



CITY OF SALISBURY

115 S. Division Street, Salisbury, MD 21801

LEGISLATIVE SESSION

125 N. Division Street, Room 301, Salisbury, MD 21801

Monday, October 27, 2025 6:00 PM

D'SHAWN M. DOUGHTY
Council President

ANGELA M. BLAKE
Council Vice President

APRIL R. JACKSON
Councilwoman

MICHELE R. GREGORY
Councilwoman

SHARON C. DASHIELL
Councilwoman

CALL TO ORDER

WELCOME/ANNOUNCEMENTS/PLEDGE

INVOCATION - Pastor Greg Carlson - Park Seventh-Day Adventist

COUNCIL CITATION - Presented by Councilwoman Dashiell

In recognition of Sgt. Tom Hitty of the Salisbury Police Department

PRESENTATION AND ADOPTION OF LEGISLATIVE AGENDA

AWARD OF BIDS

- Award of Bids
 1. ITB 26-111 Property and Records Management Storage \$ 261,227.00
 2. ITB 26-112 North and South Side Pump Station Pumps \$ 170,921.00

RESOLUTIONS

- Charter Amendment - Updating the Procurement Department Chain of Command - 1st Reading
Charter Amendment Resolution No. 2025-1 - to amend Article 16 of the City charter to update the chain of command of the Director of Procurement.
- Charter Amendment - Clarification of City Administrator, Deputy City Administrator, and Assistant City Administrator Roles - 1st Reading
Charter Amendment Resolution No. 2025-2 - to amend § SC 4-1 of the charter of the City of Salisbury to update the powers and duties of City Administrator and Deputy Administrator.

ORDINANCES

- Ordinance - Burton Street Closure - 1st Reading
Ordinance No. 2958 - for the abandonment of a portion of a road known as Burton Street located east of Delaware Avenue.
- Public safety equipment and property and records management system (1st Reading)
Ordinance No. 2960 - approving a budget amendment to the City's General Fund for lease proceeds to purchase police radios, fire radios, and AED's Heart monitors and to change the funding source of the property and records department management system previously approved under Schedule B with the FY2026 Budget Ordinance No. 2395
- Authorizing the Issuance of Refunding Bonds for the Villages of Aydelotte Farm Project (1st

Reading)

Ordinance No. 2961 - authorizing and empowering City of Salisbury to issue, sell and deliver, at any one time or from time to time, in one or more series, its special obligation bonds, notes or other similar instruments (the “refunding bonds”) in an original aggregate principal amount not to exceed eighteen million dollars (\$18,000,000.00) in order to currently refund or advance refund in whole or in part the outstanding City of Salisbury special obligation bonds (the villages of Aydelotte farm project), series 2007 (capital appreciation bonds) that were issued to finance or reimburse the cost of certain public improvements and other costs relating to the northeast collector Phase III development district and the geographically coincident northeast collector Phase III special taxing district (the “special taxing district”) established within the city.

- Updating the Department of Infrastructure and Development Chain of Command - 1st Reading

Ordinance No. 2962 - amending chapter 2.12.040 of the Salisbury city code to update the chain of command of the director of Infrastructure and Development.

PUBLIC COMMENT

ADJOURNMENT/CONVENE INTO WORK SESSION

City Council Meetings are conducted in Open Session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b) by vote of the City Council.
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City of Salisbury

Memo

To: Nick Rice
From: Michael Lowe
Date: October 27, 2025
Subject: Award of Bids

The Department of Procurement seeks Award of Bid approval from the Salisbury City Council for the solicitations as defined herein. The Department of Procurement followed required procurement policy and procedure as defined by the City of Salisbury Charter and Municipal Code of Ordinances for the procurements presented.

Attachment(s):

[10.27.2025 Council Memo - Award of Bid.docx](#)

[10.27.2025 Council Memo - Award of Bid.pdf](#)



City of Salisbury

MEMORANDUM

TO: Nick Rice

FROM: Michael Lowe, Director of Procurement

SUBJECT: Award of Bid and/or Declaration of Surplus

DATE: October 27, 2025

The Department of Procurement seeks Award of Bid approval from the Salisbury City Council for the solicitation(s) as defined herein. The Department of Procurement followed required procurement policy and procedure as defined by the City of Salisbury Charter and Municipal Code of Ordinances for the procurements presented below.

ITB 26-111 Property and Records Management Storage

- Department: Police
 - Scope of Work: Expansion of existing storage solution for records
 - Cooperative contract & vendor information:
 - Contract RFP #R10-1176 Furniture and Storage Products and Services (Equalis Group)
 - Vendor: STORAGELogic of Maryland, Inc.
 - Contract Date: July 1, 2025
 - Contract Term: Effective through June 31, 2028
 - Cost: \$261,227.00
 - GL Account(s): 21021-577015 Buildings
 - Notes:
 - Purchasing authority per City of Salisbury Charter § SC 16-3 General Policy of Competitive Bidding, Exceptions, states that competitive bidding is not necessary or appropriate in the following circumstances:
 - A.(9) Contracts in which the City receives a contract price negotiated by the State, County, or other governmental entity pursuant to a valid contract.
- “Cooperative Purchases” are permitted under the Equalis Group cooperative, of which the City of Salisbury is a member.

ITB 26-112 North and South Side Pump Station Pumps

- Department: Water Works
 - Commodity Description: Replacement low flow pumps for North and South Side pumping stations
 - Vendor: Sherwood Logan
 - Total Cost: \$170,921.00
 - GL Account(s): 97030-577030-50057, 97030-577030-50058, 86083-534302
 - Notes:
 - Municipal Code 2.32.050.C.5, “Noncompetitive Negotiation – Sole Source Procurement”
 - “...the Director of Procurement determines that there is only one available source for the subject of a procurement contract and he/she may award the contract without competition to that source.”
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- Sole Source Justification and manufacturer letter attached



City of Salisbury

Salisbury Police Department

MEMORANDUM

TO: Michael Lowe, Director of Procurement
FROM: John Felts – Administrative Commander
SUBJECT: Property and Records Management Storage
DATE: October 16, 2025

The Salisbury Police Department is undertaking a comprehensive storage upgrade within its Property and Records Management divisions through the installation of high-density Spacesaver storage systems. The Salisbury Police Department previously installed this storage system in a portion of the property room and now seeks to expand the existing storage footprint into the remainder of the property room as well as the records vault, using the same product and manufacturer to ensure seamless integration.

This project is designed to significantly increase available storage capacity within existing facility footprints, improve efficiency in evidence and records retrieval, and replace outdated and insufficient shelving with modern, safe, and customizable solutions. Of critical importance is the enhancement of secure storage in the Property area to better support chain-of-custody requirements.

This investment leverages the Equalis Group cooperative contract to ensure competitive pricing, reduced procurement time, and compliance with public agency standards, while also incorporating local support and long-term service from STORAGELogic of Maryland.

Funding is available from:

<u>Account Number</u>	<u>Amount</u>
10500-546012-22078 Grant Account	\$111,227.00
21021-577015	\$150,000.00

Please let me know if you need any additional information or have any questions. Thank you.

Respectfully,


Captain John T. Felts
Administrative Commander



699 W. Salisbury Parkway
Salisbury, MD 21801
410-548-3165
www.salisburypd.com





Michael Lowe
Director of Procurement
c/o Salisbury Police Department
699 W. Salisbury Parkway
Salisbury, MD 21801

October 15, 2025
SLM Budget Quote # 230650R7
(Revised for Date and Cooperative Contract Source)

Dear Mr. Lowe,

Please review the following revised investment quote for the Spacesaver® Storage Solutions to be installed in the Salisbury Police Department.

The goals of these solutions are:

1. Increase storage capacity within the current allocated Property and Records Management areas.
2. Increase efficiency and organization in retrieving and tracking evidence, records, and supporting documentation.
3. Replace antiquated existing shelving that is currently insufficient and, in some respects, unsafe to access. It has limited ease of adjustability, dimensions that do not support current storage requirements, and wastes valuable floor space.
4. Specifically for the Property area to store, organize and protect evidence to support the "Chain of Custody" that your current storage applications do not allow.

As a manufacturer, Spacesaver Corporation is the industry leader in High Density Mobile Storage Systems worldwide. They maintain the strongest position in the North American marketplace by being a proven performer in all vertical markets. The market's acceptance of Spacesaver is directly related to its flexibility, quality, safety, on-time delivery, installation, warranty, and total dedication to each customer's unique needs. Products are "Made in America" in Fort Atkinson, WI. Spacesaver is also proud to be **SCS Global Indoor Advantage Gold Certified**, meeting federal government regulations for sustainable products.

STORAGELogic of Maryland Inc. (SLM) is the exclusive local distributor for Spacesaver for the Salisbury, MD. Area. We have local sales and service departments, factory certified installers, and our products have an industry leading warranty to ensure that your system continues to provide efficient, safe storage for years to come. We are proud to partner with Spacesaver to provide you with the solutions for your facility to reclaim valuable unused space and at the same time, allow it to provide you with the desired space to operate more efficiently.

We are pleased to provide the Salisbury Police Department with quality space saving storage solutions.

Revised investment pricing is calculated under the **Equalis Group Contract #: R10-1176Q**. The city of Salisbury is already an active registered member of this cooperative contract under ID No: EG-0039491.

In addition to the Equalis Group Contract Pricing, this revised quote contains the system's adjusted features and benefits, investment pricing, and terms.

Please refer to the previously supplied drawings and elevations for further details supporting this revised quote. They are based on initial field dimensions and end-user specifications and requirements.

Area designation within this revised quote is as follows:

Property Management Area #1: Boxed/Bagged Evidence Storage

➤ **Estimated Installation = 7 days**

Property Management Area #3: Envelope Storage/Drawer Shelving/Open Storage

➤ **Estimated Installation = 3 Days**

Records Management Area #1: Central Records File Storage – High-Density Mobile System and Shelving

➤ **Estimated Installation = 8 days**

Records Management Area #2: Boxed Records Storage – 4-Post Free-Standing (Static) Shelving

➤ **Estimated Installation = 1 day**

The individual area investment amounts listed in this revised quote are based on the current manufacturer's list pricing, including applicable discounts via the Equalis Group Contract. At your request, we have also applied additional strategic purchasing savings available when combining these projects. These added savings are detailed below. Pricing is valid for purchases made on or before November 28th, 2025. If awarded after this date, the manufacturer reserves the right to revert to the original quoted pricing.

I will continue to be available throughout this process to ensure that these projects will not only meet your needs but exceed your expectations. Please do not hesitate to contact me with any questions or concerns at (410) 960-2163 or mthumma@storagelogicinc.com

Thank you,



Michael Thumma / Project Manager, STORAGELogic of Maryland, Inc.

Salisbury Police Department / Property and Records Management Spacesaver® Storage Solutions

❖ **General Storage System and 4-Post Shelving Design Details:**

- Spacesaver® Mechanical Assist Controls:
 - Carriages move mechanically (manually) as needed to gain access to requested aisle.
 - 3-spoke Mechanical Assist Handle (hand crank) with Safety Locking Pin.
 - ✓ Locking Pin is installed on each handle; when engaged by user, the pin prevents carriage movement until manually disengaged.
 - ✓ Locking Pin is colored safety green to allow for easy visual confirmation of locked/unlocked position.
 - Single access entry/exit design. End users can only access system from the front.
- Safety Features Include:
 - Spacesaver® Non-Powered Mechanical Safety Brake
 - By depressing sweep plates, all carriage movement stops preventing damage to equipment and ensuring the safety of personnel.
- Spacesaver® Fully Welded Steel Mobile Carriages and Platforms.
 - ¾" recessed lip and one piece, roll formed side profile design ensures safe, positive shelving attachment.
 - ✓ Hem securely nests shelving into the carriage rather than simply sitting on top. Acts as a "seatbelt" for the shelving.
 - ✓ Ensures moving shelving will not shift off carriages over time.
 - ✓ Most basic safety feature.
- Spacesaver® Low Pressure Laminate End Panels.
 - Contains drive system tensioning system and does not require removal for adjustments.
 - 3x5 steel cardholders to provide quick reference to stored materials.
 - Color to match previously purchased systems: (Tier 2–Pewter Frost-AF200).
- Spacesaver® Low Profile Standard B and B Anti-tip Rails.
 - System dimensions, heights, and designs to determine which type of rails are used.
 - ✓ Property Management will use Standard B Rails.
 - ✓ Records Management will use B Anti-tip Rails with narrow wheel guidance of less than ½" (*side of bar stock to side of anti-tip flange*) comply with ADA standards, and reduced gaps for travel of ladders and stools.
 - Works in conjunction with Dual Flange guidance system.
 - Fully grouted rails, no shimming will be accepted, to ensure a safe, leveled system that will be easy to operate regardless of weight.
 - Welded construction, interlocking splice braces with bolted plates for permanent horizontal and vertical alignment.
- Spacesaver® Plywood Entry Ramp and Subfloor.
 - ¾" thick, 7 layer leveled marine-grade plywood.
 - Front ramp installed at the entry point, mid-subfloor installed between all adjacent rails, and rear floor between the rear rail and adjacent wall.
 - Creates a smooth transition between the existing floor and the raised floor of the mobile system.
 - Leveled to allow for finished floor covering to be flush with tops of rails to eliminate tripping hazards.

- ✓ SLM to supply turnkey VCT and reducer materials, and installation.
- ✓ Property Area will color match previously purchased (Tarkett 556 Sandstone).
- ✓ Records Area will need to determine VCT color prior to installation.
- Spacesaver® 4-post Shelving Design Details:
 - Height of usable shelving space to be:
 - ✓ Property Area: 80.75" on mobile carriages and platforms.
 - ✓ Records Area: 86.75" on mobile carriages and platforms.
 - Closed and Open uprights selected for design where required and specified.
 - Universal Slotted and Plain Shelving is easily adjustable on 1½" centers. Allowing elevations to be changed per customer demand in the future.
 - Full Height Steel Back Panels located on specific single-faced platforms to close off the backs of shelving to keep stored materials from falling off the rear of units.
 - ✓ *Please refer to "X" on the previously supplied drawing for locations.*
 - Canopy tops are included throughout.
 - ✓ Provides protection from dust and debris – these are not weight bearing.
 - Powder coated steel will not peel, rust, chip, fade, or off-gas.
 - ✓ Smooth powder coat paint selected for design.
 - ✓ Property Area will match previously purchased systems. (Blue Grey-BG-25)
 - ✓ Records Area will need to determine color selection prior to entering the order with the manufacturer.

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Property Management Area #1: Boxed/Bagged Evidence Storage

- ❖ Spacesaver® Mechanical Assist High Density Storage System to include these additional features:
- (5) Five Mechanical Assist Mobile Carriages and (2) Two Fixed/Stationary Platforms.
 - Spacesaver® Mobile Carriage Design Details:
 - ✓ *Please refer to "C, D, and E" on the previously provided drawing.*
 - ✓ Approximately 48" in depth and approximately 87 ½" in overall height.
 - Height includes rail/floor system, carriage, and shelving.
 - ✓ "Back-to-back" design to allow for storage shelving on each side of the carriage to have independent adjustability.
 - ✓ (4) Four mobile carriages are 9'7-7/8" in length. (includes shelving, end panels, controls, and rear clearances)
 - ✓ (1) One mobile carriage is 7'7-7/8" in length. (includes shelving, end panels, controls, and rear clearances)
 - Spacesaver® Fixed/Stationary Platforms Design Details:
 - ✓ *Please refer to "A" and "B" on the previously provided drawing.*
 - ✓ (2) Two Single-Faced Platforms
 - (1) One 15" in depth. Height and length match mobile carriage dimensions. Designed for the storage of S.A.F.E. Kits
 - (1) One 18" in depth. Height and length match mobile carriage dimensions. Designed for Backpacks and Suitcases.
 - ✓ Adjustable Bin Dividers within the elevations to keep the stored evidence organized.
 - ✓ Platforms securely attached to the existing concrete slab.

Property Management Area #1 Turnkey Budget Investment (Furnished, Delivered, and Installed): \$94,918.00
(plus, applicable sales tax)

Property Management Area #3: Envelope Storage/Drawer Shelving/Open Storage

- ❖ Spacesaver® Mechanical Assist High Density Storage System to include these features:
 - (2) Two Mechanical Assist Mobile Carriages and (2) Two Fixed/Stationary Platforms.
 - Spacesaver® Mobile Carriage Design Details:
 - ✓ Please refer to "P" on included drawing.
 - ✓ Mobile carriages are 7'8-7/8" in length. (includes shelving, end panels, controls, and rear clearances)
 - ✓ Double-faced; "Straight-Thru" design keeps all storage shelving levels consistent; no independent adjustability as does "back-to-back".
 - Spacesaver® Fixed/Stationary Platforms Design Details:
 - ✓ (1) One Single-Faced Platform
 - Please refer to "O" on included drawing.
 - 24" in overall depth (approx.), height and length match mobile carriage dimensions.
 - ✓ (1) Back-to-Back Platform
 - Please refer to "V1 & V2" on included drawing.
 - 36" in overall depth, each side 18" deep.
- ❖ Spacesaver 4-Post Shelving with Modular Heavy Duty Drawers: *(Please refer to "Q" on included drawing)*
 - 4-Post Shelving to be designed as follows:
 - 96" in overall length. Two (2) sections of 48" wide x 18" deep x 88.25" high.
 - Fixed (static) floor-mounted shelving.
 - Closed Uprights and Universal Slotted Shelves.
 - ✓ Two (2) levels of adjustable shelving above drawers, plus base shelf.
 - Levels are adjustable of 1.5" centers. Allowing elevations to be changed as required.
 - Full height steel back panels to close off rear of shelving *(see "X" on supplied drawing)*.
 - 2" Front Bases, closing off gaps between base shelf and floor for a finished appearance.
 - Modular Heavy Duty Drawers to be designed as follows:
 - ✓ (6) Six, 8" high drawers.
 - Internal dimensions are 7" high, 15" deep x 44" wide.
 - Internal dividers and partitions to be determined.
 - Color closely matches Spacesaver shelving and carriage colors.
- ❖ Spacesaver 4-Post Open Shelving *(Please refer to "N" on included drawing)*
 - 4-Post Open Shelving to be designed as follows
 - One (1) section of 48" wide x 24" deep x 85.25" high.
 - Fixed (static) floor-mounted shelving.
 - Closed Uprights and Universal Slotted Shelves.
 - Five (5) levels of adjustable shelving, plus base shelf.
 - ✓ Levels are adjustable by 1.5" centers. Allowing elevations to be changed as required.
 - 2" Front Base, closing off the gap between base shelf and floor for a finished appearance.

Property Management Area #3 Turnkey Budget Investment (Furnished, Delivered, and Installed): \$50,628.00
(plus, applicable sales tax)

Records Management Area #1: Central Records File Storage

- ❖ Spacesaver® Mechanical Assist High-Density Storage System to include these specific features:
- (7) Seven Mechanical Assist Mobile Carriages
 - Spacesaver® Mobile Carriage Design Details:
 - ✓ Please refer to "U4" and "U7" on included drawing.
 - ✓ Approximately 24" in depth and approximately 93 ½" in overall height.
 - Height includes rail/floor system, carriage, and shelving.
 - ✓ Double-faced; "Straight-Thru" design keeps all storage shelving levels consistent.
 - ✓ Mobile carriages are 12' 7-7/8" in length. (includes shelving, end panels, controls, and rear clearances)
 - Carriage Mount Anti-tip Bracket Assemblies
 - Works in conjunction with the provided BAT Rails to create a carriage that protects them from tipping due to the height of the system being close to the manufacturer's tip ratio of 4:1.
- (2) Two Fixed/Stationary Platforms
 - Spacesaver® Fixed/Stationary Design Details:
 - Please refer to "U3", "U5", and "U6" on included drawing.
 - 12" in depth. Height and length match mobile carriage dimensions.
 - Platforms securely attached to the existing concrete slab and clamp to BAT Rails with manufacturer's hardware supplied.
 - Platforms have the same welded construction as mobile carriages.
- Spacesaver® 4-Post Shelving Details:
 - Height of usable shelving space to be 86.75" on mobile carriages and platforms.
 - ✓ (7) Seven levels of shelving designed for storing top-tab or end-tab file folders.
 - Double-sided, "Straight-Thru" shelving is used on all mobile carriages; single-sided on all platforms.
 - Closed uprights selected for design. Eliminates stored materials from migrating to neighboring shelving sections.
 - (4) Four adjustable file dividers per shelf on 48" wide sections. (3) Three on each 30" and 36" sections.
 - Pull-out Reference Shelf included on selected sections (*see drawing for locations*)
 - ✓ Used as an in-aisle work surface to reduce traveling back to the end user's desk for routine filing activities.
 - Full Height Steel Back Panels located on the single-faced platform labeled "U3", to close off the backs of shelving to keep stored files from falling off the rear of units, as the platform is required to be set away from the wall. This allows mobile carriages to stop before coming in contact with the drainpipe.
 - ✓ Please refer to "X" on the supplied drawing for locations.

Records Management Area #2: Boxed Records Storage

- ❖ Spacesaver® 4-Post Free-Standing (Static) Shelving to include these general and specific features:
- (8) Eight sections of 4-Post Shelving to be designed as follows:
 - Shelving designed for Boxed Records Storage.
 - Please refer to "U1", and "U2" on included drawing.
 - 101 ¾" in overall height.
 - (6) Six sections of 48" wide x 24" deep. (2) two sections of 36" wide x 24" deep.

- Fixed (static) floor-mounted shelving.
- Closed Uprights and Universal Slotted Shelves.
- (7) Seven levels of adjustable shelving, plus base shelf.
 - ✓ Levels are adjustable of 1.5" centers. Allowing elevations to be changed by records staff as required.
- 2" Front Bases, closing off gaps between base shelf and floor for a finished appearance.
- All anti-tip and mounting hardware included to secure shelving to walls or floor.

Records Management Area #1 & #2 Investment (Furnished, Delivered, and Installed): \$134,500.00
(plus, applicable sales tax)

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*- STORAGElogic of Maryland (SLM) and Spacesaver understand how important these projects are to improving and organizing the priority areas within your facility, and the challenges of the SPD when it pertains to securing the appropriate funding. Per your request, we are providing increased savings for Combined Procurement of these areas.

Partnering with Spacesaver, SLM is pleased to provide the following Combined Strategic Purchasing Savings:

Total Separate Area Purchase Investment:	\$280,046.00
Combined Strategic Purchasing Savings:	- <u>(\$18,819.00)</u>
Revised Total Combined Purchase Investment:	\$261,227.00

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Terms:

- **Combined Strategic Purchase Investment Pricing based on the current Equalis Group Contract #: R10-1176Q. Contract End Date: 6/30/28.**
- Turnkey Investment Pricing includes: All system planning, engineering and required site surveys, layouts, FOB Destination freight by contract carrier scheduling of materials with inside delivery using SLM provided trucks, turnkey services (*see below*), installation of leveled rails and surface mounted flooring, erection of systems and/or shelving and equipment per the manufacturer's instructions, certified installers on site at all times, equipment set-up, on-site training of personnel, area clean-up upon completion of installation, manufacturer's warranties, and product support.
- 50% deposit and PO required at time of order; 25% due at completion of fabrication, but prior to shipping. Balance due NET 30 from project completion with approved sign-off from SPD.
- Late payments may result in delays with materials being shipped for installation.
- In the event of invoice payments defaulting past 30 days of the due date, all unpaid balances, obligations, or indebtedness shall become immediately due and payable and subject to a minimum monthly finance charge of 1.5%. All finance charges will not exceed applicable state regulations.
- Investment pricing does not include Maryland State Sales Tax.
- Print/drawing and on-site measurement approvals are compulsory on all purchases prior to placing an order with the manufacturer. Revisions to the provided designs and layouts may change supplied pricing.
- Estimated lead times as of this quote being revised are 11-13 weeks ARO, plus SLM's installation schedule availability.
- Work to be performed during normal working hours, Monday-Friday, 8 am-4:00 pm.

(terms continued on next page)

Terms: *(continued)*

- Labor is based on non-union, non-prevailing wage rates.
- Work area to be clear prior to the start of installation.
- Turnkey Services:
 - VCT Floorcovering and Johnsonite Vinyl Reducer materials and installation within Mobile System's Rail/Floor footprint.
- Hammer drilling is required during installation. This can be loud during brief periods of time. Please make any necessary accommodations regarding noise concerns, as delays due to noise complaints can lead to additional charges.
- Trash removal from installation area is courtesy of STORAGELogic of Maryland.
- Trash disposal by Salisbury Police Department via roll-off dumpster or alternate receptacle.
- Additional storage costs may be incurred due to installation date changes made by the client after the order has entered production if those changes require warehouse storage of the product prior to installation.
- Cancelled orders are subject to charges. Additional storage labor costs may be incurred due to installation dates changing within 15 days of the scheduled installation date.
- Customer is responsible for floor loading. Placing an order indicates that you have evaluated or assessed the structural floor load and received confirmation that the floor can handle the load.
- Customer is responsible for code clearances.
- All sales are final. Once the order is placed at the factory, an order cannot be changed without penalty. Any returns require factory approval and incur return shipping charges and cancellation/restocking fees.
- This quote, its contents and related documents are for the use of the intended recipient(s) only. If you are not the intended recipient, you must not keep, use, disclose, copy, or distribute this proposal or its contents, associated drawings, technical details, or pricing without the author's prior permission. The information contained in this communication may be confidential and may be subject to the attorney-client privilege. Distribution to anyone other than the intended recipient is a violation of copyright law and will be prosecuted.



City of Salisbury

To: Mike Lowe, Director of Procurement
From: Connie Luffman, Superintendent - Wastewater Treatment Plant
Date: 10/13/25
Re: NSPS / SSPS Low Flow Pumps

Salisbury WWTP received funds in the FY26 CIP for the purchase of low flow pumps for North Side Pump Station and South Side Pump Station. A price of \$90,611 for the North Side pump and \$90,310 for the South Side pump for a total of \$170,921 was provided by Sherwood Logan, the sole source for these pumps. The Wastewater Treatment Plant requests that this purchase be awarded to Sherwood Logan. Funding is available from:

<u>Account Number</u>	<u>Amount</u>
97030-577030-50057	\$78,000
97030-577030-50058	\$87,000
86083-534302	\$5,921

Please let me know if you need any additional information or have any questions. Thank you.


10/13/25

Department of Water Works
2322 Scenic Dr. Salisbury, MD 21801
ph: 410-548-3185 fax: 410-334-3035
www.salisbury.md



Evan Anzio
Northeast Regional Sales Manager

Xylem Water Solutions USA
4828 Parkway Plaza Blvd
Suite 200
Charlotte, NC 28217
Cell 707-317-4707
John.maupin@xyleminc.com

October 1st, 2025

Attn: To whom it may concern

Re: Sole Source Letter for Flygt Pumps

Per your inquiry, Sherwood-Logan & Associates located at 2140 Renard Ct, Annapolis MD 21401 and 9710 Farrar Court, Suite O, Richmond, Virginia 23236 is the exclusive municipal distributor for Flygt pumps, mixers and replacements thereof within the state Maryland, Virginia, and Washington DC.

Please feel free to reach out to me directly if you have any questions or need additional clarifications.

Regards,

Evan Anzio
Northeast Regional Sales Manager
M: 610-662-7647





SOLE SOURCE: The product or service is unique, meaning that only one vendor, to the best of the requestor's knowledge and belief, is capable of furnishing the product or service. A sole source justification is required for every purchase over the direct buy limit of \$2,000.00, and must be approved by the Director of Procurement prior to an order being placed. A thorough definition of sole source purchases is on the back of this form.

POLICY PURPOSE: It is the policy of the City of Salisbury to consistently purchase goods and services using full and open competition. The citizens of the City of Salisbury are best served when we make sound business decisions based on competitive bids or proposals. Early acquisition planning that includes the Department of Procurement can help to avoid delays and to facilitate effective market research. However, there may be instances when other than full and open competition may be justified. When a using agency determines that other than full and open competition is necessary or in the best interest of the City, appropriate justification for that course of action must be submitted to the Director of Procurement for approval in order to waive the competitive bid/proposal process.

Please provide the following information to document the sole source request. Attach additional pages as necessary.

Explain why the product or service requested is the only one that can satisfy your requirements, and why all alternatives are unacceptable. Be specific with regard to unique specifications, features, characteristics, requirements, capabilities, compatibility, and performance.

The existing North Side and South Side Pump Station low flow Flygt pumps are aging and due to long lead times on these critical pumps, spares are being purchased now before there are failures. The interior piping of the pump stations was designed for Flygt pumps, if a different brand was installed it would require all the existing piping to be removed and reinstalled to match the pump brand.

Explain why this service provider, supplier, or manufacturer is the only practicably available source from which to obtain this product or service and describe efforts that were made to verify and confirm this. Obtain and include a letter from the manufacturer or vendor confirming claims of sole source provision, and a quote from the manufacturer or distributor.

Sherwood Logan & Associates is the only authorized supplier of Flygt pumps and replacement parts for the state of Maryland.

Describe your efforts to identify other potential products or sources.
None, the existing station piping is configured to match Flygt pumps.


Is there a grant or unique funding source that directs a specific source be used? If yes, please attach applicable portion.
No

Will this purchase obligate the City to a particular vendor for future purchases (either in terms of maintenance that only this vendor will be able to perform and/or will purchasing this item will cause the City to need more like items in the future)?

Yes, replacement parts will need to be purchased from this vendor. This would be true for any pump purchased, parts are pump specific.

Describe the negotiation efforts that have been made with the supplier to obtain the best possible price.
These pumps are being purchased now to avoid expediting costs later. Purchasing both now is reducing ocean freight costs.

I am aware that City procurement regulations require procurements to be done competitively whenever practicable. I am requesting a sole source procurement based on the following criteria: The statements I have made are complete and accurate, based on my professional judgment and investigations. I also certify that no personal advantage, gain, or privilege has (or will) accrue to me or my immediate family through the purchase from this vendor, nor is there a conflict of interest in any way with this request.

Submitted by:  Date: 10/16/25
Signature of Individual Requesting Sole Source Purchase Justification

Printed Name: Connie Luffman Department: WW-WWTP

FOR PROCUREMENT USE ONLY

This situation as stated on this form and its attachments:

- ☐ Constitute a Sole Source Procurement ☐ Does NOT constitute a Sole Source Procurement
☐ There is insufficient information for justification

Comments to Requestor: Click here to enter text.

Signature: 
Michael Lowe, Director of Procurement

Date: 10-16-2025

SOLE SOURCE JUSTIFICATION CRITERIA

The following list of criteria should be used in determining if a sole source situation exists:

1. Only one manufacturer makes the item meeting salient specifications; that manufacturer only sells directly or exclusively through one regional or national representative.
2. Item required must be identical to equipment already in use by the end user, to insure compatibility of equipment, and that item is only available from one source.
3. Collaborative project- Supplier is named by the funding source or interagency agreement where the identical equipment is required for compatibility and continuity.
4. Maintenance or repair calls by the original equipment manufacturer are required for a piece of equipment, and the manufacturer does not have multiple agents to perform these services.
5. Replacement or spare parts are required from the original equipment manufacturer, and the manufacturer does not have distributors for these parts.
6. Patented items or copyrighted materials, which are only available from the patent or copyright holder.
7. Unique expertise, background in recognized field of endeavor, the result of which may depend primarily on the individual's invention, imagination, or talent. Consultant has advanced or specialized knowledge, or expertise gained over an extensive period of time in a specialized field of experience.
8. A Market Survey has been conducted to determine whether other potential sources capable of satisfying the requirement exist. Market survey may be conducted by phone or in writing. The extent of the market survey depends on what constitutes a reasonable effort under the circumstances to ensure that competition is not feasible. A list of suppliers contacted, along with the reason why each supplier could not meet the requirement may justify a sole source purchase.

NOTE: An item being a "sole brand" or a "sole manufacturer" does not automatically qualify as a "sole source." Many manufacturers sell their products through distributors. Therefore, even if a purchase is identified as a valid "sole brand" or "sole manufacturer," the requestor should verify whether the manufacturer has multiple distributors. If multiple distributors for an item exist, competition should be sought among those distributors.



City of Salisbury

Memo

To: Tom Stevenson, Acting City Administrator
From: Emily Goebel, Office Administrator
Date: September 22, 2025
Subject: Charter Amendment - Updating the Procurement Department Chain of Command - 1st Reading

The attached resolution allows for an update to the chain of command for the Director of Procurement to report directly to the City Administrator under the authority of the Mayor.

Attachment(s):
[CAR2025-1](#)

1 **CHARTER AMENDMENT RESOLUTION NO. 2025-1**

2
3 **A RESOLUTION TO AMEND ARTICLE 16 OF THE CITY CHARTER TO**
4 **UPDATE THE CHAIN OF COMMAND OF THE DIRECTOR OF**
5 **PROCUREMENT.**
6

7 **WHEREAS**, the ongoing application, administration, and enforcement of the City Charter
8 demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of
9 the Charter current; and
10

11 **WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”)
12 are authorized by MD Code, Local Government, § 4-301 *et seq.*, as amended, and § SC 21-2 of
13 the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general
14 law or public local law, as the Mayor and Council deem necessary to assure the good government
15 of the municipality; and
16

17 **WHEREAS**, the Mayor and Council find that the foregoing amendments to § SC 16-1
18 and § SC 16-2 of the City Charter are desirable to conform with the public need to operate the
19 City and to update the chain of command of the Director of Procurement; and
20

21 **WHEREAS**, the Mayor and Council have determined that amendments to § SC 16-1 and
22 § SC 16-2 of the Charter shall be adopted as set forth herein; and
23

24 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
25 **SALISBURY** by virtue of the authority granted in Article XI-E of the Maryland Declaration of
26 Rights, §§ 4-301 *et seq.* of the Local Government Article of the Code of Maryland, and Article
27 XXI of the City Charter as follows:
28

29 **Section 1.** It is proposed and recommended that § SC 16-1 be amended to repeal the
30 language in double bold brackets and adding the underscored and italicized language:

31 § SC16-1. Department of Procurement.

32 A. There shall be a Department of Procurement[[[.]]] A Director of
33 Procurement shall be recommended for appointment by the **[[Deputy]]** City
34 Administrator and appointed by the Mayor as provided in § SC3-4.C of the
35 City Charter.

36 B. Under the authority of the Mayor and the supervision of the **[[Deputy]]** City
37 Administrator, the Director of Procurement shall make all city purchases
38 and sales and shall make or approve all city contracts, except contracts to
39 sell city bonds or other evidences of the city’s public debt, and except that
40 the Council by ordinance may permit direct purchasing by any office,
41 department or agency of minor items where immediate procurement is

necessary to prevent delays in its work and resulting in loss to the city. The Council by ordinance shall fix, and from time to time may change, the maximum amount of any such direct purchase, provided that such maximum authorized amount shall in no event exceed the maximum direct purchase amount set by the Ordinance of the Council, from time to time. The Director of Procurement shall issue regulations controlling the procedure for such direct purchasing.

- C. Except for such contracts to sell public debt securities and such direct purchases, no city purchase or contract for any purchase or sale or other contract shall be valid or enforceable unless approved in writing by the Director of Procurement or their authorized designee, and the City Administrator shall pay out no city funds for any contract or purchase unless so approved.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 2. With this proposed Charter Amendment, § SC 16-1 of the Charter would read:

§ SC16-1. Department of Procurement.

- A. There shall be a Department of Procurement. A Director of Procurement shall be recommended for appointment by the City Administrator and appointed by the Mayor as provided in § SC3-4.C of the City Charter.

- B. Under the authority of the Mayor and the supervision of the City Administrator, the Director of Procurement shall make all city purchases and sales and shall make or approve all city contracts, except contracts to sell city bonds or other evidences of the city's public debt, and except that the Council by ordinance may permit direct purchasing by any office, department or agency of minor items where immediate procurement is necessary to prevent delays in its work and resulting in loss to the city. The Council by ordinance shall fix, and from time to time may change, the maximum amount of any such direct purchase, provided that such maximum authorized amount shall in no event exceed the maximum direct purchase amount set by the Ordinance of the Council, from time to time. The Director of Procurement shall issue regulations controlling the procedure for such direct purchasing.

- C. Except for such contracts to sell public debt securities and such direct purchases, no city purchase or contract for any purchase or sale or other contract shall be valid or enforceable unless approved in writing by the Director of Procurement or their authorized designee, and the City Administrator shall pay out no city funds for any contract or purchase unless so approved.

81 **AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF**
82 **SALISBURY:**

83 **Section 3.** It is proposed and recommended that § SC 16-2 be amended to repeal the
84 language in double bold brackets and adding the underscored and italicized language:

85 § SC16-2. Additional duties and powers of the Director of Procurement.

86 Under the authority of the Mayor and the supervision of the **[[Deputy]]** City
87 Administrator, the Director of Procurement shall:

88 A. Receive written requisitions or statements from the head of each city office,
89 department or agency, specifying the public work done or to be done by it,
90 or identifying the materials, equipment, supplies or services required by it,
91 and authorizing its appropriation to be charged therefor.

92 B. Invite bids whenever competitive bidding is required by § SC16-3 of this
93 Article and conduct the competitive bidding procedure established by the
94 Council under § SC16-4 of this Article.

95 C. Enforce accounting control of each city purchase or contract as required by
96 § SC16-6 of this Article and refuse to approve any purchase or contract
97 involving any over expenditure prohibited thereby.

98 D. After consulting the head of each city office, agency or department affected
99 thereby, establish and enforce specifications with respect to supplies,
100 materials, equipment and services required by it, except that any
101 specifications fixed by the Board of Standardization created by § SC16-7 of
102 this Article shall have precedence and be controlling.

103 E. Through appropriate city offices, agencies or department see that all
104 supplies, materials, equipment and services delivered to or performed for
105 the city meet such specifications and arrange for the storage and proper care
106 and custody of city property.

107 F. Authorize the transfer of surplus or unused city property to or between city
108 offices, departments or agencies.

109 G. From time to time recommend to the Mayor and Council the sale or other
110 disposition of surplus, obsolete or unused city property and obtain expert
111 appraisal(s) thereof or estimate its value using his or her best information
112 and judgment.

113 H. Perform such other functions related to purchasing or the city's fiscal and
114 financial affairs as the Mayor or the Council may require.

115 **AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF**
116 **SALISBURY:**

117 **Section 4.** With this proposed Charter Amendment, § SC 16-2 of the Charter would read:

118 § SC16-2. Additional duties and powers of the Director of Procurement.

119 Under the authority of the Mayor and the supervision of the City Administrator, the
120 Director of Procurement shall:

121 A. Receive written requisitions or statements from the head of each city office,
122 department or agency, specifying the public work done or to be done by it,
123 or identifying the materials, equipment, supplies or services required by it,
124 and authorizing its appropriation to be charged therefor.

125 B. Invite bids whenever competitive bidding is required by § SC16-3 of this
126 Article and conduct the competitive bidding procedure established by the
127 Council under § SC16-4 of this Article.

128 C. Enforce accounting control of each city purchase or contract as required by
129 § SC16-6 of this Article and refuse to approve any purchase or contract
130 involving any over expenditure prohibited thereby.

131 D. After consulting the head of each city office, agency or department affected
132 thereby, establish and enforce specifications with respect to supplies,
133 materials, equipment and services required by it, except that any
134 specifications fixed by the Board of Standardization created by § SC16-7 of
135 this Article shall have precedence and be controlling.

136 E. Through appropriate city offices, agencies or department see that all
137 supplies, materials, equipment and services delivered to or performed for
138 the city meet such specifications and arrange for the storage and proper care
139 and custody of city property.

140 F. Authorize the transfer of surplus or unused city property to or between city
141 offices, departments or agencies.

142 G. From time to time recommend to the Mayor and Council the sale or other
143 disposition of surplus, obsolete or unused city property and obtain expert
144 appraisal(s) thereof or estimate its value using his or her best information
145 and judgment.

146 H. Perform such other functions related to purchasing or the city's fiscal and
147 financial affairs as the Mayor or the Council may require.

Section 5. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this Resolution, providing the amendment of the City of Salisbury's Charter as set forth herein, shall be and hereby is scheduled for _____, 2025, at 6:00 p.m.

Section 6. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment at the City Government Building for at least forty (40) days after the passage of this Resolution and advertise a fair summary of this Resolution in a newspaper of general circulation in the City at least four times at weekly intervals and within forty days after the Resolution has been adopted.

Section 7. The title of this Resolution shall be deemed a fair summary of the amendments provided for herein for publication and all other purposes.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 8. This Resolution shall take effect on the fiftieth day after the Resolution is adopted, subject to the right of referendum.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 9. It is the intention of the Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

Section 10. It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid, unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so

171 adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and
172 enforceable.

173 **Section 11.** The Recitals set forth hereinabove are incorporated into this section of this
174 Resolution as if such recitals were specifically set forth at length in this Section 11.

175 This Resolution was introduced, read, and passed at the regular meeting of the Council of
176 the City of Salisbury held on ____ day of _____, 2025.

178 _____
179 Julie A. English,
180 City Clerk

D'Shawn M. Doughty,
City Council President



City of Salisbury

Memo

To: Tom Stevenson, Acting City Administrator
From: Emily Goebel, Office Administrator
Date: September 22, 2025
Subject: Charter Amendment - Clarification of City Administrator, Deputy City Administrator, and Assistant City Administrator Roles - 1st Reading

The attached resolution proposes updates and clarifications on the roles of the City Administrator, Deputy City Administrator, and Assistant City Administrator. Changes allow for the City Administrator to assign departmental oversight responsibilities based upon the needs of the city.

Attachment(s):
[CAR2025-2](#)

1 **CHARTER AMENDMENT RESOLUTION NO. 2025-2**

2
3 **A RESOLUTION TO AMEND § SC 4-1 OF THE CHARTER OF THE CITY**
4 **OF SALISBURY TO UPDATE THE POWERS AND DUTIES OF CITY**
5 **ADMINISTRATOR AND DEPUTY ADMINISTRATOR.**
6

7 **WHEREAS**, the ongoing application, administration, and enforcement of the City Charter
8 demonstrates a need for its periodic review, evaluation, and amendment to keep the provisions of
9 the Charter current; and
10

11 **WHEREAS**, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”)
12 are authorized by MD Code, Local Government, § 4-301 et seq., as amended, and § SC 21-2 of
13 the Charter to amend the Charter, not contrary to the Constitution of Maryland, public general
14 law or public local law, as the Mayor and Council deem necessary to assure the good government
15 of the municipality; and
16

17 **WHEREAS**, the Mayor and Council find that the foregoing amendments to § SC 4-1 of
18 the City Charter are desirable to conform with the public need to operate the City and to update
19 the powers and duties of the City Administrator and Deputy Administrator; and
20

21 **WHEREAS**, the Mayor and Council have determined that amendments to § SC 4-1 of
22 the Charter shall be adopted as set forth herein; and
23

24 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
25 **SALISBURY** by virtue of the authority granted in Article XI-E of the Maryland Declaration of
26 Rights, §§ 4-301 *et seq.* of the Local Government Article of the Code of Maryland, and Article
27 XXI of the City Charter as follows:
28

29 **Section 1.** It is proposed and recommended that § SC 4-1 be amended to repeal the
30 language in double bold brackets and adding the underscored and italicized language:

31 § SC4-1. City Administrator and Deputy Administrator.

32 There shall be a City Administrator in the Office of the Mayor who shall be the
33 Chief Administrative Officer of the city. The City Administrator shall **[[be the**
34 **direct subordinate of the Mayor and the immediate supervisor of each of the**
35 **following department heads: Police Department, Fire Department,**
36 **Department of Finance, Department of Human Resources, and the Public**
37 **Information Officer. The City Administrator shall also be the immediate**
38 **supervisor of the Deputy City Administrator]]** *report directly to the Mayor and*
39 *shall oversee the daily operations of the city government.* The City Administrator
40 shall serve as the supervising authority of the Office of the Mayor and shall be the
41 Mayor's Chief of Staff. *The City Administrator shall have the authority to assign*
42 *departmental oversight responsibilities to himself/herself or to the Deputy City*

Administrator, with approval of the Mayor, based upon the strategic and operational needs of the city.

There shall be a Deputy City Administrator who shall report directly to the City Administrator. The Deputy City Administrator shall carry out supervisory and administrative functions as assigned by the City Administrator and may act for the City Administrator in his or her absence. **[[be a direct subordinate of the City Administrator. The Deputy City Administrator shall be the immediate supervisor of the following department heads: Department of Infrastructure and Development, Department of Field Operations, Department of Water Works, Department of Housing and Community Development, Department of Procurement and Department of Business Development.]]**

There may be an Assistant City Administrator who shall provide direct support to the City Administrator and department heads by assisting with special projects, administrative tasks, and day-to-day operations.

Section 2. With this proposed Charter Amendment, § SC 4-1 of the Charter would read:

There shall be a City Administrator in the Office of the Mayor who shall be the Chief Administrative Officer of the city. The City Administrator shall report directly to the Mayor and shall oversee the daily operations of the city government. The City Administrator shall serve as the supervising authority of the Office of the Mayor and shall be the Mayor's Chief of Staff. The City Administrator shall have the authority to assign departmental oversight responsibilities to himself/herself or to the Deputy City Administrator, with approval of the Mayor, based upon the strategic and operational needs of the city.

There shall be a Deputy City Administrator who shall report directly to the City Administrator. The Deputy City Administrator shall carry out supervisory and administrative functions as assigned by the City Administrator and may act for the City Administrator in his or her absence.

There may be an Assistant City Administrator who shall provide direct support to the City Administrator and department heads by assisting with special projects, administrative tasks, and day-to-day operations.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF

SALISBURY:

Section 3. Pursuant to MD Code, Local Government, § 4-304, a public hearing on this Resolution, providing the amendment of the City of Salisbury's Charter as set forth herein, shall be and hereby is scheduled for _____, 2025, at 6:00 p.m.

Section 4. Pursuant to the City of Salisbury's Charter § SC21-2 and MD Code, Local Government, § 4-304, the City shall post a complete and exact copy of this Charter Amendment at the City Government Building for at least forty (40) days after the passage of this Resolution and advertise a fair summary of this Resolution in a newspaper of general circulation in the City at least four times at weekly intervals and within forty days after the Resolution has been adopted.

Section 5. The title of this Resolution shall be deemed a fair summary of the amendments provided for herein for publication and all other purposes.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 6. This Resolution shall take effect on the fiftieth day after the Resolution is adopted, subject to the right of referendum.

AND, BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SALISBURY:

Section 7. It is the intention of the Council of the City of Salisbury that each provision of this Resolution shall be deemed independent of all other provisions herein.

Section 8. It is further the intention of the Council of the City of Salisbury that if any section, paragraph, subsection, clause, or provision of this Resolution shall be adjudged invalid, unconstitutional, or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged and all other provisions of this Resolution shall remain and shall be deemed valid and enforceable.

Section 9. The Recitals set forth hereinabove are incorporated into this section of this Resolution as if such recitals were specifically set forth at length in this Section 9.

101 This Resolution was introduced, read, and passed at the regular meeting of the Council of
102 the City of Salisbury held on ____ day of _____, 2025.

103

104	_____	_____
105	Julie A. English,	D'Shawn M. Doughty,
106	City Clerk	City Council President



City of Salisbury

Memo

To: City Administrator
From: John Felts, Administrative Commander
Date: September 10, 2025
Subject: Ordinance - Burton Street Closure - 1st Reading

Please find attached for your review, a proposed ordinance authorizing the abandonment of a portion of Burton Street located east of Delaware Avenue, within the municipal boundaries of the City of Salisbury.

This request is made pursuant to SC11-2 of the Charter of the City of Salisbury, which grants the City exclusive authority over all public ways within its boundaries. The portion of Burton Street in question has not been utilized for public ingress or egress for years and is not essential to the public roadway system. It is identified as “Burton Street, 14,047+/- S.F. To Be Closed” on the site drawing attached to the ordinance as Exhibit A.

The property directly adjacent to the portion of roadway proposed for closure was previously gifted to the City with the intent that it be incorporated into the footprint of the Salisbury Police Department’s facilities. The long-term vision for this area includes its use for secure police department parking and, ultimately, the construction of a vehicle storage facility.

Closure of the unused right-of-way will enable the City to consolidate the area into active municipal use and allow for appropriate planning and investment in secure police infrastructure. All abutting property owners have been notified of the City's intent and have expressed written consent for the abandonment.

Should you have no questions I will forward this ordinance to be placed on the next available City Council Agenda for consideration.

Attachment(s):

[Ord2958](#)

[Exhibit A](#)

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**AN ORDINANCE OF THE CITY OF SALISBURY FOR THE
ABANDONMENT OF A PORTION OF A ROAD KNOWN AS BURTON
STREET LOCATED EAST OF DELAWARE AVENUE.**

WHEREAS, SC11-2 of the Charter of the City of Salisbury (the “**Charter**”) grants the City of Salisbury (the “**City**”) exclusive authority over all public ways located within the municipal boundaries of the City; and

WHEREAS, pursuant to the authority granted the City under SC11-2 of the Charter, the City deems it necessary and appropriate to abandon that certain portion of Burton Street, formerly known as Blake Street, located within the municipal boundaries of the City running east of Delaware Avenue to its terminus (the “**Road**”); and

WHEREAS, the Road intended for abandonment by the City pursuant to this Ordinance is more particularly depicted as all that area shown as “Burton Street, 14,047+/- S.F. To Be Closed”, as shown on the detailed drawing, attached hereto and incorporated herein as **Exhibit A**; and

WHEREAS, the City's abandonment of the Road hereunder will not affect any public access to public roadways; additionally, the Road has not been used for public ingress and egress for several years preceding the date hereof; and

WHEREAS, the City has provided prior written notice to all owners of property abutting the Road informing each of them of the City's intention to abandon the Road and of each of their respective rights and responsibilities as to such portion(s) of the Road abutting their respective property following the City's abandonment of the Road as intended by this Ordinance, and all such property owners have responded to the City indicating their consent to the City's closure and abandonment of the Road; and,

WHEREAS, the City Department of Infrastructure and Development requests abandonment of the Road to ensure the owners of property abutting the Road can obtain ownership of such applicable portion(s) of the Road, if such owners so desire; and,

WHEREAS, upon the adoption of this Ordinance, the City Department of Infrastructure and Development will provide written notice to all owners of property abutting the Road informing each of them that, pursuant to the City's abandonment of the Road hereunder, the City shall not be responsible for any maintenance or costs associated with the Road as of the date this Ordinance takes effect as set forth herein below, except to the extent of its responsibility as an owner of the property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. That, pursuant to the authority granted to the City under SC11-2 of the Charter, that portion of the Road known as Burton Street located within the municipal boundaries of the City and east of Delaware Ave., as is more particularly depicted as all that area shown as “Burton Street, 14,047+/- S.F. To Be Closed”, as shown on the detailed drawing, attached hereto and incorporated herein as **Exhibit A**, is hereby closed and deemed abandoned, in its entirety, by the City.

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

Section 6. Upon its final passage, this Ordinance shall not be codified.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 27 day of October, 2025 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the ____ day of _____, 2025.

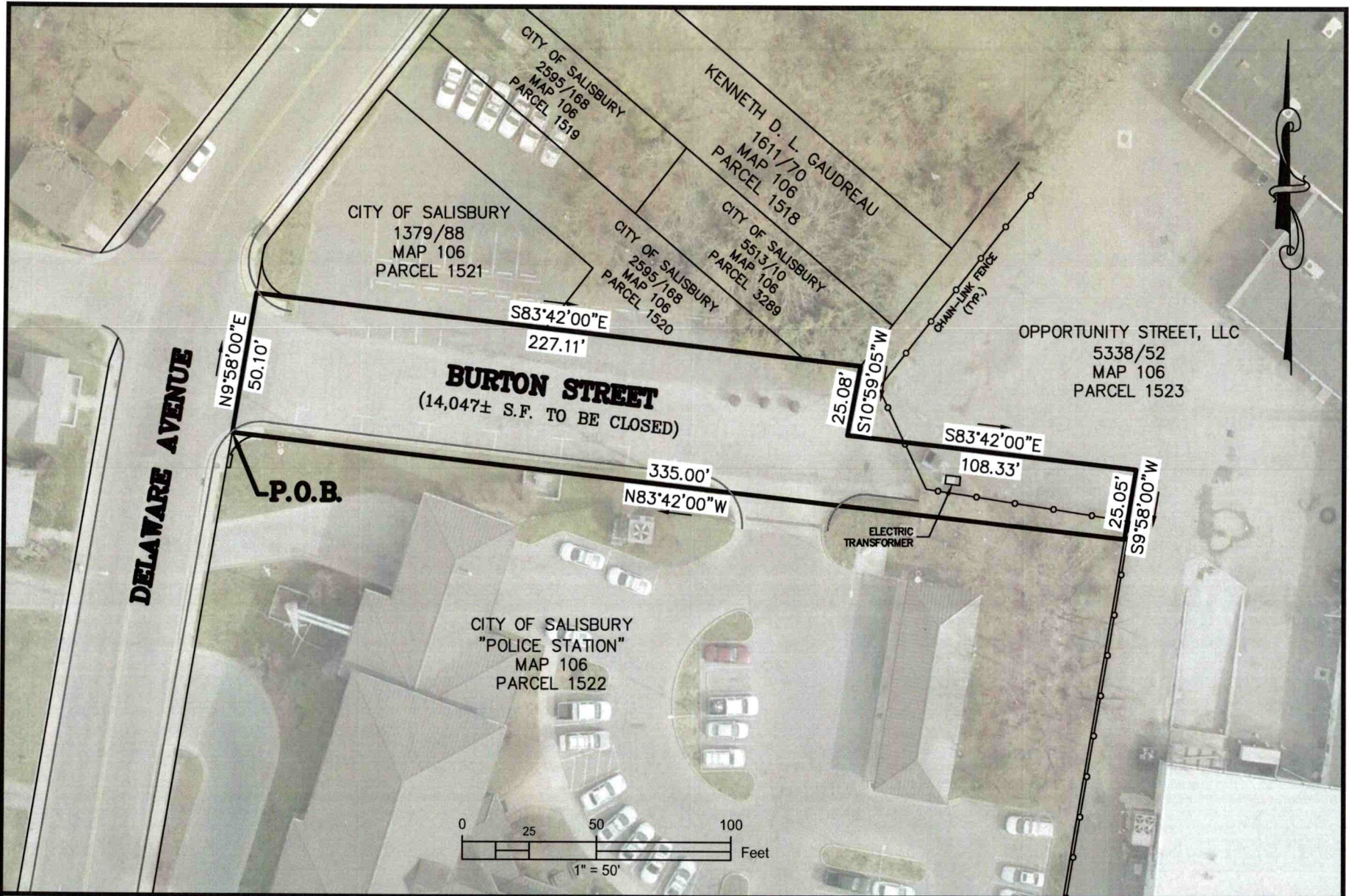
ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this ____ day of _____, 2025.

Randolph J. Taylor, Mayor



CITY OF SALISBURY
SALISBURY, MD

BURTON STREET CLOSING
"SALISBURY POLICE STATION"
DELAWARE AVENUE

SCALE	1" = 50'
FILE	DCA
DATE	6-21-19
LAST REV. DATE	5-29-2025



City of Salisbury

Memo

To: Tom Stevenson
From: Sandra Green
Date: October 7, 2025
Subject: Public safety equipment and property and records management system (1st Reading)

Ordinance requesting the appropriation of lease proceeds in the amount of \$511,606 for the purchase of critical public safety equipment, including police radios, fire radios, and AED and heart monitors and to change the funding source of the property and records department management system.

While the police radios, fire radios, and AED's and heart monitors were originally approved for funding through bond proceeds in the FY 2026 budget, further financial analysis has determined that lease financing is more appropriate given the useful life of the equipment. This change in financing strategy offers a cost savings of approximately \$84,000 in interest payments, as the 5-year lease, despite a higher interest rate, incurs significantly less interest than a 15-year bond due to the shorter term and reduced compounding.

Additionally, the property and records department management system previously funded through bond proceeds will now be funded using available funds within the police department budget.

We respectfully request approval to amend the original funding source from bond proceeds of these items. Unless there are additional questions or concerns from the Mayor or administration, please forward this memo and the accompanying ordinance to City Council for their review and consideration.

Attachment(s):
[Ord2960](#)

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ORDINANCE NO. 2960

AN ORDINANCE OF THE CITY OF SALISBURY APPROVING A BUDGET AMENDMENT TO THE CITY'S GENERAL FUND FOR LEASE PROCEEDS TO PURCHASE POLICE RADIOS, FIRE RADIOS, AND AED'S/HEART MONITORS AND TO CHANGE THE FUNDING SOURCE OF THE PROPERTY AND RECORDS DEPARTMENT MANAGEMENT SYSTEM PREVIOUSLY APPROVED UNDER SCHEDULE B WITH THE FY 2026 BUDGET ORDINANCE 2935.

WHEREAS, the City's FY 2026 adopted budget included funding, using bond proceeds, to purchase police radios, fire radios, AED's, and heart monitors, and to update the property and records department management system with bond proceeds; and

WHEREAS, it has been determined that, due to the useful life of the police radios, fire radios, and AED's/heart monitors, the \$511,606 needed for these items would be more appropriately funded with lease proceeds; and

WHEREAS, it has further been determined that available funds within the police department budget may be used to fund the \$150,000 needed for the property and records department management system; and

WHEREAS, the appropriations necessary to make the correction herein must be made upon the recommendation of the Mayor and the approval of four-fifths of the Council of the City of Salisbury;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 1. Mayor Randolph J. Taylor is hereby authorized to appropriate funds for the police radios, fire radios, and AED's and heart monitors listed in Section 2 and Section 3 below.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. The City of Salisbury's General Fund Budget be and hereby is amended as follows:

Account	Account Description	Increase/Decrease	Amount
01000-469311	Capital Lease Proceeds	Increase	\$511,606
21021-577030	Police Equipment	Increase	\$154,000
24035-577030	Fire Equipment	Increase	\$357,606
21021-558600	Police New Lease Payment	Increase	\$ 34,593
24035-558600	Fire New Lease Payment	Increase	\$ 80,328
70101-588245	Interest 2026 GOB	Decrease	\$114,921
21021-577015	Police Building	Increase	\$150,000
21021-502041	Police LEOPS Retirement	Decrease	\$150,000

Section 3. The City of Salisbury's General Capital Project Fund Budget be and hereby is amended as follows:

Account	Account Description	Increase/Decrease	Amount
98026-469312-XXXXX	Debt Proceeds FY26 Bond	Decrease	\$661,606

98026-577030-XXXXX	Equipment FY 26 Bond	Decrease	\$511,606
98026-577015-XXXXX	Buildings FY 26 Bond	Decrease	\$150,000

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 4. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 5. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 6. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 6.

Section 7. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 27 day of October, 2025 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the _____ day of _____, 2025.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2025.

Randolph J. Taylor, Mayor



City of Salisbury

Memo

To: Tom Stevenson
From: Sandra Green
Date: October 7, 2025
Subject: Authorizing the Issuance of Refunding Bonds for the Villages of Aydelotte Farm Project (1st Reading)

Purpose

The proposed ordinance authorizes the City of Salisbury to issue, sell, and deliver, in one or more series, special obligation refunding bonds (“Refunding Bonds”) for the purpose of currently or advance refunding the City’s outstanding Special Obligation Bonds (The Villages of Aydelotte Farm Project), Series 2007 (Capital Appreciation Bonds).

This action is intended to better align future debt service obligations with projected Tax Increment Revenues and Special Tax collections within the Northeast Collector Phase III Development District/Special Taxing District (“District”).

Background

- **District Creation:** In 2006, the City designated the Northeast Collector Phase III Development District and Northeast Collector Phase III Special Taxing District and created the required tax increment and special tax funds.
- **Original Bond Issuance:** In 2007, the City issued \$9,775,000 of Special Obligation Bonds to finance public infrastructure improvements in support of the District’s development plan.
- **Economic Challenges:** Due to slower-than-anticipated development, Tax Increment Revenues were insufficient to fully cover debt service, requiring the use of Special Taxes.
- **2015 Restructuring:** The bonds were restructured under an Amended and Restated Indenture of Trust to modify payment terms and reduce certain Special Tax components.
- **Current Need:** Despite the restructuring, development progress has remained limited. The City and the current bondholder (Lapis Advisers, LP) seek to refinance the bonds to maximize debt service coverage and reduce the risk of default.

Key Features of the Ordinance

- **Authorization:** Permits the issuance of Refunding Bonds in one or more series in an aggregate principal amount not to exceed \$18,000,000.
- **No General Obligation Pledge:** The Refunding Bonds remain special obligations of the City, payable solely from (i) Tax Increment Revenues generated within the Development District and, if necessary, (ii) Special Taxes levied within the Special Taxing District under the previously adopted Rate and Method of Apportionment.
- **Debt Service Coverage:** Reaffirms the City’s obligation to levy and collect Special Taxes,

subject to maximums in the Rate and Method, to cover any shortfall in Tax Increment Revenues.

- Delegated Authority: In accordance with the authorizing statutes, grants the Mayor authority to approve final bond details, including interest rates, sale terms, maturity schedule, and related documents, provided they comply with ordinance limits.
- Maturity Limit: Refunding Bonds cannot mature later than January 1, 2037, the final maturity date of the existing restructured bonds.

Fiscal Impact

This refinancing is expected to better align projected future Tax Increment Revenues and authorized Special Taxes to debt service costs. There is no impact to the City's General Fund, as repayment will continue to be funded solely from Tax Increment Revenues and Special Taxes collected within the District.

Recommendation

Staff recommends adoption of the ordinance authorizing issuance of the Refunding Bonds. This refinancing will:

- Better align projected future Tax Increment Revenues and authorized Special Taxes with debt service costs; and
- Minimize the risk of future shortfalls.

Attachment(s):

[Ord2961](#)

ORDINANCE NO. 2961

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SALISBURY AUTHORIZING AND EMPOWERING CITY OF SALISBURY (THE "CITY") TO ISSUE, SELL AND DELIVER, AT ANY ONE TIME OR FROM TIME TO TIME, IN ONE OR MORE SERIES, ITS SPECIAL OBLIGATION BONDS, NOTES OR OTHER SIMILAR INSTRUMENTS (THE "REFUNDING BONDS") IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED EIGHTEEN MILLION DOLLARS (\$18,000,000.00) IN ORDER TO CURRENTLY REFUND OR ADVANCE REFUND IN WHOLE OR IN PART THE OUTSTANDING CITY OF SALISBURY SPECIAL OBLIGATION BONDS (THE VILLAGES OF AYDELOTTE FARM PROJECT), SERIES 2007 (CAPITAL APPRECIATION BONDS) THAT WERE ISSUED TO FINANCE OR REIMBURSE THE COST OF CERTAIN PUBLIC IMPROVEMENTS AND OTHER COSTS RELATING TO THE NORTHEAST COLLECTOR PHASE III DEVELOPMENT DISTRICT AND THE GEOGRAPHICALLY COINCIDENT NORTHEAST COLLECTOR PHASE III SPECIAL TAXING DISTRICT (THE "SPECIAL TAXING DISTRICT") ESTABLISHED WITHIN THE CITY; PROVIDING THE MAXIMUM PER ANNUM INTEREST RATE TO BE BORNE BY ANY SUCH SERIES OF REFUNDING BONDS BASED ON ITS SENIOR OR SUBORDINATE STATUS AND WHETHER INTEREST THEREON SHALL BE EXCLUDABLE FROM OR INCLUDABLE IN GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES; PROVIDING THAT SUCH REFUNDING BONDS AND THE INTEREST THEREON SHALL NEVER CONSTITUTE A GENERAL OBLIGATION DEBT OF OR A PLEDGE OF THE CITY'S FULL FAITH AND CREDIT OR TAXING POWERS; CONFIRMING THE PREVIOUS PLEDGE OF THE TAX INCREMENT REVENUES AND SPECIAL TAX REVENUES IDENTIFIED HEREIN TO PAYMENT OF ANY SUCH REFUNDING BONDS AND RELATED COSTS; COVENANTING AND AGREEING TO CONTINUE LEVYING, IMPOSING AND COLLECTING SPECIAL TAXES ON PROPERTY WITHIN THE SPECIAL TAXING DISTRICT PURSUANT TO THE RATE AND METHOD IDENTIFIED HEREIN AND VARIOUS MATTERS RELATING THERETO; PROVIDING FOR THE FURTHER SPECIFICATION, PRESCRIPTION, DETERMINATION, PROVISION FOR OR APPROVAL OF VARIOUS OTHER MATTERS, DETAILS, DOCUMENTS AND PROCEDURES IN CONNECTION WITH THE AUTHORIZATION, ISSUANCE, SECURITY, SALE AND PAYMENT FOR ANY SUCH REFUNDING BONDS; MAKING CERTAIN LEGISLATIVE FINDINGS; AUTHORIZING CERTAIN CITY OFFICIALS AND EMPLOYEES

47 **TO TAKE CERTAIN ACTIONS IN CONNECTION WITH THE**
48 **ISSUANCE OF ANY SUCH REFUNDING BONDS; PROVIDING**
49 **THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE**
50 **LIBERALLY CONSTRUED; AND GENERALLY PROVIDING FOR**
51 **THE REFUNDING BONDS AUTHORIZED HEREBY.**

52
53 **RECITALS**
54

55 **WHEREAS**, pursuant to the authority of Sections 14-201 to 14-214, inclusive, of Article
56 41 of the Annotated Code of Maryland (now codified as Sections 12-201 to 12-213, inclusive, of
57 the Economic Development Article of the Annotated Code of Maryland, and as the same may be
58 further amended, supplemented or replaced, the “Tax Increment Financing Act”), Section 44A of
59 Article 23A of the Annotated Code of Maryland (now codified as Sections 21-407 to 21-422,
60 inclusive, of the Local Government Article of the Annotated Code of Maryland, and as the same
61 may be further amended, supplemented or replaced, the “Special Taxing District Act” and,
62 together with the Tax Increment Financing Act, the “Acts” or, individually, an “Act”), Resolution
63 No. 1369, adopted by the Council of the City (the “Council”) on March 13, 2006, approved by the
64 Mayor of the City (the “Mayor”) on March 15, 2006 and effective on March 15, 2006 (the
65 “Designation Resolution”), City of Salisbury, a Maryland municipal corporation and a
66 municipality within the meaning of the Acts and the Refunding Act identified herein (the “City”),
67 designated a contiguous area in the City as described in the Designation Resolution as both (i) the
68 “Northeast Collector Phase III Development District,” a “development district” within the
69 meaning of the Tax Increment Financing Act (the “Development District”), and (ii) the “Northeast
70 Collector Phase III Special Taxing District,” a “special taxing district” within the meaning of the
71 Special Taxing District Act (the “Special Taxing District” and, together with the Development
72 District, the “District”); and
73

74 **WHEREAS**, pursuant to the Designation Resolution, the City also created the “special
75 funds” required by the respective Acts, which special funds are respectively designated as the
76 “Northeast Collector Phase III Tax Increment Fund” (the “Tax Increment Fund”) and the
77 “Northeast Collector Phase III Special Taxes Fund” (the “Special Taxes Fund”); and
78

79 **WHEREAS**, by adoption of the Designation Resolution, the City took all necessary action
80 contemplated by the Tax Increment Financing Act to provide for the segregation and deposit in
81 the Tax Increment Fund of that portion of taxes representing the levy on the Tax Increment (as
82 defined in the Designation Resolution) of properties located in the Development District until the
83 “Bonds” and the “Refunding Bonds” (as defined therein) have been paid and the “Indenture” (as
84 defined therein) has been discharged; and
85

86 **WHEREAS**, by adoption of the Designation Resolution, the City pledged that it will pay
87 all amounts collected from the Special Taxes (as defined herein) levied on properties within the
88 Special Taxing District into the Special Taxes Fund until the “Bonds” and the “Refunding Bonds”
89 (as defined therein) have been paid and the “Indenture” (as defined therein) has been discharged;
90 and
91

92 **WHEREAS**, pursuant to the authority of the Acts and Ordinance No. 2019, passed by the
93 Council on November 27, 2006, approved by the Mayor on November 28, 2006 and effective on
94 November 28, 2006 (the “Original Bond Ordinance”), the City authorized the issuance of special
95 obligation bonds in one or more series from time to time in an original aggregate principal amount
96 not to exceed \$10,900,000 (the “Original Authorized Bonds”) in order to initially finance or
97 reimburse the cost (within the meaning of the Acts) of certain public improvements benefiting the
98 District and related financing costs and costs of issuance, as permitted by the Acts, such Original
99 Authorized Bonds to be payable from amounts on deposit in the Tax Increment Fund and to the
100 extent such amounts are insufficient for such purpose, the Special Taxes Fund; and

101 **WHEREAS**, in accordance with the Special Taxing District Act and the Original Bond
102 Ordinance, the City provided for the levy, imposition and collection pursuant to the Special Taxing
103 District Act of non-ad valorem special taxes (the “Special Taxes”) upon all real and personal
104 property within the Special Taxing District, unless exempted by law or the provisions of the “Rate
105 and Method of Apportionment of Special Taxes of the City of Salisbury Northeast Collector Phase
106 III Special Taxing District” that was attached to the Original Bond Ordinance as Exhibit A and
107 approved and adopted pursuant to the Original Bond Ordinance (the “Rate and Method”); and

108 **WHEREAS**, as permitted by the Acts, pursuant to the Original Bond Ordinance, the
109 Council delegated the authority to the Mayor by executive order to determine and approve certain
110 details of and documents relating to the Original Authorized Bonds, within the limitations stated
111 in the Original Bond Ordinance; and

112 **WHEREAS**, on April 16, 2007, pursuant to the authority of the Acts, the Designation
113 Resolution, the Original Bond Ordinance and an Executive Order of the Mayor dated April 16,
114 2007, the City issued the City of Salisbury Special Obligation Bonds (The Villages at Aydelotte
115 Farm Project), Series 2007 in the original aggregate principal amount of \$9,775,000 (the “Original
116 Series 2007 Bonds”); and

117 **WHEREAS**, the Special Taxing District was established, the Rate and Method was
118 adopted and the imposition of the Special Taxes provided for, and the Original Series 2007 Bonds
119 were issued pursuant to an Application dated February 24, 2006 made by the required percentage
120 and number of owners of real property in the Special Taxing District in accordance with the Special
121 Taxing District Act (the “Request”); and

122 **WHEREAS**, the Original Series 2007 Bonds were issued pursuant to an Indenture of Trust
123 dated as of April 1, 2007 (the “Original Indenture”) between the City and Wells Fargo, N.A., as
124 trustee (which was subsequently replaced by UMB Bank, n.a., as a successor trustee in accordance
125 with the Original Indenture) (the “Existing Trustee”); and

126 **WHEREAS**, in accordance with the Tax Increment Financing Act and the Designation
127 Resolution, certain incremental tax revenues derived from regular ad valorem taxes levied on and
128 collected from properties located within the Development District and attributed to an increase in
129 the assessed value of such properties over a stated base value (the “Tax Increment Revenues”)
130 were required to be deposited to the Tax Increment Fund and applied in accordance with the
131 provisions of the Tax Increment Financing Act, the Designation Resolution and the Original
132 Indenture; and

133 **WHEREAS**, in accordance with the Special Taxing District Act, the Designation
134 Resolution, the Original Bond Ordinance and the Original Indenture, the Special Taxes imposed
135 and collected in accordance with the Rate and Method were required to be deposited in the Special
136 Taxes Fund and applied in accordance with the provisions of the Special Taxing District Act, the
137 Designation Resolution, the Original Bond Ordinance and the Original Indenture; and
138

139 **WHEREAS**, as provided in the Tax Increment Financing Act, the Special Taxing District
140 Act, the Original Bond Ordinance and the Original Indenture, the Original Series 2007 Bonds were
141 special obligations of the City payable from amounts on deposit in the Tax Increment Fund and
142 the Special Taxes Fund and did not constitute a general obligation debt of the City or a pledge of
143 the City's full faith and credit or taxing power; and

144 **WHEREAS**, in the mid-2010s, the holders of the Original Series 2007 Bonds requested
145 that the Original Series 2007 Bonds be restructured; and

146 **WHEREAS**, pursuant to the authority of the Acts and Ordinance No. 2323, passed by the
147 Council on April 27, 2015, approved by the Mayor on May 13, 2015 and effective on May 13,
148 2015 (the "Amending Bond Ordinance"), the City amended and supplemented the Original Bond
149 Ordinance to authorize the restructuring of the Original Series 2007 Bonds; and

150 **WHEREAS**, with the consent of the holders of the Original Series 2007 Bonds, and
151 pursuant to the provisions of the Acts, the Amending Bond Ordinance, and an Executive Order of
152 the Mayor dated June 25, 2015, the Original Series 2007 Bonds were restructured and modified
153 and reissued for federal tax code purposes under the terms of an Amended and Restated Indenture
154 of Trust dated as of June 1, 2015 between the City and the Existing Trustee (the "2015 A&R
155 Indenture") as the City of Salisbury Special Obligation Bonds (The Villages of Aydelotte Farm
156 Project), Series 2007 (Capital Appreciation Bonds) in the original par amount of \$9,775,000 (the
157 "Modified Series 2007 Bonds"); and

158 **WHEREAS**, on June 25, 2015, the holders of the Original Series 2007 Bonds exchanged
159 the same for the Modified Series 2007 Bonds; and

160 **WHEREAS**, in connection with the Modified Series 2007 Bonds, certain components of
161 the Special Taxes were reduced as authorized by the Rate and Method and in accordance with the
162 2015 A&R Indenture; and

163 **WHEREAS**, Lapis Advisers, LP ("Lapis") is the current holder of all of the Modified
164 Series 2007 Bonds and has requested that the City authorize the issuance of bonds to refund the
165 Modified Series 2007 Bonds; and

166 **WHEREAS**, pursuant to the Request, the requisite owners of real property in the Special
167 Taxing District requested that the City from time to time undertaking the refinancing of the
168 Original Series 2007 Bonds through the issuance of refunding bonds, including refunding bonds
169 in aggregate principal amount in excess of the original aggregate principal amount of the refunded
170 bonds, provided that (i) in connection with any such refinancing, there is no increase in the Special
171 Taxes authorized to be levied on any class of property over the applicable maximum authorized in

the Rate and Method, and (ii) such refinancing bonds do not mature later than the Original Series 2007 Bonds were scheduled to mature; and

WHEREAS, the Council is willing to authorize a refunding of the outstanding Modified Series 2007 Bonds within the limitations provided for in this Ordinance to facilitate the future generation of Tax Increment Revenues sufficient to provide for the payment of debt service on the refunding bonds, recognizing that the Special Taxes, to the extent collected, remain a secondary source for payment of such debt service; and

WHEREAS, prior to enacting this Ordinance, the Mayor and Council held a public hearing after giving not less than ten (10) days' notice in a newspaper of general circulation in the City of Salisbury in accordance with Section 21-411 of the Special Taxing District Act.

Section 1. FINDINGS AND DETERMINATIONS. NOW, THEREFORE BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

(a) The Recitals to this Ordinance (the "Recitals") are deemed a substantive part of this Ordinance and are incorporated by reference herein, and capitalized terms defined in the Recitals and used herein shall have the meanings given to such terms in the Recitals.

(b) References in this Ordinance to any City official by title shall be deemed to refer (i) to any official authorized under the Charter, the code of ordinances of the City (the "City Code") or other applicable law or authority to act in such titled official's stead during the absence or disability of such titled official, (ii) to any person who has been elected, appointed or designated to fill such position in an acting or interim capacity under the Charter, the City Code or other applicable law or authority, (iii) to any person who serves in a "deputy," "associate," or "assistant" capacity as such an official, provided that the applicable responsibilities, rights or duties referred to herein have been delegated to such deputy, associate or assistant in accordance with the Charter, the City Code or other applicable law or authority, and/or (iv) to the extent an identified official commonly uses another title not provided for in the Charter or the City Code, the official, however known, who is charged under the Charter, the City Code or other applicable law or authority with the applicable responsibilities, rights or duties referred to herein.

(c) References in this Ordinance to officials of the City shall be deemed to include references to employees of the City as applicable.

(d) By the adoption of the Designation Resolution, the Council complied with the provisions of (i) Sections 12-203 and 12-208(c) and (d) of the Tax Increment Financing Act (as required by Section 12-204(b)(2)(i) of such Act) and (ii) Sections 21-412 and 21-414 of the Special Taxing District Act (as required by Section 21-417(b)(2)(i) of such Act), inasmuch as the corresponding provisions of the Designation Resolution are not intended to be modified by the provisions of this Ordinance.

(e) Pursuant to Section 2 of the Original Bond Ordinance and the Rate and Method, which is incorporated by reference in the Original Bond Ordinance, the Council met the

requirements of Section 21-417(b)(3) of the Special Taxing District Act with respect to the Refunding Bonds provided for in this Ordinance.

(f) The current Charter provides that the Mayor is the chief executive officer of the City. References in the Sections of this Ordinance to the Mayor shall be construed to refer to any other City official designated as the “chief executive officer” or the “chief executive” of the City within the meaning of the Acts, as applicable, in place of or in addition to the Mayor.

(g) The Request constitutes the request contemplated by Section 21-409(c) of the Special Taxing District Act with respect to the transactions contemplated by this Ordinance.

(h) All ordinances and resolutions previously passed by the City in connection with the Development District, the Special Taxing District, the Original Series 2007 Bonds and the Modified Series 2007 Bonds are hereby in all respects confirmed and ratified.

Section 2. AUTHORIZED AGGREGATE AMOUNT, NATURE OF, AND CERTAIN DETAILS OF THE REFUNDING BONDS. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

(a) Pursuant to the authority of the Acts and Section 19-207 of the Local Government Article of the Annotated Code of Maryland (as replaced, supplemented or amended, the “Refunding Act”), the City is hereby authorized to sell and issue, from time to time, in one or more series, its refunding bonds in an original aggregate principal amount not to exceed Eighteen Million Dollars (\$18,000,000.00) (collectively, the “Refunding Bonds”) for the public purpose of currently refunding or advance refunding the outstanding Modified Series 2007 Bonds in whole or in part, funding reserves, if any, or other purposes authorized by the Acts, and/or paying costs of issuance of such Refunding Bonds. If issued in more than one series, separate series of the Refunding Bonds may be issued as senior lien refunding bonds (“Senior Refunding Bonds”) and/or as subordinate lien refunding bonds (“Subordinate Refunding Bonds”), any such series of the Refunding Bonds may be issued as capital appreciation bonds, and interest on any series of the Refunding Bonds may be excludable from or includable in gross income of the holders thereof for federal income tax purposes (respectively, a “Tax-Exempt Basis” or a “Taxable Basis”). If a senior and subordinate structure is not put in place, any Refunding Bonds issued pursuant to the authority of this Ordinance shall adhere to the requirements set forth herein for Senior Refunding Bonds. The City hereby expressly recognizes that the accreted value of any such series of the Refunding Bonds issued on a capital appreciation basis, when compounded interest is added thereto, may cause the principal amount of all issued Refunding Bonds to exceed Eighteen Million Dollars (\$18,000,000.00), and such increase pursuant to the calculation of accreted value is hereby expressly authorized and approved and shall not be construed to violate the authorized maximum original aggregate principal amount (expressed as a par amount) of the Refunding Bonds provided for in this Section 2. The Refunding Bonds constitute the “Refunding Bonds” as defined in the Designation Resolution and the “refunding bonds” referred to in the Original Bond Ordinance.

(b) Any series of Senior Refunding Bonds issued on a Tax-Exempt Basis shall bear interest at a maximum rate not to exceed six and one-half percent (6.50%) per annum, and any

series of Senior Refunding Bonds issued on a Taxable Basis shall bear interest at a maximum rate not to exceed nine percent (9.00%) per annum. Any series of Subordinate Refunding Bonds issued on a Tax-Exempt Basis shall bear interest at a maximum rate not to exceed ten percent (10.00%) per annum, and any series of Subordinate Refunding Bonds issued on a Taxable Basis shall bear interest at a maximum rate not to exceed fifteen percent (15.00%) per annum. To the extent any series of the Refunding Bonds is issued as capital appreciation bonds, the maximum interest rates specified in this subsection (b) shall be construed as the maximum accretion values with respect to such series based on whether such series is issued as Senior Refunding Bonds or as Subordinate Refunding Bonds and on a Tax-Exempt Basis or on a Taxable Basis, as applicable.

(c) Any series of the Refunding Bonds shall be executed by the manual or facsimile signature of the Mayor. The seal of the City shall be affixed to or impressed upon any series of the Refunding Bonds and attested to by the City Clerk of the City (the "City Clerk"). The provisions of this subsection (c) are subject to the provisions of Section 8 of this Ordinance.

(d) No series of the Refunding Bonds shall mature later than January 1, 2037, the date of maturity of the Modified Series 2007 Bonds.

(e) **THE REFUNDING BONDS SHALL NOT BE AN INDEBTEDNESS OF THE CITY FOR WHICH THE CITY IS OBLIGATED TO LEVY OR PLEDGE, OR HAS LEVIED OR PLEDGED, AD VALOREM TAXES OR SPECIAL TAXES OF THE CITY OTHER THAN THE REAL PROPERTY TAXES REPRESENTING THE LEVY ON THE TAX INCREMENT (WITHIN THE MEANING OF THE TAX INCREMENT FINANCING ACT) OF PROPERTIES LOCATED IN THE DEVELOPMENT DISTRICT OR THE SPECIAL TAXES CONTEMPLATED BY THIS ORDINANCE AND THE RATE AND METHOD. THE REFUNDING BONDS SHALL BE A SPECIAL OBLIGATION OF THE CITY AND WILL NOT CONSTITUTE A GENERAL OBLIGATION DEBT OF THE CITY OR A PLEDGE OF THE CITY'S FULL FAITH AND CREDIT OR TAXING POWER. THE ONLY FUNDS THE CITY WILL BE OBLIGATED TO USE TO MAKE PAYMENT ON THE REFUNDING BONDS WILL BE THOSE THAT RESULT FROM REAL PROPERTY TAXES LEVIED BY THE CITY ON THE TAX INCREMENT OF PROPERTIES LOCATED IN THE DEVELOPMENT DISTRICT AND, IF SUCH REVENUES ARE OR WILL BE INSUFFICIENT, THE SPECIAL TAXES LEVIED ON AND COLLECTED FROM PROPERTY LOCATED IN THE SPECIAL TAXING DISTRICT IN ACCORDANCE WITH THE RATE AND METHOD AND THIS ORDINANCE.**

Section 3. COVENANTS AND PLEDGES AS TO TAX INCREMENT REVENUES AND SPECIAL TAXES. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

(a) By the adoption of the Designation Resolution, the City took all necessary action contemplated by the Tax Increment Financing Act to provide for the segregation and deposit in the Tax Increment Fund of the Tax Increment Revenues, including with respect to the Refunding Bonds; and by this Ordinance the City hereby reiterates such pledge and covenants to so levy,

impose, collect and segregate such Tax Increment Revenues for the benefit of the holders of any issued Refunding Bonds; and

(b) In connection with the issuance of any Refunding Bonds, as contemplated and authorized by Section 2 of the Original Bond Ordinance, the City covenants and agrees to continue levying and imposing the Special Taxes upon all real and personal property within the Special Taxing District, unless exempted by law or by the provisions of the Rate and Method, in an amount equal to the Maximum Special Tax provided for in the Rate and Method (subject to increase in each tax year as specified in the Rate and Method, and subject to the reduction provided for in connection with the exchange of the Modified Series 2007 Bonds for the Original Series 2007 Bonds), which Maximum Special Tax shall continue to levied and imposed upon and allocated among the Parcels of Taxable Property (as defined in the Rate and Method) located in the Special Taxing District in accordance with the Rate and Method and as previously reduced. The Special Taxes shall be levied and imposed to the extent and in the manner provided in the Rate and Method, through the application of the procedures provided for in the Rate and Method. The Special Taxes shall terminate as provided in the Rate and Method. The Maximum Special Tax is designed to provide adequate revenues to pay the principal of, interest on and redemption premium, if any, on the Refunding Bonds, to replenish any debt service reserve fund, and for any other purpose related to the ongoing expenses of or security for the Refunding Bonds. The City hereby covenants that the Special Taxes shall be imposed in accordance with the Rate and Method at a rate and amount at least sufficient in each year in which any of the Refunding Bonds are outstanding to provide, if necessary, for the payment of the principal of, interest on and any redemption premium on the Refunding Bonds, to make any other required payments and to provide for ongoing expenses of or security for the Bonds, all in accordance with the Rate and Method, subject to the provisions of the Rate and Method. The Council hereby authorizes and directs the Mayor or the Mayor's designee, on behalf of the City, to determine the amount of the Special Taxes to be collected from each Parcel of Taxable Property in each year in accordance with the procedures set forth in the Rate and Method, which amount to be collected may be in an amount less than that portion of the Maximum Special Tax allocable to each such Parcel in accordance with the Rate and Method, but may not exceed the portion of the Maximum Special Tax allocated to each such Parcel pursuant to the Rate and Method. References to the "Rate and Method" in this Section 2 and in the further Sections of this Ordinance shall be deemed to take into consideration the adjustments made in connection with the exchange of the Original Series 2007 Bonds for the Modified Series 2007 Bonds.

Section 4. AUTHORITY OF THE MAYOR TO DETERMINE CERTAIN MATTERS RELATING TO THE REFUNDING BONDS. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that prior to the sale, issuance and delivery of any series of the Refunding Bonds, the Mayor, by executive order, is hereby authorized, empowered and directed to specify, prescribe, determine, provide for, or approve, for the purposes and within the limitations of the Acts, the Refunding Act and this Ordinance, all matters, details, forms, documents, and procedures pertaining to the sale, security, issuance, delivery, and payment of and for such series of the Refunding Bonds, including without limitation, the following (references in this following clauses (a) – (t) to the Refunding Bonds are deemed to refer to any particular series of the Refunding Bonds):

353 (a) The original principal amount of the Refunding Bonds to be issued (specified as an
354 initial par amount with regard to any Refunding Bonds issued as capital appreciation bonds), and
355 whether one or more series of Refunding Bonds will be issued at the same time;
356

357 (b) The actual rate or rates of interest for the Refunding Bonds and, with respect to any
358 Refunding Bonds issued as capital appreciation bonds, the accretion value of and the method of
359 calculating accreted value for the Refunding Bonds;
360

361 (c) Whether the Refunding Bonds will be issued as Senior Refunding Bonds or as
362 Subordinate Refunding Bonds;
363

364 (d) The terms upon which the Refunding Bonds are to be sold;
365

366 (e) The manner in which and the times and places that the interest on the Refunding
367 Bonds is to be paid;
368

369 (f) The time or times that the Refunding Bonds may be executed, issued and delivered;
370

371 (g) The form, purpose and tenor of the Refunding Bonds and the denominations in
372 which the Refunding Bonds may be issued;
373

374 (h) The manner in which and the times and places that the principal of and interest on
375 (including any applicable accreted value of the Refunding Bonds) is to be paid, within the
376 limitations set forth in the Acts and this Ordinance;
377

378 (i) Provisions pursuant to which any or all of the Refunding Bonds may be called for
379 redemption or prepayment prior to their stated maturity dates;
380

381 (j) Provisions for obtaining insurance for the Refunding Bonds or for the issuance of
382 a guaranty, letter or credit, line of credit, or similar credit support for the Refunding Bonds;
383

384 (k) The form and contents of, and provisions for the execution and delivery of, such
385 financing or other documents that are not otherwise specifically identified in this Ordinance or the
386 Designation Resolution, and any amendments, modifications or supplements thereto, as the Mayor
387 shall deem necessary or desirable to evidence, secure or effectuate the issuance, sale and delivery
388 of the Refunding Bonds, including, without limitation, (i) any amendment of, amendment and
389 restatement of, or supplement to, the 2015 A&R Indenture, (ii) any new trust indenture, trust
390 agreement or indenture of trust (by whatever name known), (iii) any bond purchase agreement,
391 (iv) agreements with consultants to or agents of the City with respect to the District or the
392 Refunding Bonds, and (v) fee agreements, funding agreements, investment agreements, security
393 agreements, assignments, guarantees, financing agreements or escrow agreements (by whatever
394 names known), including any amendments to, amendments and restatements of, or supplements
395 to, any such agreements or instruments entered into in connection with the Original Series 2007
396 Bonds or the Modified Series 2007 Bonds;
397

398 (l) The creation of security for the Refunding Bonds and provision for the
399 administration of the Refunding Bonds including, without limitation, the appointment of such
400 trustees (including any replacement trustee for the Existing Trustee), escrow agents, fiscal agents,
401 administrators of the District, paying agents, registrars, investment bidding agents, rebate monitors
402 or other agents as the Mayor shall deem necessary or desirable to effectuate the transactions
403 authorized hereby, including, without limitation, any amendments to, amendments and
404 restatements of, or supplements to existing agreements or arrangements with any such
405 counterparties that are in effect with respect to the Original Series 2007 Bonds or the Modified
406 Series 2007 Bonds;

407
408 (m) Provisions for the preparation and distribution of both a preliminary and a final
409 official statement, limited offering memorandum, placement memorandum, offering circular or
410 other disclosure document in connection with the sale of the Refunding Bonds, if such preliminary
411 and final official statement, limited offering memorandum, placement memorandum, offering
412 circular or other disclosure document is determined to be necessary or desirable for the sale of the
413 Refunding Bonds;

414
415 (n) The determination of the manner of sale of the Refunding Bonds, which may be
416 either at public or private (negotiated) sale, the identity of the underwriter or placement agent for
417 the Refunding Bonds, if any, or the purchaser or purchasers of the Refunding Bonds, and the form
418 and contents of, and provisions for the execution and delivery of, any contract or contracts for the
419 purchase and sale of the Refunding Bonds (or any portion thereof);

420
421 (o) To the extent that other obligated persons with respect to the Refunding Bonds have
422 not assured compliance with, or to the extent that the offering of the Refunding Bonds is not
423 exempt from the requirements of, Rule 15c2-12 of the United States Securities and Exchange
424 Commission, the determination of the form and contents of any written agreement or contract
425 required by law or to the extent the same is determined to be necessary or desirable even if not
426 required by law, for the benefit of the holders of the Refunding Bonds under which agreement or
427 contract the City will undertake to provide annual financial information, audited financial
428 statements, material events notices, and/or other information to the extent required by such Rule
429 or such agreement or contract;

430
431 (p) The negotiation, preparation, execution and delivery of any (i) agreements with the
432 holders of the Modified Series 2007 Bonds or the Refunding Bonds, and (ii) any amendments of,
433 amendments and restatements of, or supplements to any existing agreements entered into in
434 connection with the Original Series 2007 Bonds or the Modified Series 2007 Bonds;

435
436 (q) The approval of any amendments to, or the determination of any reduction in the
437 Maximum Special Tax provided for in the Rate and Method, in accordance with the provisions of
438 the Rate and Method, to the extent not otherwise prohibited by the Special Taxing District Act;

439
440 (r) Any matters contemplated by the Acts or the Refunding Act relating to application
441 of the proceeds of the Refunding Bonds, including, without limitation, the establishment and
442 application of sinking funds and reserve funds, if any, for the Refunding Bonds;

(s) The purposes of the Refunding Act to be satisfied in connection with the issuance of the Refunding Bonds; and

(t) The determination of, or the provision for, such other matters in connection with the authorization, issuance, execution, sale, delivery, and payment of the Refunding Bonds, the security for the Refunding Bonds, and the consummation of the transactions contemplated by this Ordinance as may be deemed appropriate by the Mayor, including, without limitation, establishing procedures for the execution, acknowledgement, sealing and delivery of such other and further agreements, documents and instruments, and the authorization of the officials of the City to take any and all actions, as are or may be necessary or appropriate to consummate the transactions contemplated by this Ordinance in accordance with the Acts and this Ordinance.

Notwithstanding the provisions of the foregoing clauses (d) and (n), it is presently intended by the Council that any series of the Refunding Bonds determined to be sold by a negotiated underwriting shall be sold by private (negotiated) sale to Piper Sandler & Co. ("Piper Sandler"), acting as underwriter of such series of the Refunding Bonds, unless Piper Sandler is unable to sell such series of the Refunding Bonds in a manner satisfactory to the Mayor and the Director of Finance of the City (the "Director of Finance") or unless the Mayor, with the assistance of the Director of Finance, determines that there is another valid and justifiable reason why such series of the Refunding Bonds shall not be sold in such manner.

The Mayor's execution and delivery of any such executive order shall constitute conclusive evidence of the Mayor's approval of the subject matter thereof.

Section 5. FURTHER AUTHORITY OF MAYOR. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the Mayor, on behalf of the City, by an executive order contemplated by the Acts, is hereby authorized to condition the issuance of any series of the Refunding Bonds upon the execution, delivery and recording (including as a post-closing action), as applicable, by the City, any of then-current owners of property located in the District, the developers of property within the District or other appropriate parties of any declaration of covenants, any notice to property owners within the District (including subsequent property owners), or any other similar documents, instruments or certificates reasonably related to the transactions contemplated by this Ordinance. The Mayor, on behalf of the City, is hereby authorized and empowered to prepare or cause to be prepared, negotiate or cause to be negotiated and execute and deliver any such declarations, notices, documents, instruments or certificates to which the City is a party, and the same shall contain such terms, agreements and conditions and be in such form as the Mayor may approve, and the execution and delivery of the same by the Mayor shall constitute conclusive evidence of the Mayor's approval thereof.

484 **Section 6. CERTIFICATIONS AS TO TAX MATTERS. BE IT FURTHER**
485 **ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY,**
486 **MARYLAND,** that with respect to any series of the Refunding Bonds issued on a Tax-Exempt
487 Basis:

488
489 (a) Any two of the Mayor, the City Administrator and the Director of Finance (or any
490 two other City officials designated by the Mayor pursuant to an executive order contemplated in
491 Section 4 above), acting in concert on behalf of the City, and provided that such actions are within
492 the bounds of their authority, are hereby authorized to prepare or cause to be prepared, negotiate
493 or cause to be negotiated, execute and deliver any supplement or amendment to, or any amendment
494 and restatement of, a tax and section 148 certificate or any similar certificate or agreement as to
495 tax and arbitrage matters with respect to any such series of the Refunding Bonds (in any such case,
496 the "Tax Certificate"). The Tax Certificate shall contain such terms, agreements and conditions
497 (and reflect, if applicable, any determinations provided for in any executive order executed and
498 delivered pursuant to Section 4 above) and be in such form as such officials shall approve after
499 consultation with bond counsel to the City, and the execution of the Tax Certificate by such
500 officials shall constitute conclusive evidence of their approval with respect thereto.

501
502 (b) The City shall set forth in the Tax Certificate its reasonable expectations as to
503 relevant facts, estimates and circumstances relating to the use of the proceeds of such series of the
504 Refunding Bonds (for purposes of the Code) or of any monies, securities or other obligations to
505 the credit of any account of the City which may be deemed to be proceeds of such series of the
506 Refunding Bonds pursuant to the Code (collectively, the "Bond Proceeds"). The City covenants
507 with the registered owners of such series of the Refunding Bonds that the facts, estimates and
508 circumstances set forth in the Tax Certificate will be based on the City's reasonable expectations
509 on the date of execution and delivery of such series of the Refunding Bonds and will be, to the
510 best of the certifying officials' knowledge, true and correct as of that date.

511
512 (c) The City covenants with the registered owners of any such series of the Refunding
513 Bonds that it will not make, or (to the extent that it exercises control or direction) permit to be
514 made, any use of the Bond Proceeds that would cause such series of the Refunding Bonds to be
515 "arbitrage bonds" within the meaning of the Code, and that it will comply with those provisions
516 of the Code as may be applicable to such series of the Refunding Bonds on their date of issuance
517 and which may subsequently lawfully be made applicable to such series of the Refunding Bonds
518 as long as any Refunding Bonds of such series remain outstanding and unpaid.

519
520 (d) The City specifically covenants that it will comply with all provisions of the Code
521 applicable to such series of the Refunding Bonds, including, without limitation, compliance with
522 provisions regarding the expenditure of the Bond Proceeds, the use of the Bond Proceeds and the
523 facilities refinanced therewith, the restriction of investment yields, the filing of information with
524 the Internal Revenue Service, and the rebate of certain earnings resulting from the investment of
525 the Bond Proceeds or payments in lieu thereof. The City further covenants that it shall make such
526 use of the Bond Proceeds, regulate the investment thereof and take such other and further actions
527 as may be required to maintain the exclusion from gross income for federal income tax purposes
528 of interest on such series of the Refunding Bonds. All officials and agents of the City are hereby
529 authorized and directed to provide such certifications of facts and estimates regarding the amount

and use of the Bond Proceeds and other matters relating to such series of the Refunding Bonds as may be necessary or appropriate.

(e) In connection with their execution and delivery of the Tax Certificate, the authorized officials identified in this Section 6 are hereby authorized and empowered, on behalf of the City, to make any designations, elections, determinations or filings on behalf of the City provided for in or permitted by the Code and to reflect the same in the Tax Certificate and/or any form filed with the Internal Revenue Service or any other documentation deemed appropriate by bond counsel to the City. The Council hereby recognizes that any such form filed with the Internal Revenue Service will be signed by only one such official.

(f) The provisions of this Section 6 shall not be construed to apply to any series of the Refunding Bonds issued on a Taxable Basis.

Section 7. ADDITIONAL AUTHORIZED DOCUMENTATION AND ACTIONS. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that the following officials of the City: the Mayor, President of the Council, the Vice President of the Council, the City Administrator, the Director of Finance, any Assistant Director of Finance and the City Clerk, acting individually or in concert as appropriate, and provided that such actions are within the bounds of authority, are authorized and directed to take any and all actions and to execute, attest, and deliver, and to file and record in any appropriate public offices (if applicable) all documents, instruments, certifications, forms, financing statements or amendments thereto, letters of instructions, written requests, contracts, agreements and other papers customarily delivered in connection with the execution and delivery of obligations in the nature of the Refunding Bonds, whether or not herein mentioned and not otherwise provided for herein, as may be necessary or convenient to evidence the approvals of the City provided for in this Ordinance, to invest moneys held under any trust indenture, trust agreement, indenture of trust (including any amendment to, amendment and restatement of, or supplement to, the 2015 A&R Indenture), or any escrow agreement, moneys on deposit in the Tax Increment Fund or the Special Taxes Fund (in all such cases, in accordance with the provisions of applicable Maryland and federal law), to facilitate the issuance of any series of the Refunding Bonds, and to consummate the transactions contemplated in this Ordinance or in any of the agreements, documents, certificates or instruments herein authorized and approved.

Section 8. ATTESTATION AS TO THE CITY SEAL. BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that in the event that, notwithstanding the provisions of Section 2(c) of this Ordinance, to the extent not prohibited by the Charter of the City Code, at the time the City seal needs to be or may be impressed or affixed on any of the Refunding Bonds or any related documents, agreements, certificates or instruments the position of the City Clerk is vacant, or in the absence, disability or unavailability of any incumbent City Clerk, if no other City official has the authority to attest to the impression or affixing of the City seal under the Charter, the City Code or other applicable law or authority, such attestation may be made by any of the following City officials in the following order of priority: any Assistant City Clerk, the City Administrator, any Deputy City Administrator, the Director of Finance or any other official designated by the Council by resolution, motion or other appropriate action; provided that, the same official may not both execute any such document or agreement on behalf of the City and attest to the impression or

574 affixing of the City seal on the same, but any such official may both certify to the impression or
575 affixing of the City seal on and make other certifications in any closing certificate.

576
577 **Section 9. LIBERAL CONSTRUCTION OF ORDINANCE.** BE IT
578 **FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF**
579 **SALISBURY, MARYLAND,** that the provisions of this Ordinance shall be liberally construed in
580 order to effectuate and carry out the purposes of and the activities authorized by the Acts, the
581 Refunding Act and the matters contemplated by this Ordinance.

582
583 **Section 10. SEVERABILITY PROVISIONS.** BE IT FURTHER ENACTED AND
584 **ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND** that the
585 provisions of this Ordinance are severable, and if any provision, sentence, clause, section or part
586 hereof is held or determined to be illegal, invalid, unconstitutional or inapplicable to any person
587 or circumstance, such illegality, invalidity, unconstitutionality or inapplicability shall not affect or
588 impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance or
589 their application to other persons or circumstances. It is hereby declared to be the intent of the
590 City that this Ordinance would have been adopted if such illegal, invalid, unconstitutional or
591 inapplicable provision, sentence, clause, section or part had not been included herein, and if the
592 person or circumstances to which this Ordinance or any part hereof are inapplicable had been
593 specifically exempted herefrom.

594
595 **Section 11. EFFECTIVENESS OF ORDINANCE.** BE IT FURTHER
596 **ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY,**
597 **MARYLAND,** that this Ordinance shall become effective following approval by the Mayor or
598 subsequent passage by the Council in accordance with the provision of Section SC2-12 of the
599 Charter. Pursuant to the Acts and Section SC2-16 of the Charter, this Ordinance shall not be
600 subject to petition to referendum.

601
602
603 [CONTINUED ON FOLLOWING PAGE]
604

THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury held on the 06 day of October, 2025, and thereafter, a statement of the substance of this Ordinance having been posted or published as required by law, was finally passed by the Council _____ [as introduced] _____ [as amended] [CHECK APPLICABLE LINE] on the _____ day of _____, 2025.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this _____ day of _____, 2025:

Randolph J. Taylor, Mayor

Key:

Underlining: Indicates material added by amendment after introduction

~~Strike-through~~: Indicates material deleted by amendment after introduction



City of Salisbury

Memo

To: Nick Rice, City Administrator
From: Emily Goebel, Office Administrator
Date: September 22, 2025
Subject: Updating the Department of Infrastructure and Development Chain of Command - 1st Reading

The attached ordinance allows for an update to the chain of command for the Director of Infrastructure and Development to report directly to the Deputy City Administrator under the authority of the Mayor.

Attachment(s):
[Ord2962](#)

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AN ORDINANCE OF THE CITY OF SALISBURY AMENDING CHAPTER 2.12.040 OF THE SALISBURY CITY CODE TO UPDATE THE CHAIN OF COMMAND OF THE DIRECTOR OF INFRASTRUCTURE AND DEVELOPMENT.

WHEREAS, the ongoing application, administration and enforcement of the City of Salisbury Municipal Code (the “**Salisbury City Code**”) demonstrates a need for its periodic review, evaluation and amendment, in order to comply with present community standards and values, and promote the public safety, health and welfare of the citizens of the City of Salisbury (the “**City**”); and

WHEREAS, the Mayor and Council of the City of Salisbury (the “**Mayor and Council**”) are authorized by MD Code, Local Government, § 5-202, as amended, to adopt such ordinances, not contrary to the Constitution of Maryland, public general law or public local law, as the Mayor and Council deem necessary to assure the good government of the municipality, to preserve peace and order, to secure persons and property from damage and destruction, and to protect the health, comfort and convenience of the citizens of the City; and

WHEREAS, the Mayor and Council find that amendments to Chapter 2.12.040 of the Salisbury City Code are desirable to update the chain of command of the director of the department of infrastructure and development; and

WHEREAS, the Mayor and Council have determined that the amendments to Chapter 2.12.040 of the Salisbury City Code set forth below shall be adopted as set forth herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY COUNCIL OF THE CITY OF SALISBURY, MARYLAND, that Chapter 2.12.040 of the Salisbury City Code is hereby amended by adding the bolded and underlined language and deleting the strikethrough language as follows:

Section 1. Chapter 2.12.040 of the Salisbury City Code, entitled “Director responsible to mayor – Inspections – Issuance of warrants for violations” is amended as follows:

2.12.040 – Director responsible to mayor – Inspections – Issuance of warrants for violations.

The director of the department of infrastructure and development shall be responsible and report directly to the ~~deputy~~ city administrator under the authority of the mayor. The department of infrastructure and development shall make all necessary inspections to determine whether the building, electrical, gas, plumbing, zoning, fire, mechanical or existing building codes have been or are being violated.

BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE CITY OF SALISBURY, MARYLAND, as follows:

Section 2. It is the intention of the Mayor and Council of the City of Salisbury that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council of the City of Salisbury that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain and shall be deemed valid and enforceable.

Section 4. The recitals set forth hereinabove are incorporated into this section of the Ordinance as if such recitals were specifically set forth at length in this Section 4.

Section 5. This Ordinance shall take effect from and after the date of its final passage.

THIS ORDINANCE was introduced and read at a Meeting of the Mayor and Council of the City of Salisbury held on the 27 day of October, 2025 and thereafter, a statement of the substance of the Ordinance having been published as required by law, in the meantime, was finally passed by the Council of the City of Salisbury on the ____ day of _____, 2025.

ATTEST:

Julie A. English, City Clerk

D'Shawn M. Doughty, City Council President

Approved by me, this ____ day of _____, 2025.

Randolph J. Taylor, Mayor