014; Ord. No. 2015-15, 8-17-2015; Ord. No. 2017-16, 11-20-2017; Ord. No. 2020-02, 4-3-2020; Ord. No. 2020-10, 9-8-2020; Ord. No. 2021-06, 5-3-2021; Ord. No. 2021-11, 5-17-2021; Ord. No. 2022-02, 2-7-2022; Ord. No. 2022-04, 3-21-2022; Ord. No. 2023-11, 6-20-2023; Ord. No. 2024-13, 6-17-2024)

**State Law reference—** Violations of ordinances and resolutions, Ann. Code of Md., Local Government article, § 6-101 et seq.



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 9.A

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Public Comments  
**DATE:** September 8, 2025

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**ISSUE(S):** Comments from the Public

**SUMMARY:** Any person who may wish to speak on any matter at the Regular Meeting may be heard during Comments from the Public for a period of five (5) minutes or such time as may be deemed appropriate by the Council President. Anyone wishing to be heard shall state their name, address and the subject on which he or she wishes to speak.

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION:** Not Applicable



Excellent Service through a High Performing Town Organization

**ALTERNATIVES:** Not Applicable

**RESPONSIBLE STAFF:** Not Applicable

**COORDINATED WITH:** Not Applicable

**ATTACHMENT(S):** None



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 10.A

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Comments from the City Manager  
**DATE:** September 8, 2025

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**ISSUE(S):** City Manager Comments

**SUMMARY:** A. The next Mayor and Council meeting is Tuesday, September 30, 2025. There is no meeting the week of September 22.  
B. Department Activity Report

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION:** Not Applicable



Excellent Service through a High Performing Town Organization

**ALTERNATIVES:** Not Applicable

**RESPONSIBLE STAFF:** Terence J. McGean, PE, City Manager

**COORDINATED WITH:** Not Applicable

**ATTACHMENT(S):** 1. 2025-09-15 Department Activity Report.pdf



# INTEROFFICE MEMORANDUM

## FROM THE OFFICE OF THE CITY MANAGER

To: The Honorable Mayor and Members of the City Council  
From: Terry J. McGean, City Manager  
Re: Department Activity Report  
Date: August 14 – September 10, 2025

The following information is intended to keep the Mayor and Council well-informed of ongoing issues, activities, programs, and services within the City.

### Mayor's Office

- Attended the following:
  - Council Meetings, Work Sessions, Transportation, and Police Commission Meetings
  - Stop Offshore Wind Meetings
  - Ribbon Cutting for Bayside Park at 3<sup>rd</sup> Street Admin Building
  - Chief Larmore's Celebration of Life
  - Welcomed Maryland Association of Counties Conference
  - Met with Bruce Bereano and Terry McGean
  - Art League of OC Artists Paint Event
  - Meeting with County Commissioners regarding hotel room tax
  - Hosted Motor Event Task Force meeting
  - Met with American Cancer Society
- Interviewed with the following:
  - Bulldog – Radio Station 98.1
  - Mike Bradley – Radio Station 92.7
  - Bill Baker and Jessica – Radio Station 101.7
  - Baltimore Sun regarding a Q&A
  - WMAL Radio regarding Hurricane Erin and events
  - Fox Weather regarding Hurricane Erin
  - Fox5 DC regarding Hurricane Erin
  - WTOP Washington regarding Hurricane Erin
  - WBAL regarding Hurricane Erin
  - WBOC regarding Hurricane Erin
  - WMDT regarding offshore wind
  - Fox5 DC regarding weather and Labor Day events

### CITY MANAGER

- Attended the following:
  - Council Meetings, Work Sessions, Budget and Commission Meetings
  - Ribbons Cutting for Bayside Park at 3<sup>rd</sup> St. Admin Building
  - Chief Larmore's Celebration of Life
  - Meet with Taylor Swanson from Assateague Coastal Trust
  - Beach Patrol Summer Wrap-Up
  - Caine Woods Picnic
  - ASBPA Govt Affairs meeting
  - Meet Randy Hoffman
  - National Aquarium Stranding Response Center Update
  - Hotel Room Tax Meeting with Country Commissioners
  - Motor Task Force Meeting
  - Meeting with IFF
  - C3 Representatives Meeting
  - Various Zoom Offshore Wind Meetings
  - On-Boarding Meet and Greet
- Interviewed by various media outlets
- Working with staff on the following:
  - Police Dept Vehicles
  - Business License Approval Meeting



Regular Session dated Monday, September 15, 2025

- o Police Salary Meeting
- o Majestic Hotel Discussion
- o Agenda template for bikes and scooters
- o Tram Meeting
- o Conv. Center Vacant Positions Discussion (FY27)
- o Victoria's Seafood Business License Revocation Hearing
- o Northside Park Cell Tower Meeting
- o Baltimore Avenue Meeting
- o ICMA-CPSM Study of Fire Department Operations Kick-off Meeting
- o Ballistic Vest Discussion Meeting with Chief Bunting
- o Met with Internal Auditor
- o Met with City Solicitor to discuss legal matters
- o Met with HR director on personnel matters

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**DEPUTY CITY MANAGER**

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- Attended the following:
  - o Work Sessions Council Meetings
  - o RS Council Meeting
  - o Department Head Meetings
  - o Planning Commission
  - o City Managers Meeting
  - o Pension Meeting
  - o Victoria Seafood License Hearing
  - o Motor Event Task Force
- Met with Staff to discuss the following:
  - o Planning and Community Development – Rental Inspections
  - o Bicycle and Scooter Discussion
  - o Cell Tower Northside Park
  - o Planning and Community Development – Strategic Plan Progress Meeting
  - o License Appeals Prep
  - o IT Department – AI Research and Interest Meeting
  - o Fire Department Ballistics Issue

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**BUDGET MANAGER**

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- Reviewed, adjusted and brought forward capital project balances from FY 25 to FY 26
- Reviewed AS400 approval levels for multiple Fire employees
- In conjunction with HR Director, developed pay recommendations for Police Lieutenants and Captains as result of FOP contract
- Reviewed Airport funding to identify additional funds for Airport runway relocation project
- Reviewed requested use of deferred revenue funds to determine expense account numbers to be charged
- Reconciled Police vehicle list to determine the number of additional vehicles to purchase
- Calculated end-of-year balances in advertising and construction in progress
- Provided budget to actual pension plan funding to Finance
- Set up FY 27 budget schedule and sent calendar and instructions to all department heads

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**GRANTS COORDINATOR**

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- Submitted:
  - o Community Parks and Playgrounds grant application
  - o Supports playground equipment replacement of 2–5-year-old playground at NSP
  - o Worcester County Reinvestment and Repair grant application
  - o Supports Mobile Integrated Community Health (MICH) program
- Met with colleagues to discuss the following:
  - o FY26 Worcester County Reinvestment & Repair Grant

Regular Session dated Monday, September 15, 2025

- o FY26 GOCPP BJAG Grant
- o Worcester County Child Advocacy Center
- o Attended the following:
  - o FEMA Procurement Under Grants training – Navigating the Procurement Lifecycle
  - o FEMA Procurement Under Grants training – Introduction for Non-Disaster Grants
  - o FEMA Procurement Under Grants training – Introduction
  - o Grant Professionals training - Federal Funding Update and Impact
  - o NACO training - Legal Considerations for Federal Funding Challenges
- o Received:
  - o Award extension to support school bus safety enforcement- \$49,833.90
  - o Notice of Award: Police Accountability, Community, and Transparency (PACT) Grant Program - \$66,402.00
  - o Supports training and related equipment for officers
  - o BPW approval of Community Parks & Playgrounds award - \$267,140.00
  - o Supports playground equipment replacement of 5-12-year-old playground at NSP

#### **INTERNAL AUDITOR**

- Monthly Procurement Card Review
- Payroll Review each pay period
- Internal Audits
  - o Impound Lot – Complete
  - o PRIP Spreadsheet – Complete
  - o OCPD Property Evidence Review – Complete
  - o Convention Center Daily Operations – Research
  - o Convention Center Box Office Cash Handling - Research
- Daily Transportation revenue review
- Cash Counts – Complete
- FY27 Convention Center Budget – training
- Requisition Review training – to assist Budget Manager when out of office
- Timekeeping project purchase and installation
- Timekeeping project - Aladtec scheduling for OCPD

#### **City Clerk**

- o New Passports: 18
- o New Passports: 21
- o Public Information Requests: 6
- o Senior Citizen Bus Passes: 133
- o Prepaid General Bus Pass: 12
- o Caine Keys Permits: 6
- o Vintage License Plates: 7
- o Little Salisbury/Caribbean Drive Boat Ramp: 3
- Conferred with City Manager, City Solicitor and management on agenda items
- Finalized and published Mayor and Council agendas
- Attended Mayor and Council meetings
- Completed Mayor and Council minutes
- Prepared legal advertisements
- Processed public requests for information
- Records projects underway
- Attended MMCA special meeting
- Coordinating beach equipment franchise south end parcel auction

#### **Emergency Management**

##### **EMERGENCY MANAGEMENT DIVISIONAL HIGHLIGHTS**

- Attended a virtual meeting with the Delmarva Emergency Task Force

Regular Session dated Monday, September 15, 2025

- Emergency Management Personnel, along with some OC CERT members, attended a 2-day Disaster Preparedness and Survival training
- Attended the yearly walk-through of the Convention Center with the MD Department of Health & Social Services, the local Worcester County Health Department, and the American Red Cross to discuss the Foreign Student Evacuation Plan
- Completed all required monitoring, planning, and operational-related items for the Town. All required reports and updates to the Maryland Department of Emergency Management (MDEM) and FEMA were completed for this operational period

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**COMMUNICATIONS DIVISIONAL HIGHLIGHTS**

- Handled 8,658 calls for service across multiple public safety divisions
- Continued training and certification process of 5 new dispatchers
- Participated in several discussions regarding City Watch, including live monitoring, new camera locations, and expansion of capabilities using Axon tools

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**ELECTRONICS DIVISIONAL HIGHLIGHTS**

- Issued new radio to OCFMO office
- Had to get new OCFMO radio ID updated due to new OCPD 8900 series ID structure
- Issued charger to OCFD
- Updated radio personality in new OCPD shop 860
- Reported tower lighting issue thanks to nearby property owner report of failed nighttime lighting issue
- Working with Verizon wireless for a new SCADA rf system transport system option
- Responded to 1st street due to equipment failure there. Power inverter
- Attended Service monitor demo at Worcester County radio shop
- Repair of OCPD shop 8845 Radio
- Worked with OCFD and Chief 360 on Station 2 alerting issue reported by crew there
- Worked with Communications finding new battery supply for headset systems
- Virtual meeting to discuss new redundant OC to Worcester back haul connection for radio systems and 911 phones
- Met with OCFMO to discuss new external antenna mount for bomb robot
- Instructed OC Convention Center / tourism on radio operations
- Attended meeting for new Water meeting reading system
- Helped OCBP with radio issued on DoIT and also had to have Md FIRST team run report to help with this effort
- Assisted IT with power questions related to portable camera systems

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**BEACH PATROL DIVISIONAL HIGHLIGHTS****Recruiting, Testing, and Training**

- Staffed an average of 90.5 stands on a daily basis
- Registered 42 SRT candidates for Pre-Employment Physical Skills Evaluations for the 2026 season, that began Aug 9th. Also 9 additional for JBPAI positions
- Held two Pre-employment Physical Skills Evaluations for next year's guards and Junior Beach Patrol Assistant Instructors. We tested 27 candidates (45 last August) for the SRT position with 12 passing. We tested 7 for the Junior Beach Patrol Assistant Instructor position with all 7 passing and being interviewed. The JBP program remains our strongest recruiting pipeline with 5 of the 12 who passed who were JBPAIs this past season and most are local
- Began scheduling and confirming off-site tests for February – April 2026
- Increased social media and organized recruiting efforts for 2026 employees
- Continued correspondence with potential new employees, and monitoring registration for upcoming Pre-employment Physical Skills Evaluations for 2026 employees
- Continued advertising Pre-employment Physical Skills Tests for summer 2026

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- Completed additional rounds of OCBP Surf Rescue Association certification classes. These classes are required for those who plan to seek appointments to Assistant Crew Chief and Crew Chief positions in the future
- Staffed and deployed AM (8:00 – 10:00) and PM (5:30 – 8:00) safety patrols in the North (52nd – DE line) and South (Inlet – 52nd) sectors
- Held four weekly in-service meetings for entire patrol, outside at the convention center
- Hurricane Erin response
  - Prepared all equipment and facilities for possible impact
  - Removed any unneeded stands from beach
  - Secured stands still in service so they would not be washed out
  - Removed Rescue Watercraft from floating dock at USCG station
  - Deployed additional AM and PM patrols
  - Instituted swimming restrictions
  - Provided Social Media announcements regarding restrictions

#### **Facility and Equipment**

- Began the return, laundering and inventory of uniforms and equipment
- Met with Scott Wagner regarding removal and replacement of vehicles
- Having issues with our fleet of PWCs
  - Seems like a bad fuel issue
  - Repair work completed to have all operational
  - Ordered new fuel containers to improve the storage and fueling of PWCs
- Began planning for use of “old” OCPD Bike area
- Working with engineering about a problem with the fire protection coating on the steel beams in both the garage and bike locker. Large pieces are falling off and create a safety hazard. The estimated cost to correct is over \$61,000.00

#### **Finance**

- FY 25 audit preparation
- FY 25 final audit final fieldwork scheduled the weeks of September 22<sup>nd</sup> and 29<sup>th</sup>
- GASB 101 compliance reporting
- Time Clock Plus software testing for City Hall employees
- September quarterly utility invoices sent to customers
- 2025 (FY 26) Bond issuance first reading of the ordinance September 15<sup>th</sup>
- Rental/Business license enforcement

#### **PURCHASING:**

- Gov Deals Listing - \$3,644,573.80 representing 3104 transactions
  - Month of July 2025 – \$35,801.00 Items sold - 15
  - Month of August 2025 – \$18,794.00 Items sold – 4
- Current Proposal/BIDS in progress
  - B01-26 - Eagles Landing Golf Course Tidal Flood Remediation
    - Advertisement – 7/7/2025 by Close of Business
    - Pre-BID Meeting – 7/22/2025 at 8:00AM
    - Last Day for Questions – 8/4/2025 at 3:00PM
    - Addendum Posting – 8/5/2025 by Close of Business
    - BID Submission Due – 9/8/2025 by 4:00PM
    - BID Opening – 9/9/2025 at 1:00PM, Mayor and City Council Work Session
  - B04-26 – Convention Center Landscaping Installation
    - Advertisement – 8/19/2025 by Close of Business
    - Pre-BID Meeting – 8/27/2025 at 10:00AM
    - Last Day for Questions – 9/18/2025 at 4:00PM
    - Addendum Posting – 9/19/2025 by Close of Business

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- BID Submission Due – 9/29/2025 by 4:00PM
- BID Opening – 9/30/2025 at 1:00PM, Mayor and City Council Work Session
- Q02-26 – Ocean Bowl Vertical Ramp Stair Repairs
  - Advertisement – 8/26/2025 by Close of Business
  - Quote Submission Due – 10/2/2025 at 4:00PM
  - Quote Opening Date – 10/3/2025 at 10:00AM
- Gas and Diesel Pricing, last time we bought - Volatile market
  - Diesel July 2025 - \$2.605 August 2025 - \$2.445
  - Gas July 2025 - \$2.219 August 2025 - \$2.256
- Gas – Average Daily Pump
  - August 2025 – Average 518.00 Gallons
  - July 2025 – Average 586.50 Gallons
  - June 2025 – Average 557.90 Gallons
- Diesel – Average Daily Pump
  - August 2025 – Average 1136.80 Gallons
  - July 2025 – Average 1239.40 Gallons
  - June 2025 – Average 1109.00 Gallons

### Fire

Today's Date	Reviewed Permits Turn Around Times (Business Days M-F)					
	Permit Category	Benchmark	M-T-D (Avg)	Y-T-D (Avg)	Y-T-D Min	Y-T-D Max
8/31/2025	Fire Protection Systems	14	2.5	2.9	0	15
	Small Permit (<\$100K)	5	1.0	2.2	0	14
Current Month	Medium Permit (\$100K-\$1M)	11	0.0	1.4	0	13
8	Large Permit (>\$1M)	15	15.0	3.3	0	15
	TOTAL PERMITS		2.1	2.3	0	15

Approved Permits Turn Around Times (Business Days M-F)					
Permit Category	Benchmark	M-T-D (Avg)	Y-T-D (Avg)	Y-T-D Min	Y-T-D Max
Fire Protection Systems	14	2.5	4.4	0	36
Small Permit (<\$100K)	5	1.0	4.1	0	42
Medium Permit (\$100K-\$1M)	11	0.0	5.0	0	16
Large Permit (>\$1M)	15	15	5.3	0	16
TOTAL PERMITS		2.1	4.4	0	42

Permits Reviewed		
Permit Category	M-T-D	Y-T-D
Fire Protection Systems	2	75
Small Permit (<\$100K)	11	84
Medium Permit (\$100K-\$1M)	1	44
Large Permit (>\$1M)	1	7
TOTAL PERMITS	15	210

August	Plan Reviews Received	Permits Received	Bonfire Permits	Special Events	Inspections/Property Checks	Field Operations CFS	Complaints & Referrals	Fire Protection Deficiencies	Public Outreach / Community Outreach
	16	12	886	2	85	394	12	11	1

### Human Resources

- Hosted the annual Employee Appreciation Celebration for all town employees. There was excellent attendance and participation (and we came in under budget!)
- Concluded this summer's Part-time/Temporary Employee Job Description initiative wherein specific departments worked with HR to update and re-format 110 positions.
- Completed the Spring/Summer Course offerings that engaged 167 employees in a total of 28 different classes. Preparing Fall/Winter Catalogue of Courses for distribution.

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- 2025 Employee Engagement Survey results have been distributed to department heads and preparations for a full release are underway. Total Participation is 335.

#### **Information Technology**

- Started the budget planning process for dept IT requests
- Finalizing proposal for town network and internet services
- Coordinated temporary cellular assets for fall special events
- Continue to work with VZW to identify trouble spots related to Town owned cellular devices

#### **Planning & Community Development/Building/Geographical Information Systems**

##### **BUILDING/INSPECTIONS**

- 2025 Plan and Permit Reviews: In August 190 building permits were issued, an increase in the 5-year monthly average of 32. The construction value for August was \$4,534,479, compared to the 5-year average of \$3,139,817.40
- New Residential and Residential Alteration Permits Issued (> \$100,000):
  - o 150 Nautical Lane

##### **PLANNING/ZONING/ENVIRONMENTAL/GIS**

- Planning Commission (PC): Next PC meeting will take place on October 7. (September 16th meeting was canceled)
- State of Maryland 60-day review of the Comprehensive Plan has been completed and comments are being addressed
- Comprehensive Plan Open House is scheduled for October 21, 2025 at 6:00pm

#### **Police**

##### **CRIMINAL INVESTIGATION DIVISION**

- Major Crimes detectives conducted an investigation regarding an internal theft at a south end hotel. Investigation revealed a total amount of loss in excess of \$600,000. Charges are pending in this case.
- Major Crimes detectives also investigated an identity theft ring involving several seasonal workers that were in town on student visas. A search warrant was served on their residence during which detectives located check stock and printer, over 80 pre-paid cards/gift cards/debit cards, numerous electronic items (phones and computers), and multiple electronic devices believed to be purchased by fraudulent means. Multiple arrests were made in this case.
- The Vice/Narcotics unit concluded a several month investigation into a drug trafficking organization operating in Ocean City and the surrounding area. Four people were charged with distributing cocaine to an undercover detective. Additionally, several search warrants were executed resulting in the seizure of a significant quantity of cocaine.
- The Forensic Services Unit processed 11 scenes and over 400 pieces of evidence during the month of August.

##### **PATROL DIVISION**

- Statistics:
  - o Calls For Service – 7,420 (5 wks)
  - o Total Arrests – 180 (5 wks)
  - o Firearms Seized – 37 YTD
  - o Weapons Seized (non-firearm) – 107 YTD
  - o Total Weapons YTD - 144
- Training
  - o K9 Explosive Detection Training/Certification - 5 week
  - o Advanced Undercover Techniques – 5 day
  - o FBI National Academy Re-Trainer – 4 day
  - o Advanced Leadership Trainer Seminar – 7 day
  - o Intoximeter certification/recertification – 5 day
  - o Reid Advanced Interview/Interrogation Certification Course – 5 day
  - o In-service sessions – multiple 2-day sessions begin (required)



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- Special Events
  - o 2025 White Marlin Open
  - o Cover the Cruiser Events – x 2
  - o Caine Woods Picnic
  - o National Night Out

#### **SERVICES DIVISION**

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- Arrest and Detention
  - o Total Prisoners Processed – 169
    - Adult – 139
    - Juvenile – 30
- Training and Recruiting
  - o Recruiting
    - 7 Recruits currently in the Academy
    - Held a Police Applicant Testing and Interview Weekend (August 23, 2025)
    - National Night Out Recruiting Event (August 5, 2025)
    - Baltimore Orioles recruiting effort (August 14, 2025)
  - o Training Conducted
    - FBI National Academy National Conference (Baltimore – Aug 2-5, 2025)
    - Explosives K-9 Training (July 21 - Aug 22, 2025)
    - Crimes Against Children Conference (Aug 3-6, 2025)
    - FRBI Post Blast Investigators School (Aug 4-8, 2025)
    - Dark Web Investigations (Aug 4-5, 2025)
    - Summer Firearms Training (Several Dates)
    - Leadership and Mastering Performance Management Seminar (Aug 12-19, 2025)
    - QRT Sniper/Breacher Training (Aug 13, 2025)
    - QRT Training (Aug 14, 2025)
    - Intoximeter Breath Test Operator Training (Aug 18-22, 2025)
    - Detecting Misleading Behaviors (Aug 19-21, 2025)
    - Canine Training (Aug 19-20, 2025)
    - NCTC Managing Narcotics Informants (Aug 20-22, 2025)
    - Reid Technique of Investigative Interviewing and Interrogation (Aug 25-28, 2025)
    - NTOA Annual Law Enforcement Operations Conference

#### **RECORDS SECTION**

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- Case Files sent to States Attorney and other Agencies – 483
- Public Requests for reports – 166
- Digital Media Requests – 461
- Background checks – 31
- Expungement Orders Processed – 49
- NIBRS Crime Reporting (hours) – 12
- Incident Reports Processed – 661
- Parking Telephone Calls (hours) – 35
- FOIA Requests – 25
- Vehicles Towed (Police) – 79
- Vehicles Towed (Private) – 41

#### **Public Works**

#### **ADMINISTRATION**

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- Gorman Avenue Water Treatment Plant Clarifier Renovations- Balance of project to be completed this Fall.
- 15th Street WTP – Installation of Replacement Generator continues with a startup date of September 18, 2025.
- Convention Center Generator Replacement – Generator is in the final manufacturing stage and the replacement is scheduled for January 2026.

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- Last Phase of the 94th Street Water Main Upgrades to begin in late September.
- Montego Bay Storm Drain & Roadwork- Will resume this Fall.
- 44th Street WTP – Second filter bay conversion to begin this Fall.
- Wastewater Treatment Plant Headworks and Influent Pump Station Improvements-Project has been awarded to Michael F. Ronca & Sons. Awaiting the return of the Agreement and the associated documents for a Notice to Proceed.

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**AIRPORT**

- Currently interviewing to hire Airport Associate
- Annual Non-Fed Navaid Inspection FAA
- Phragmite Spraying peaking mid Sept

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**CONSTRUCTION**

- Worth is working on replacing sidewalks from condemns and water leaks, they will be starting on the STRPAV project after Labor Day.
- Crews have put out VMS boards for BikeFest throughout the Town.
- Water crew is working on several work orders, installing new water services, repairing-replacing small meters, and working on repairing water leaks.
- Carpenters are working on repairing life guard stands, working on several work orders daily and replacing bad boards on the boardwalk.
- Crews have been repairing beach crossings as complaints come in.
- Electricians have been working on several different work orders throughout the Town.

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**ENGINEERING**

- Convention Center elevator, project is in Construction Phase: 25% complete, large freight elevator, completed and operational. Working on the small freight. Then continuing to, North and South passenger elevators. Anticipated completion date is December 24, 2025.
- Convention Center escalator, project is 95% complete waiting for punch list items.
- Convention Center south stair, construction phase: 85% complete. Completion expected July 2025.
- Dredging, construction phase: Planning for this fall; adjoining land owner notification is under way.
- Eagles Landing Golf Course Flood Remediation, bid phase: bids opened on September 8
- Comfort Station Design: design phase nearly complete, intending to bid in October.
- Northside Park Kayak Launch: Permitting Phase
- Staff continues to perform surveying for projects.
- Staff helped multiple departments with Concepts, Design and Budgeting.
- Staff continues to issue permits and monitor progress of those permits.

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**MAINTENANCE**

- Continuing with core duties/operations and responsibilities
- Breaking down WineFest etc., and on to BikeFest and 9/11 festivities this week
- Bicycle and Skate revised hours overlays/stickers are completed from south to north
- We've got some real concerns about staffing over the next two months. With several special events coming up, we're going to need extra coverage—and that likely means overtime for the team members who'll have to step in to fill the gaps.
- Full and Part-time schedules adjustments effective after Labor Day

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**SERVICE CENTER**

- Sending out vehicles for Body shop needs continues.
- Installing Aim fueling modules on new vehicles as they are delivered continues.
- Performing DOT inspections on trailers.
- Started DOT inspections on buses.
- Working on vehicle trust inspection.
- Removing city equipment out of vehicle's for auction.



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**SOLID WASTE**

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- 1 Full Time Employee out on extended leave
- 1 Full Time Supervisor out on extended leave
- 1 New truck arrived
- 2 trucks waiting on parts

**TRANSPORTATION/PARKING**

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- We continue to monitor and adjust anticipated staffing levels for the two Fall music festival events. Some event staffing is being shifted from elsewhere in the week. We expect to maintain a minimum baseline service on those days.
- We are awaiting official award packages from the MTA on our Capital and Operating grants for FY26. Once received, we will initiate the procurement process for two new articulating buses plus one lift-equipped van. Orders for two articulating buses being purchased with FY25 funds are already in the approval process with MTA.
- We are starting to gather our Town budget requests for FY27.
- The next Transportation Committee meeting is scheduled for Tuesday, October 14th.

**WASTEWATER**

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- Plant Headworks and Influent Pump Station contract has been awarded. Setting up temporary office building and preparing to move offices in preparation of demolition of existing building.
- Beginning to take tanks off line in preparation of winter operations.

**WATER**

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- 15th Street scrubber out of service for fiberglass repairs.
- 15th Street water plant will be offline the week of September 15th. Gorman and 44th street plants are available for use.
- Generator replacement at 15th street nearing completion.

**Recreation & Parks**

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**ADMINISTRATION**

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- The bid opening for the Eagle's Landing Flood Remediation project took place on September 9<sup>th</sup>, with 3 companies submitting bids for staff review
- Confirmed mural at Northside Park selection, work will begin the week of September 22<sup>nd</sup>
- Administrative Assistant I position received 90 applications; interviews will finish on September 9<sup>th</sup> with an offer to follow
- Facility rentals included:
  - Charity ball hockey tournament
  - Baltimore Mayor Scott's annual basketball game
  - NVR/Ryan Homes' company softball tournament
  - Six pavilion rentals
  - Inaugural Ocean City Seafood Festival at Northside Park
- Development of Ocean City Recreation & Parks app has begun efforts, spearheaded by the Admin team and Marketing team
- Deposits were put down for two brand new tournaments to add to the Spring lineup at Northside Park: One youth flag football tournament to take place April 11<sup>th</sup>–12<sup>th</sup>, 2026, and one youth lacrosse tournament to take place June 13<sup>th</sup>-14<sup>th</sup>, 2026. Both tournaments were brought in by Tourism's Sports Marketing Manager

**RECREATION PROGRAMS & SENIORS**

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- Summer camps ended with another record year of participation with 4,542 campers enrolled over nine weeks
  - First week of camp was cancelled this summer due to Worcester County Schools extending the school year
- The Skate Park had a great summer and pass revenues were up \$3,000. Staffing continues to be a struggle: The Skate Manager resigned the week of August 18<sup>th</sup>, and the Assistant

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Manager is the acting manager temporarily until the position is filled or he departs for the season

- The Racquet Center has transitioned to fall hours and will be open from 7:00 a.m. to 6:00 p.m. through September 24<sup>th</sup>. The Labor Day weekend Holiday Mixer on August 31<sup>st</sup> had 25 pickleball players participate. Overall pickleball participation continues to be strong.
- Movies on the Beach at the Carousel Hotel ended on August 27<sup>th</sup>, wrapping up another successful summer season with an average of 350 attendees per showing
- Fall programs have started in full swing, and registration continues for upcoming fall and winter programs/events. The Youth Flag Football League had a strong showing with 175 players; games begin on September 10<sup>th</sup>
- Senior Water Aerobics has been postponed due to lifeguard availability and may be delayed until October
- Budget packets are out for Recreation staff input and post-camp/post-program meetings were held in preparation for the budget
- Recreation staff should be commended for doing an outstanding job this summer despite staffing issues, new job roles, and additional responsibilities

#### **PARKS**

- Attended Beautification Committee meeting, Professional Fertilizer Applicator training; Department Senior Staff meeting; Recreation & Parks Committee meeting; TOC Safety Committee meeting; SafeStart Human Factor Framework training; MRPA Operation University training; Winterfest planning meeting with Special Events (2); and Internal CIP and Project Planning meeting with Director & Recreation Superintendent
- Prepared fields for Department-sponsored Men's Softball League and Youth Flag Football League
- Supported Town and private-sponsored events including Sundaes in the Park, Caine Woods end of summer picnic, and inaugural OC Seafood Festival
- Prepared fields and provided support for two private softball tournaments at Northside Park
- Coordinated delivery of Winterfest storage trailers to Northside Park; began unpacking, checking, and troubleshooting displays while continuing to fine-tune 2025 event details in collaboration with Special Events
- Removed beach wheelchairs from beach locations after Labor Day and transported to Airport; power washed wheelchairs and insides of storage boxes in preparation for off-season storage

#### **GOLF OPERATIONS**

- Met with Public Works staff to discuss potential drain installation in clubhouse parking lot
- Attended Greater Ocean City Golf Association meeting on August 14<sup>th</sup>
- Met with Marketing staff to discuss Eagle's Landing social media plan going forward
- Hosted Berlin Police golf tournament on August 22<sup>nd</sup>

#### **GOLF MAINTENANCE**

- Working with golf course architect on plans for off-season course improvement projects
- Completed aeration and sand topdressing of greens, collars, approaches, and aeration of back nine fairways
- Currently working to repair damaged areas on three holes that occurred as a result of tidal flooding during Hurricane Erin
- Repaired numerous broken underground irrigation wires
- Horticulturist continues great work on all landscape areas
- Staff did a great job with aeration and are now focused on providing superior conditions for the upcoming fall package season

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### Risk Management

- Attended settlement conference in Snow Hill with Bruce Bright for the Paul Hartman case. The conference was successful, and the case was settled within the Council authority for \$100K. Plaintiff's demand for a surgical shoulder injury had been \$300K.
- Reviewed the status and action plan of litigated Workers Compensation claims with the Town Council, Kara Miller.
- Participated in PRIMA's (Public Risk Management Assoc) training session outlining optimal strategy for contract risk transfer.

### Tourism & Business Development

- Went out with Special Event Director applications
- Boardwalk Arch programming set for year-round applications.
- Continued work on Rt.50 Bridge lighting
- 2026 Media Planning will be complete mid-October
- Moved Springfest '26 ticketed entertainment to the PAC – offered Gen X Comedy Tour, A Taylor Swift Experience and Who's Bad – MJ Tribute
- Started booking MLK Line Up – Shadows of the 60's, Offered Janelle James – Comedian/Actress
- Purchasing updated Winterfest Displays
- Preparing bid specification for North Division Welcome Sign after council presentation
- Requested Fireworks extension of contract through 2027 -TBD to council
- Bids openings for CC landscaping scheduled for September 30th
- State grant for concerts approved at \$675K for 2 years
- Presenting Weather Triggered Media Plan on going
- Rising Tides creative for OTT, etc. media kicking in September 15th
- Orioles' activation September 11<sup>th</sup>, Ravens – October, Commander's activations TBD (2)
- CFG arena contract to legal
- Working with Trimper's for Winterfest rides
- Working with legal for potential liquor license for Winterfest
- Working with OCBP on train garden move
- Working on PLL event for June of 26
- Met with Mid Atlantic Symphony on July 4<sup>th</sup> 2026 performance on the beach
- Continuing the Lutron Lighting project inside the convention center
- South Stairwell project continues at the cc.
- Developing Sponsorship decks for 2026 events Springfest & Street Painting first up
- Started budget prep

### SPECIAL EVENTS

- IN-PROCESS: Summer Events
  - Sundaes in the Park – Concluded on 8/31. One weather cancellation. Revenue is slightly up from last year
  - Sunset Park Party Nights – Concluded
- PLANNING:
  - Holiday Character Breakfast November 29th - Secured Characters, Menu. Tickets on sale soon.
  - Rising Tides – Security plan, potential vendors
  - Christmas Parade – Secured Judges, Registration beginning, State Highway Application sent
- PLANNING: Sunfest
  - Coordinating sub-events (Bicycle swap meet, Dock Dogs, Halloween events)
  - Tent deposit paid
  - Finalizing vendors and payment
  - Graphic designs: Shirts, 50th Anniversary Buttons, Poster, Signage, Online Information

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- PLANNING: Winterfest of Lights
  - o New additions: Under review by Tourism Director and City Manager for funding
  - o Extended hours for New Year's Eve leading to Pier-based fireworks display at midnight
  - o Carriage rides opportunities
  - o Finalizing Event layout (Park & Tent)
  - o ALOC returning with Tree Decorating Contest
- PLANNING: Springfest 2026
  - o ALOC on board to assist with chalk art event elements. Working on Agreement
  - o New expanded layout approved
  - o Layout expands to include additional commercial, craft, gourmet and food vendors
  - o Stage layout reminiscent of Sunfest with two outdoor stages
  - o Headline acts booked and will be moved to the performing Art Center. Inlet event hours will adjust accordingly.
- UPCOMING PRIVATE EVENTS:
  - o OC Rock and Ride – 9/10-13 in IPL (9/11-14 at OCCC)
  - o 9/11 Parade of Brothers – 9/11
  - o Sunfest Kite Festival – 9/18-21
  - o Oceans Calling – 9/26-28
  - o Country Calling – 10/3-5
  - o Endless Summer Cruisin' – 10/9-12
  - o Beach Ultimate (Ultimate Frisbee Comp) – 10/11-12
  - o ACS 5K – 10/25
  - o Bronco Beach Bash – 10/30-11/2
  - o OC Running Festival – 11/1
  - o Shore Craft Beer Festival – 11/1



# TOWN OF OCEAN CITY

*The White Marlin Capital of the World*

Agenda Item # 11.A

Council Meeting September 15, 2025

**TO:** The Honorable Mayor, Council President and Members of Council  
**THRU:** Terence J. McGean, PE, City Manager  
**FROM:** Diana Chavis, City Clerk, MMC  
**RE:** Comments from the Mayor and City Council  
**DATE:** September 8, 2025

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**ISSUE(S):** Mayor and Council Comments

**SUMMARY:** Not Applicable

**FISCAL IMPACT:** Not Applicable

**RECOMMENDATION:** Not Applicable



Excellent Service through a High Performing Town Organization

**ALTERNATIVES:** Not Applicable

**RESPONSIBLE STAFF:** Not Applicable

**COORDINATED WITH:** Not Applicable

**ATTACHMENT(S):** None